

PIN: 08-29-103-010

PROPERTY ADDRESS:  
471 E 75<sup>TH</sup> STREET  
NAPERVILLE, IL 60565

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/COMMUNITY SERVICES DEPT  
400 SOUTH EAGLE STREET  
NAPERVILLE, IL 60540

PZC Case #24-1-099

**ORDINANCE NO. 25 - \_\_\_\_**

**AN ORDINANCE GRANTING A VARIANCE FROM THE PARKING  
AND LANDSCAPE PROVISIONS OF THE NAPERVILLE MUNICIPAL CODE  
FOR A NEW DAY CARE CENTER FOR THE PROPERTY LOCATED AT  
471 E 75<sup>TH</sup> STREET (PRIMROSE SCHOOL)**

**RECITALS**

1. **WHEREAS**, Primrose Schools, 3200 Windy Hill Road SE, Suite 1200E, Atlanta, GA, 30339 ("**Petitioner**"), has petitioned the City of Naperville for approval of a zoning variance to reduce the number of required parking spaces and a landscape variance to provide relief from parking lot screening for the property located at 471 E 75<sup>th</sup> Street, Naperville, Illinois, 60565, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**").
2. **WHEREAS**, Raymond Bishop, 6721 Leonard Drive, Darien, IL, 60561 ("**Owner**") is the owner of the Subject Property and has authorized the Petitioner, as defined herein, to submit a petition to the City seeking the relief described herein.

3. **WHEREAS**, the Subject Property is currently zoned OCI Office, Commercial and Institutional District and improved with a one-story building and accessory structures.
4. **WHEREAS**, on March 4, 1998, the City Council of the City of Naperville approved Ordinance 98-23, annexing the Subject Property to the City of Naperville.
5. **WHEREAS**, on March 4, 1998, the City Council of the City of Naperville approved Ordinance 98-24, amending the zoning ordinance of the City of Naperville by zoning the Subject Property to the OCI Office, Commercial and Institutional District.
6. **WHEREAS**, the Petitioner proposes to demolish the existing structures on the property and construct an approximately 13,596 square foot daycare center building with outdoor play areas on the Subject Property as shown in **Exhibit B** (“**Site Plan**”).
7. **WHEREAS**, pursuant to Section 6-3-6:2 (Standards for Variances) of the Naperville Municipal Code, the Petitioner requests approval of a variance to Section 6-9-3:6 (Schedule of Off-Street Parking Requirements) to decrease the number of required minimum off-street parking spaces for a day care from 54 spaces to 44 spaces.
8. **WHEREAS**, pursuant to Section 5-10-7:5 (Standards for Variance), the Petitioner also requests approval of a landscape variance to Municipal Code Section 5-10-3:5.2.4.1 (Parking Lot Landscaping) to provide relief from the requirement to install a 6-foot fence or wall along the eastern perimeter of the parking lot.
9. **WHEREAS**, on February 5, 2025, the Planning and Zoning Commission conducted a public hearing to consider PZC 24-1-099 and recommended approval of the Petitioner’s request subject to the inclusion of increased landscaping along the north property line.
10. **WHEREAS**, following the Planning and Zoning Commission meeting, the petitioner modified the landscape plan to comply with the conditions recommended by the PZC.

11. **WHEREAS**, the City Council of the City of Naperville has determined that the Petitioner’s variance requests meet the Standards for Variance as provided in **Exhibit C** (“**Response to Standards**”) attached hereto and 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 variance from Section 6-9-3:6 (Schedule of Off-Street Parking Requirements) of the Naperville Municipal Code to allow for a reduction of the number of required off-street parking spaces from 54 to 44 spaces for the Subject Property, as depicted on the Site Plan attached hereto as **Exhibit B**, is hereby approved.

**SECTION 3:** A landscape variance from Section 5-10-3:5.2.4.1 (Parking Lot Landscaping) of the Naperville Municipal Code to allow relief from the requirement to install a 6-foot fence or wall along the eastern perimeter of the parking lot for the Subject Property, as depicted on the Site Plan attached hereto as **Exhibit B**, is hereby approved subject to the following condition:

- a. If the neighboring fence at 8S360 Oxford Lane is ever removed, the petitioner is required to install a fence or wall on their property within 180 days to meet the screening requirement outlined in Section 5-10-3:5.2.4.1. This would include removing the existing chain link fence on the subject property and replacing the fence with a privacy fence or wall that meets the requirements of Section 5-10-3:5.2.4.1.

**SECTION 4:** The Site Plan, attached to this Ordinance as **Exhibit B**, is hereby approved as the controlling site plan for the Subject Property.

**SECTION 5:** The Preliminary Landscape Plan, attached to this Ordinance as **Exhibit D**, is hereby approved for the Subject Property.

**SECTION 6:** The Building Elevations, attached to this Ordinance as **Exhibit E**, is hereby approved for the Subject Property.

**SECTION 7:** The variances approved by this Ordinance shall expire unless within two (2) years from the effective date of this Ordinance if: (1) a building permit has been obtained and the construction or alteration of the structure as specified in this Ordinance has been started, or (2) the use specified in this Ordinance has commenced.

**SECTION 8:** This variance shall be subject to revocation for failure to comply with all other applicable provisions set forth in the Naperville Municipal Code, as amended from time to time, and all other applicable laws.

**SECTION 9:** The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

**SECTION 10:** 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 11:** This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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Scott A. Wehrl  
Mayor

ATTEST:

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Dawn C. Portner  
City Clerk