

PIN: 01-14-205-044

ADDRESS:
1004 104th STREET
NAPERVILLE, IL 60564

PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170

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

PZC Case #22-1-044

ORDINANCE NO. 22- __

AN ORDINANCE APPROVING A MINOR CHANGE TO THE
RIVER RUN CENTRE LOT 1 PLANNED UNIT DEVELOPMENT FOR
DUNKIN WITH DRIVE THRU

RECTIALS

1. **WHEREAS**, Dipa Patel, SAI Bolingbrook LLC ("**Petitioner**"), has petitioned the City of Naperville for approval of a minor change to the River Run Centre Lot 1 Planned Unit Development (PUD) for real property located at 1004 104th Street, Naperville, Illinois, legally described on Exhibit A and depicted on Exhibit B ("**Subject Property**"); and
2. **WHEREAS**, the Subject Property is currently zoned B1 (Neighborhood Convenience Shopping Center District) with a Conditional Use for a Planned Unit Development that allows for a mixed-use bank and medical office building on Lot 1 of River Run Centre; and
3. **WHEREAS**, the owner of the Subject Property is Old Second National Bank ("**Owner**"); and

4. **WHEREAS**, the Owner has authorized the Petitioner to request a Minor Change to the River Run Centre Lot 1 PUD; and
5. **WHEREAS**, on December 19, 2006, the City Council of the City of Naperville passed Ordinance No. 06-298 approving the Final PUD Plat for River Run Centre; and
6. **WHEREAS**, on December 4, 2007, the City Council of the City of Naperville passed Ordinance No. 07-254 approving a Major Change to the Conditional Use for a Planned Unit Development and a Final Planned Unit Development for River Run Centre Lot 1 to allow for a land use change from the originally designated bank to allow for the development of a mixed-use bank and medical office building on Lot 1; and
7. **WHEREAS**, the Petitioner seeks to locate a Dunkin Donuts with a drive-through, which is a retail use, within a portion of the building located on River Run Centre Lot 1; and
8. **WHEREAS**, retail uses are permitted within the Subject Property's underlying B1 zoning district; and
9. **WHEREAS**, the Petitioner is requesting a minor change to the River Run Centre Lot 1 Planned Unit Development to allow any use permitted in the B1 zoning district to be eligible to locate on Lot 1 of the Subject Property, subject to compliance with parking requirements; and
10. **WHEREAS**, the requested minor change meets the Standards for a Minor Change to the Planned Unit Development as provided in **Exhibit C** attached hereto; and
11. **WHEREAS**, the City Council has determined that the Petitioner's 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 minor change to the River Run Centre Lot 1 Planned Unit Development to allow any use permitted in the B1 zoning district to be eligible to be located on Lot 1 of the Subject Property, subject to compliance with parking requirements, 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 Will 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.

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

PASSED this _____ day of _____, 2022.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____, 2022.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk