

PIN: 07-13-431-016

ADDRESS:

232 S. WASHINGTON ST., SUITE 6 AND 7
NAPERVILLE, IL 60540

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 #DEV-0099-2025

ORDINANCE NO. 25- ____

**AN ORDINANCE APPROVING A VARIANCE TO
SECTION 6-7D-4 OF THE NAPERVILLE MUNICIPAL CODE
TO ALLOW A GENERAL SERVICE USE/HEALTH SPA TO OPERATE IN A FIRST
FLOOR TENANT SPACE ON THE PROPERTY
LOCATED AT 232 S. WASHINGTON, SUITE 6 AND 7**

[HEALTH HAUS]

RECITALS

1. **WHEREAS**, Saburi Investment Group LLC, Washington, 328 Post Oak Circle, West Chicago, Illinois 60185 ("**Owner**") is the owner of real property located at 232 S. Washington Street, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**").
2. **WHEREAS**, with authorization from the Property Owner, Eric Sowa, 232 S. Washington Street, Suite 7, Naperville, IL 60540 ("**Petitioner**"), has petitioned the City of Naperville for approval of a variance to Section 6-7D-4 (B4 Downtown Core District; Required

Conditions) to allow for the operation of a general service use/health spa on the first floor of the Subject Property, in Suites 6 and 7.

3. **WHEREAS**, the Subject Property is currently zoned B4 (Downtown Core District) and is improved with a multi-tenant commercial building (“**Building**”).
4. **WHEREAS**, some of the Building’s tenant spaces front Washington Street, while others front the Washington Street alley or a landscaped courtyard off the Washington Street alley.
5. **WHEREAS**, Suites 6 and 7 on the Subject Property do not have any frontage or visibility from Washington Street and cannot rely on passersby or pedestrian traffic to attract customers, making this location challenging for traditional retail.
6. **WHEREAS**, pursuant to Section 6-3-6:2 (Standards for Variances) of the Naperville Municipal Code, the Petitioner is requesting approval of a variance to Section 6-7D-4 (B4 Downtown Core District: Required Conditions) of the Naperville Municipal Code to allow a general service use/health spa, to be known as Health Haus, to locate on the first floor, in Suites 6 and 7, of the Subject Property.
7. **WHEREAS**, Health Haus is planned to include an IV drip center, medical spa, chiropractor and specialty retail items such as electrolyte drinks, cold press juices, and specialty skin, hair, and scalp care products.
8. **WHEREAS**, the Naperville Downtown 2030 Plan indicates that certain first-floor tenant spaces in downtown should be considered for general service uses based on their location.
9. **WHEREAS**, the requested variance meets the Standards for Variances as provided in **Exhibit C** attached hereto.

10. **WHEREAS**, on August 20, 2025, the Planning and Zoning Commission conducted a public hearing to consider the Petitioner's requested variance and recommended approval of the Petitioner's request (approved 8-0).

11. **WHEREAS**, the City Council of the City of Naperville has determined that the 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 here. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: A variance to allow for a general service use/health spa to occupy Suites 6 and 7, first-floor tenant space on the Subject Property, pursuant to Section 6-7D-4 (B4 Downtown Core District: Required Conditions) of the Naperville Municipal Code is hereby approved for Health Haus.

SECTION 3: The variance approved by this Ordinance shall expire unless within two (2) years from the effective date of this Ordinance if: (1) a building permit has been obtained and the construction or alteration of the structure as specified in this Ordinance has been started, or (2) the use specified in this Ordinance has commenced.

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. 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 6: The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

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

PASSED this _____ day of _____, 2025.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2025.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk