

PINS:

01-14-300-005

01-14-300-013

ADDRESS:

**3.8 ACRES OF VACANT PROPERTY LOCATED
NORTH OF 11007 S. BOOK ROAD
NAPERVILLE, IL 60564**

**.7 ACRES OF VACANT PROPERTY LOCATED
IMMEDIATELY ADJACENT TO AND NORTH OF
11007 S. BOOK ROAD
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 #19-1-09

ORDINANCE NO. 19 -

**AN ORDINANCE REVOKING ORDINANCE NOS. 18-055, 18-056, 18-057, 18-058, AND
18-059 AS PREVIOUSLY APPROVED FOR THE ENCLAVE ON BOOK (PZC 18-1-01)
FOR REAL PROPERTY LOCATED NORTH OF 11007 S. BOOK**

WHEREAS, Zion Evangelical Lutheran Church, located at 11007 S. Book Road, is the owner of approximately 3.8 acres of vacant real property located on the east side of Book Road, north of Hassert Boulevard, legally described as Parcel A on **Exhibit A** attached hereto and made part hereof, and having a parcel identification number of 01-14-300-005; and

WHEREAS, JHL Developments, LLC is the owner of approximately .7 acres of vacant real property located immediately adjacent to and south of Parcel A, legally described as Parcel B on **Exhibit A**, and having a parcel identification number of 01-14-300-013; and

WHEREAS, Parcel A and Parcel B are collectively referenced herein as the “**Subject Property**”; and

WHEREAS, the owners of Parcel A and Parcel B are collectively referenced herein as “**Owners**”; and

WHEREAS, on June 5, 2018, the City Council of the City of Naperville passed Ordinance No. 18-055 approving an annexation agreement for the Subject Property; Ordinance No. 18-056 approving annexation of the Subject Property into the City of Naperville corporate limits; Ordinance No. 18-057 approving rezoning the Subject Property to R1 (Low Density Single Family Residence District) upon annexation for Enclave on Book; Ordinance No. 18-058 approving a Preliminary/Final Plat of Subdivision and the Owner’s Acknowledgement and Acceptance for Enclave on Book; and Ordinance No. 18-059 approving a variance to 6-6L-7 (R1: Yard Requirements) for Enclave on Book – PZC 18-1-01 (hereinafter referred to as “**Prior Enclave on Book Approvals**”); and

WHEREAS, the Prior Enclave on Book Approvals were never recorded with the Will County Recorder and the Owners no longer wish to pursue development of the Subject Property in accordance with the Prior Enclave on Book Approvals; and

WHEREAS, with the approval and authorization of the Owners, McNaughton Development, Inc. (“**Petitioner**”) has petitioned the City of Naperville (“**City**”) for development of the Subject Property as stipulated in Enclave on Book - PZC 19-1-09, which shall be subject to review and approval by the City; and

WHEREAS, the Owners accordingly request revocation of the Prior Enclave on Book Approvals; and

WHEREAS, the City Council of the City of Naperville has determined that it is desirable to revoke the Prior Enclave on Book Approvals.

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 authority, as follows:

SECTION 1: The foregoing recitals are incorporated as though fully set forth in this Section 1.

SECTION 2: City of Naperville Ordinance No. 18-055 approving an annexation agreement for the Subject Property is hereby revoked.

SECTION 3: City of Naperville Ordinance No. 18-056 approving annexation of the Subject Property into the City of Naperville corporate limits is hereby revoked.

SECTION 4: City of Naperville Ordinance No. 18-057 approving rezoning the Subject Property to R1 (Low Density Single Family Residence District) upon annexation is hereby revoked.

SECTION 5: City of Naperville Ordinance No. 18-058 approving the Preliminary/Final Plat of Subdivision and the Owner's Acknowledgement and Acceptance for the Subject Property is hereby revoked.

SECTION 6: City of Naperville Ordinance No. 18-059 approving a variance to 6-6L-7 (R1: Yard Requirements) is hereby revoked.

SECTION 7: 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 or resolution.

SECTION 8: The City Clerk is authorized and directed to record a certified copy of this Ordinance in the Office of the Will County Recorder.

SECTION 9: This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED this _____ day of _____, 2019.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2019.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk