

PINs:
08-18-131-014
08-18-131-015
08-18-131-016
08-18-131-017

ADDRESSES:
252 AND 262 EAST 4TH AVENUE
329 AND 333 NORTH LOOMIS STREET
NAPERVILLE, IL 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 #21-1-076

ORDINANCE NO. 21 -

**AN ORDINANCE APPROVING THE FINAL PLAT OF SUBDIVISION
FOR 4TH AVENUE TOWNHOMES LOCATED AT THE SOUTHWEST
CORNER OF 4TH AVENUE AND LOOMIS STREET**

RECITALS

1. **WHEREAS**, BSP Station, LLC, 618 West Jefferson Avenue, Naperville, IL 60540 (“**Owners and Petitioners**”), has petitioned the City of Naperville for approval of the final plat of subdivision for 4th Avenue Townhomes (FKA 4th Avenue & Loomis Street), located at 252 4th Avenue, 262 4th Avenue, 329 N. Loomis Street, and 333 N. Loomis Street (cumulatively referenced herein as the “**Subject Property**”) described on **Exhibit A** and depicted on **Exhibit B**; and

2. **WHEREAS**, Josephine M. Kokocinski Trust, 252 4th Avenue, Naperville, IL 60540, owns real property located at 252 4th Avenue, Naperville, IL 60540 (PIN 08-18-131-014); and
3. **WHEREAS**, BSP Station LLC, 618 W. Jefferson Avenue, Naperville, Illinois 60540, owns real properties located at 262 4th Avenue and 333 N. Loomis Street, and 329 N. Loomis Street, Naperville, IL 60540 (PINs 08-18-131-015, 08-18-131-016, and 08-18-131-017); and
4. **WHEREAS**, the Petitioner has petitioned the City of Naperville for approval of a Final Plat of Subdivision for the Subject Property; and
5. **WHEREAS**, the Subject Property is currently zoned R2 (Single-Family and Low Density Multiple Family District) with a conditional use for a nine (9) townhome and four (4) duplex unit development; and
6. **WHEREAS**, on January 5, 2021, the Naperville City Council passed Ordinance 21-004, approving the Preliminary Plat of Subdivision for 4th Avenue Townhomes (FKA 4th Avenue & Loomis Street), in order to consolidate the Subject Property and allow for the development of nine (9) townhomes and four (4) duplex dwelling units; and
7. **WHEREAS**, the Final Plat of Subdivision for 4th Avenue Townhomes is in substantial conformance with the Preliminary Plat of Subdivision for 4th Avenue Townhomes approved through Ordinance 21-004; and
8. **WHEREAS**, the City Council of the City of Naperville has determined that the Final Plat of Subdivision for 4th Avenue Townhomes should be approved 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 Final Plat of Subdivision for 4th Avenue Townhomes, attached to this Ordinance as **Exhibit B**, is hereby approved.

SECTION 3: Subject to the terms and conditions set forth and referenced herein, and effective upon recordation of this Ordinance, the Owner's Acknowledgement and Acceptance, attached to this Ordinance as **Exhibit C**, is hereby approved.

SECTION 4: 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 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: Subject to demolition of the existing structures on the Subject Property and upon confirmation from the City Attorney that the terms and conditions set forth or referenced herein have been fulfilled, the City Clerk is authorized and directed to record this Ordinance and its exhibits with the DuPage County Recorder.

SECTION 7: This Ordinance shall be in full force and effect upon its recordation with the DuPage County Recorder.

PASSED this _____ day of _____, 2021.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2021.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk