

**PIN:  
08-19-318-001**

**ADDRESS:  
1001 S. WASHINGTON STREET  
NAPERVILLE, ILLINOIS 60540**

**PREPARED BY:  
CITY OF NAPERVILLE  
LEGAL DEPARTMENT  
630/420-4170**

**RETURN TO:  
CITY OF NAPERVILLE  
CITY CLERK'S OFFICE  
400 SOUTH EAGLE STREET  
NAPERVILLE, IL 60540**

**PZC Case #19-1-049**

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

**AN ORDINANCE APPROVING THE PRELIMINARY/FINAL PLAT OF SUBDIVISION  
FOR THE TARTAN HIGHLANDS SUBDIVISION**

**WHEREAS**, DJR Acquisitions 1001 Washington, LLC, an Illinois limited liability company; CCK 1001 Washington, LLC, an Illinois limited liability company; SOS 1001 Washington, LLC, an Illinois limited liability company; and, Naperville Washington, LLC, an Illinois limited liability company (hereinafter "Petitioners"), all with a registered office at 350 W. Hubbard Street, Suite 640, Chicago, IL 60654, own certain property located at 1001 S. Washington Street, Naperville, IL 60540, legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property"); and

**WHEREAS**, Petitioners have petitioned the City of Naperville for approval of a Preliminary/Final Plat of Subdivision for Tartan Point Subdivision for the Subject Property; if approved, the preliminary/final plat of subdivision for the Subject Property will subdivide the property into four commercial lots: Lots 1-3 will each accommodate a commercial

building with Building A on Lot 1, Building B on Lot 2, and Building C on Lot 3. Lot 4 will include parking facilities to serve Buildings A, B, and C; and

**WHEREAS**, Petitioners have also petitioned the City of Naperville to rezone the Subject Property to B1 (Neighborhood Convenience Shopping Center District) to allow for construction of an office and retail mixed-use, and for several variances; and

**WHEREAS**, on July 17, 2019, the Planning and Zoning Commission conducted a public hearing to consider Petitioners' zoning and variance requests in PZC 19-1-049, and recommended approval thereof; and

**WHEREAS**, the City Council of the City of Naperville has determined that the Preliminary/Final Plat of Subdivision for Tartan Highlands Subdivision should be approved 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 herein. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

**SECTION 2:** Subject to the terms and conditions set forth and referenced herein, the Preliminary/Final Plat of Subdivision for Tartan Highlands Subdivision, attached to this Ordinance as **Exhibit B**, is hereby approved.

**SECTION 3:** Subject to the terms and conditions set forth and referenced herein, the Owners' Acknowledgement and Acceptance Agreement for Tartan Highlands Subdivision, attached to this Ordinance as **Exhibit C** ("OAA"), is hereby approved subject

to completion of paragraph 3 thereof. The City Manager and the City Clerk are authorized and directed to execute the OAA on behalf of the City.

**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:** The City Clerk is authorized and directed to record this Ordinance and its Exhibits with the DuPage County Recorder as directed by the City Attorney.

**SECTION 6:** 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.

**SECTION 7:** 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.

\_\_\_\_\_  
Steve Chirico  
Mayor

ATTEST:

\_\_\_\_\_  
Pam Gallahue, Ph.D.  
City Clerk