

**PIN:**

08-30-105-013

**PROPERTY ADDRESS:**

88 W. GARTNER ROAD  
SUITE 104  
NAPERVILLE, IL 60540

**PREPARED BY:**

CITY OF NAPERVILLE  
LEGAL DEPARTMENT  
400 S. EAGLE STREET  
NAPERVILLE, IL 60540  
630-420-4170

**WHEN RECORDED**

**RETURN TO:**

CITY CLERK  
CITY OF NAPERVILLE  
400 SOUTH EAGLE STREET  
NAPERVILLE, IL 60540

**ORDINANCE NO. 25 \_\_\_\_\_**

**AN ORDINANCE GRANTING A VARIANCE TO GARFIELD'S BEVERAGE  
WAREHOUSE NV LLC D/B/A GARFIELD'S BEVERAGE PURSUANT TO SECTION  
3-3-6 OF CHAPTER THREE (LIQUOR AND TOBACCO CONTROL) OF THE  
NAPERVILLE MUNICIPAL CODE FOR THE PREMISES AT 88 W. GARTNER  
ROAD, SUITE 104**

**WHEREAS**, Garfield's Beverage Warehouse NV LLC ("Petitioner"), has petitioned the City of Naperville for approval of a variance from Section 3-3-11:2 (Off-premises consumption liquor licenses) to allow for an additional Class D – Package Store liquor license in the shopping center located at 88 W. Gartner Avenue; and

**WHEREAS**, on February 20, 2024, City Council passed an ordinance approving a variance for Petitioner to operate in the shopping center located at 88 W. Gartner Avenue; and

**WHEREAS**, a sale, transfer or assignment of more than fifty percent (50%) of the shares of Petitioner's corporation resulted in termination of the prior variance; and

**WHEREAS**, no issues have arisen since approval of the February 20, 2024 variance request; and

**WHEREAS**, the Petitioner operates several other locations and is focused on customer service, selection, and has instituted practices to prevent the sale of alcoholic liquor to individuals under the age of 21; and

**WHEREAS**, Chapter 3 (Liquor and Tobacco Control) of the Naperville Municipal Code was repealed and replaced on September 6, 2016, and the amended Chapter 3 (Liquor and Tobacco Control) created a procedure for processing variances to liquor license requirements; and

**WHEREAS**, the variance requested is in harmony with the general purpose and intent of Chapter 3 (Liquor and Tobacco Control) of the Naperville Municipal Code; and

**WHEREAS**, strict enforcement of Section 3-3-11:2 (Off-premises consumption liquor licenses) Class D – Package Store would result in practical difficulties due to the special circumstances; and

**WHEREAS**, the variance would not alter the essential character of the liquor establishment or underlying liquor license requirements and will not be a substantial detriment to adjacent property; and

**WHEREAS**, the City Council of the City of Naperville has determined that the variance should be granted to the extent set forth in this Ordinance.

**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 Recitals above are incorporated herein and made part hereof as fully set forth in this Section 1.

**SECTION 2:** A variance to Section 3-3-11:2 (Off-premises consumption liquor licenses) to allow for the issuance of an additional Class D – Package Store liquor license for the shopping center located at 88 W. Gartner Road, Suite 104 to Garfield's Beverage Warehouse NV LLC at, is hereby granted.

**SECTION 3:** The 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 4:** The variance shall be subject to the transferability restrictions in Section 3-3-5 which states that any sale, transfer or assignment of more than fifty percent (50%) of the shares of a corporation shall terminate said liquor license for the purpose of payment of a fee for a first and initial liquor license; said variance shall become null and void upon suspension, revocation, or non-renewal of the liquor license.

**SECTION 5:** The City Clerk is directed to record this Ordinance with the DuPage County Recorder.

**SECTION 6:** 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 Portner  
City Clerk