

P.I.N.: 01-04-410-068

Property Address:  
NEC OF 95<sup>TH</sup> ST. & REFLECTION DR.  
NAPERVILLE, IL 60564

PREPARED BY:

CITY OF NAPERVILLE  
LEGAL DEPARTMENT  
630/420-4170

RETURN TO:

CITY OF NAPERVILLE  
CITY CLERK'S OFFICE  
P.O. BOX 3020  
400 SOUTH EAGLE STREET  
NAPERVILLE, IL 60566-7020

PZC Case #19-1-046

**ORDINANCE NO. 19- \_\_\_\_**

**AN ORDINANCE APPROVING A MINOR CHANGE TO THE NAPERVILLE  
CROSSINGS PUD AND A FINAL PLAT OF PUD FOR  
NAPERVILLE CROSSINGS LOT 10 (ACM/DOG HAUS)**

**WHEREAS**, Manny Butera (herein after "Petitioner" or "Owner") owns certain property located at the northeast corner of 95<sup>th</sup> Street and Reflection Drive, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property") and commonly known as Naperville Crossings Lot 10; and

**WHEREAS**, the Subject Property is zoned B2 PUD (Community Shopping Center District - Planned Unit Development) and is vacant; and

**WHEREAS**, on February 17, 2004, the City Council of the City of Naperville passed Ordinance No. 04-020, approving a conditional use for Planned Unit Development (PUD), a Preliminary PUD Plat, and a Preliminary/Final Subdivision Plat in order to develop a mixed-use development known as Naperville Crossings which included the Subject Property; and

**WHEREAS**, on April 6, 2004, the City Council of the City of Naperville passed Ordinance No. 04-055, approving an amended Preliminary PUD Plat and a Preliminary/Final Subdivision Plat in order to shift the development towards Illinois Route 59; and

**WHEREAS**, on June 7, 2005, the City Council of the City of Naperville approved Ordinance 05-087, designating all non-residential parking within Naperville Crossings as shared parking; and

**WHEREAS**, on September 6, 2005, the City Council of the City of Naperville passed Ordinance No. 05-165, approving an amended Preliminary PUD Plat and a Preliminary/Final Subdivision Plat for Naperville Crossings; and

**WHEREAS**, on the PUD plat approved by Ordinance 05-165, the Subject Property was to be improved with a single-story office/retail building; and

**WHEREAS**, the Petitioner is requesting to subdivide the Subject Property into 2 lots in order to construct a 2,200 square foot fast casual restaurant and a 3,500 square foot medical office; and

**WHEREAS**, per Section 6-4-6:2.3 (Changes to a Final PUD: Minor Change), a minor change to the PUD is required in order to establish a controlling site plan, building elevations, and landscaping plan for the Subject Property; and

**WHEREAS**, the requested amendment to the PUD meets the Standards for Amending a Planned Unit Development as provided in **Exhibit C** attached hereto; and

**WHEREAS**, the City Council of the City of Naperville has determined that a final PUD plat and a Minor Change to the Naperville Crossings PUD in order to establish controlling plans for the Subject Property should be approved.

**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 Minor Change to the Naperville Crossings PUD in order to establish a controlling site plan, building elevations, and landscape plan for the Subject Property is hereby approved.

**SECTION 3:** The Final Planned Unit Development Plat for the ACM/Dog Haus Resubdivision, attached to this Ordinance as **Exhibit B**, is hereby approved.

**SECTION 4:** The Site Plan, attached to this Ordinance as **Exhibit D**, is hereby approved.

**SECTION 5:** The Landscape Plan, attached to this Ordinance as **Exhibit E**, is hereby approved.

**SECTION 6:** The Building Elevations, attached to this Ordinance as **Exhibit F**, are hereby approved.

**SECTION 7:** This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

**SECTION 8:** The City Clerk is directed to record this Ordinance and its exhibits and the Final Planned Unit Development Plat for the ACM/Dog Haus Resubdivision with the Will County Recorder.

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

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_ day of \_\_\_\_\_, 2019.

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Steve Chirico  
Mayor

ATTEST:

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Pam Gallahue, Ph.D.  
City Clerk