

**PIN:**  
07-01-15-101-044 [part of]

**ADDRESS:**  
4231 TOWER COURT  
NAPERVILLE, IL 60564

**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  
400 SOUTH EAGLE STREET  
NAPERVILLE, IL 60540

PZC Case #23-1-013

**ORDINANCE NO. 24 - \_\_\_\_**

**AN ORDINANCE APPROVING THE REZONING OF 4231 TOWER COURT FROM  
B2 (COMMUNITY SHOPPING CENTER DISTRICT) TO  
OCI (OFFICE, COMMERCIAL, AND INSTITUTIONAL)**

**[TOWER COURT RESIDENCES]**

**RECITALS**

1. **WHEREAS**, the City of Naperville, 400 S. Eagle Street, Naperville, IL 60540 (“**City**”), is the owner (“**Owner**”) of approximately 4.014 acres of real property located at 4231 Tower Court, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** (“**Subject Property**”).
2. **WHEREAS**, in September of 2021, the City Council issued an RFP to leverage city-owned property to address affordable housing needs in Naperville and through the process, Mike Redman for Tower Court Naperville, LLC, 200 N Main Street, Oregon, WI 53575, (“**Petitioner**”) emerged as the recommended developer.

3. **WHEREAS**, The City has an agreement with the Petitioner that governs Major Business Terms (MBTs) (approved by Resolution 22-029) relative to an affordable housing development being constructed and operated on the subject property for seniors and for individuals with IDD over the age of eighteen.
4. **WHEREAS**, the Owner has authorized Petitioner to seek entitlements to allow development of a 71-unit, multi-family residential building to be known as Tower Court Residences to serve single individuals and families who are senior (55+) and individuals with Intellectual and Developmental Disabilities (IDD) who need affordable housing on the Subject Property (“**Tower Court Residences**”).
5. **WHEREAS**, for Tower Court Residences, Petitioner seeks the following entitlements (together hereinafter referenced herein as the “**Tower Court Residences Ordinances**”): (i) rezoning of the Subject Property; and (ii) a conditional use for multi-family residential and a conditional use for a planned unit development (PUD) and a preliminary/final PUD plat of Lot 3 in Naperville – South Forty Lots 4, 5, 6 and 7 Resubdivision with various zoning deviations.
6. **WHEREAS**, the Petitioner has petitioned the City of Naperville for approval to rezone the Subject Property from B2 (Community Shopping Center District) to OCI (Office, Commercial, and Institutional District).
7. **WHEREAS**, the intent of the OCI zoning district is to act as a transitional zone between intensive business areas and residential neighborhoods.
8. **WHEREAS**, on October 16, 2024, the City’s Planning and Zoning Commission conducted a public hearing regarding Petitioner’s rezoning request and recommended approval of Petitioner’s request.

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

10. **WHEREAS**, the City Council of the City of Naperville has determined that Petitioner's rezoning request should be granted as provided in this ordinance ("**Ordinance**") subject to the terms and conditions set forth and referenced 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 Subject Property, legally described on **Exhibit A** and depicted on **Exhibit B**, is hereby rezoned to OCI (Office, Commercial and Institutional 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:** 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 Will County Recorder.

**SECTION 6:** This Ordinance shall be in full force and effect upon its passage and approval.

**SECTION 7:** The City Clerk is authorized and directed to record this Ordinance, including all exhibits hereto, with the Will County Recorder.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Scott A. Wehrli  
Mayor

ATTEST:

\_\_\_\_\_  
Dawn C. Portner  
City Clerk