

PIN:  
07-03-103-027

PROPERTY ADDRESS:  
2160 CITYGATE LANE  
NAPERVILLE, IL 60563

PREPARED BY:  
CITY OF NAPERVILLE  
LEGAL DEPARTMENT  
630/420-4170  
400 SOUTH EAGLE STREET  
NAPERVILLE, IL 60540

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

PZC Case # DEV-0177-2025

## **ORDINANCE NO. 26 -**

### **AN ORDINANCE APPROVING A DEVIATION FROM SECTION 7-1-13 (PLATTED SETBACKS AND BUILDING LINES) OF THE NAPERVILLE MUNICIPAL CODE FOR CITYGATE II**

#### **RECITALS**

1. **WHEREAS**, CityGate Centre Ventures II LLC, a Delaware limited liability company, whose address is 1110 Jorie Boulevard, Ste 300, Oak Brook, IL 60523 (affiliate of Willow Bridge Property Company) ("**Petitioner**"), has petitioned the City of Naperville ("**City**") to approve a deviation from Section 7-1-13 (Platted Setback and Building Lines) of the Naperville Municipal Code for the property located at 2160 Citygate Lane, Naperville, IL 60563 legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**").
2. **WHEREAS**, CityGate Centre III, fka Westings Development LLC, a Delaware limited liability company, whose registered address is 2020 Calamos Court, Naperville, IL 60563 ("**Owner**") is the owner of the Subject Property and has

authorized the Petitioner to submit a petition to the City seeking the relief described herein.

3. **WHEREAS**, a 30' building setback line along Westings Avenue and Comfort Drive was platted per DuPage County Document R2000-110800.
4. **WHEREAS**, the Subject Property is zoned OCI (Office, Commercial, and Institutional District) with a Planned Unit Development which requires a 20' corner side yard setback along Westings Avenue and Comfort Drive pursuant to Section 6-7F-7 (OCI District: Yard Requirements) of the Naperville Municipal Code.
5. **WHEREAS**, the Petitioner has petitioned the City of Naperville for approval of a platted setback deviation to allow a portion of an approximately 476,278 gross square foot, 4-story multi-family residential apartment building and a portion of a pickleball court to encroach within the platted setback line along Westings Avenue and Comfort Drive per DuPage County Document R2000-110800, as depicted on **Exhibit C** ("**Site Plan**") attached hereto.
6. **WHEREAS**, per Section 7-1-13 (Platted Setbacks and Building Lines) of the Naperville Municipal Code, where a platted building or setback line is in conflict with the required yard provisions of Title 6, Zoning Regulations of the Naperville Municipal Code, the more restrictive requirement shall apply.
7. **WHEREAS**, the more restrictive platted setback of 30' is applicable on the Subject Property because it is greater than the required 20' corner side yard setback in the OCI zoning district.

8. **WHEREAS**, the Petitioner has requested zoning relief to locate a portion of the proposed pickleball court within the required 20' OCI zoning district corner side yard setback along Westings Avenue.
9. **WHEREAS**, the requested platted setback deviation meets the Standards for Granting a Subdivision Deviation as provided in **Exhibit D** ("**Response to Standards**") attached hereto.
10. **WHEREAS**, the Petitioner has requested that the City approve this Ordinance ("**Ordinance**") for a deviation to a platted setback, along with an ordinance approving a Major Change to the CityGate Centre Planned Unit Development, a Final Planned Unit Development Plat with deviations, a Conditional Use to permit multi-family dwelling units, and an OAA.
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 in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

**SECTION 2:** A deviation to Section 7-1-13 (Platted Setbacks and Building Lines) of the Naperville Municipal Code is hereby approved to allow a portion of an approximately 476,278 gross square foot, 4-story multi-family residential apartment building and a portion of a pickleball court to encroach within the 30' platted building line setback along Westings

Avenue and Comfort Drive on the Subject Property as depicted on the Site Plan attached hereto as **Exhibit C**.

**SECTION 3:** The Site Plan, attached to this Ordinance as **Exhibit C**, is hereby approved as the controlling site plan for the Subject Property.

**SECTION 4:** Any additional encroachments into the platted building setback line other than those approved by this Ordinance, as depicted on **Exhibit C**, shall require a separate deviation to be processed.

**SECTION 5:** The deviation approved by this Ordinance shall expire unless a building permit has been obtained and the construction or alteration of the structure as specified in this Ordinance has been started within two (2) years from the effective date of this Ordinance.

**SECTION 6:** This deviation 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 7:** The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

**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 \_\_\_\_\_, 2026.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

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Scott A. Wehrli  
Mayor

ATTEST:

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Dawn C. Portner  
City Clerk