

**PIN:  
08-19-318-001**

**ADDRESS:  
1001 S. WASHINGTON STREET  
NAPERVILLE, ILLINOIS 60540**

**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 #19-1-049**

**ORDINANCE NO. 19 - \_\_\_\_\_**

**AN ORDINANCE REZONING THE PROPERTY  
LOCATED AT 1001 S. WASHINGTON STREET TO  
to B1 (NEIGHBORHOOD CONVENIENCE SHOPPING CENTER DISTRICT) FOR  
TARTAN HIGHLANDS SUBDIVISION**

**WHEREAS**, DJR Acquisitions 1001 Washington, LLC, an Illinois limited liability company; CCK 1001 Washington, LLC, an Illinois limited liability company; SOS 1001 Washington, LLC, an Illinois limited liability company; and, Naperville Washington, LLC, an Illinois limited liability company (hereinafter "Petitioners"), all with a registered office at 350 W. Hubbard Street, Suite 640, Chicago, IL 60654, own certain property located at 1001 S. Washington St., Naperville, IL 60540, legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property"); and

**WHEREAS**, the Subject Property is currently zoned OCI (Office, Commercial and Institutional District) and is the site of the former PNC bank building; and

**WHEREAS**, Petitioners intend to construct a mixed retail and commercial development that includes multiple eating and drinking establishments and an

approximately 2,400 square-foot stand-alone coffee shop and drive-through on the Subject Property; and

**WHEREAS**, the OCI District does not permit eating and drinking establishments; and

**WHEREAS**, the Petitioners have requested that the Subject Property be rezoned from OCI (Office, Commercial and Institutional District) to B1 (Neighborhood Convenience Shopping Center District) in order to accommodate eating and drinking establishments and a coffee shop with a drive-through; and

**WHEREAS**, the requested rezoning of the Subject Property meets the Standards for Rezoning as provided in **Exhibit C** attached hereto; and

**WHEREAS**, Petitioners have also petitioned the City for approval of a preliminary/final plat of subdivision and for several variances; and

**WHEREAS**, on July 17, 2019 the Planning and Zoning Commission conducted a public hearing to consider Petitioners' zoning and variance requests in PZC 19-1-049, and recommended approval thereof ; and

**WHEREAS**, the City Council of the City of Naperville has determined that the Petitioners' 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 herein. 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 B1 (Neighborhood Convenience Shopping Center 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 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.

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

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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Steve Chirico  
Mayor

ATTEST:

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Pam Gallahue, Ph.D.  
City Clerk