

PIN: 08-19-219-002

ADDRESS:
720 PARKSIDE ROAD
NAPERVILLE, IL 60540

PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170
400 SOUTH EAGLE STREET

RETURN TO:
CITY OF NAPERVILLE
CITY CLERK/COMMUNITY SERVICES DEPT.
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

PZC Case #24-1-074

ORDINANCE NO. 24 - ____

AN ORDINANCE REZONING THE PROPERTY
LOCATED AT 720 PARKSIDE ROAD TO
R1B (MEDIUM DENSITY SINGLE-FAMILY RESIDENCE DISTRICT)

RECITALS

1. **WHEREAS**, Jill Marlene Rudolph and Jeffrey Reid Rudolph, as Trustees under the Jill Marlene Rudolph Trust Agreement dated May 23, 2000, 828 Sanctuary Lane, Naperville, IL 60540, are the owners (referenced herein as "**Owner/Petitioner**") of real property located at 720 Parkside Road, Naperville, Illinois 60540, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**").
2. **WHEREAS**, the Subject Property is presently zoned R-4 in unincorporated DuPage County and is currently improved with a single family home.
3. **WHEREAS**, the Owner/Petitioner has submitted a petition for rezoning of the Subject Property to R1B (Medium Density Single-Family Residence District) upon annexation into City of Naperville in order to construct a new single-family residence.

4. **WHEREAS**, the requested rezoning of the Subject Property meets the Standards for Rezoning as provided in **Exhibit C** attached hereto.
5. **WHEREAS**, the Owner/Petitioner has requested that the City approve this ordinance (“**Ordinance**”) rezoning the Subject Property to R1B (Medium Density Single-Family Residence District) upon annexation, along with ordinances approving an annexation agreement and annexation for the Subject Property (hereinafter cumulatively referenced herein as the “**720 Parkside Road Ordinances**”).
6. **WHEREAS**, on September 18, 2024, the Planning and Zoning Commission conducted a public hearing to consider the rezoning request and recommended approval of the request.
7. **WHEREAS**, the City Council of the City of Naperville has determined that the Owner/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: Subject to approval, execution, and recording of the 720 Parkside Road Ordinances, the Subject Property, legally described on **Exhibit A** and depicted on **Exhibit B**, is hereby rezoned to R1B (Medium Density Single-Family Residence District) upon annexation in the City of Naperville.

SECTION 3: Upon recordation of the 720 Parkside Road Ordinances, 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 the 720 Parkside Road Ordinances, including their Exhibits, with the DuPage County Recorder in the following order: (1) an Ordinance approving an Annexation Agreement for the Subject Property; (2) an Ordinance approving Annexation of the Subject Property; and, (3) an Ordinance approving Rezoning of the Subject Property.

SECTION 6: Upon confirmation from the City Attorney that the terms and conditions set forth or reference herein have been fulfilled, the City Clerk is authorized and directed to record this Ordinance, together with the exhibit attached hereto, with the DuPage County Recorder.

SECTION 7: If this Ordinance and the Rezoning it approves are not recorded with the office of the Recorder in which the Subject Property is located within one (1) year of their approval and passage by the Naperville City Council, this Ordinance and the rezoning it approves shall be null and void without any further action by the City unless this Ordinance is amended by the City to extend such timeframe. The Petitioner shall defend, indemnify, and hold the City and its officers, agents and employees harmless if recordation does not occur within the original, or any extended, timeframe.

SECTION 8: 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 9: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2024.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2024.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk