

**PIN:**  
**07-04-206-005**

**ADDRESS:**  
**2212 FERRY ROAD**  
**NAPERVILLE, IL 60563**

**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 #22-1-119**

**ORDINANCE NO. 23 -**

**AN ORDINANCE APPROVING A MINOR CHANGE TO THE  
IRON GATE MOTOR CONDOS PHASE 2A PUD APPROVED BY ORDINANCE 15-145  
AND A FINAL PUD PLAT FOR IRON GATE MOTOR CONDOS PHASE 2A FOR THE  
PROPERTY LOCATED AT 2212 FERRY ROAD**

**RECITALS**

1. **WHEREAS**, High Point Investments, Inc., 1585 Beverly Court, Suite 121, Aurora, IL 60502, is the owner ("**Owner**") of real property located at 2212 Ferry Road, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**") and known as the original Iron Gate Motor Condos Phase 2A PUD.
2. **WHEREAS**, on September 1, 2015, the City Council of the City of Naperville ("**City**") approved Ordinance 15-145, a Final PUD Plat for Iron Gate Motor Condos Phase 2A, to establish controlling site development plans and building elevations for Iron Gate Motor Condos Phase 2A.
3. **WHEREAS**, the original Iron Gate Motor Condos Phase 2A PUD was developed in accordance with the approved site plan as provided in Ordinance 15-145.

4. **WHEREAS**, pursuant to Section 6-4-6 of the Naperville Municipal Code, the Owner has petitioned the City of Naperville for approval of a minor change to the original Iron Gate Motor Condos Phase 2A PUD to consolidate a portion of Iron Gate Motor Condos Phase 2B (approved by Ordinance No. 21-078), legally described on **Exhibit C** and depicted on **Exhibit D** (“**Phase 2B Extension**”), with the original Iron Gate Motor Condos Phase 2A, to establish new boundaries for Iron Gate Motor Condos Phase 2A (“**Minor Change**”); and, approval of a Final PUD Plat for Iron Gate Motor Condos Phase 2A, legally described on **Exhibit E** and depicted on **Exhibit F** (“**Final PUD Plat for Iron Gate Motor Condos Phase 2A**”).
5. **WHEREAS**, the resulting Final PUD Plat for Iron Gate Motor Condos Phase 2A consists of an approximately 3.381 acre property, as depicted on **Exhibit F** (“**Final PUD Plat for Iron Gate Motor Condos Phase 2A**”).
6. **WHEREAS**, the Minor Change proposed does not alter the concept or intent of the original Iron Gate Motor Condos Phase 2A PUD approved through Ordinance 15-145, or impact the buildings already constructed on the Phase 2A property. Instead, adding a portion of the Iron Gate Motor Condos Phase 2B property to the original Iron Gate Motor Condos Phase 2A property will help ensure vehicular access to the car condos on the west side of the Phase 2A property is provided, while also allowing for a fence and other public facilities to be maintained in this area. Existing natural features and open space areas will also not be impacted by the consolidation.
7. **WHEREAS**, the requested Minor Change to the PUD meets the Standards for Amending a PUD as provided in **Exhibit G** attached hereto.

8. **WHEREAS**, the Owner has requested that the City approve this ordinance (“**Ordinance**”) along with an ordinance revoking Ordinance 21-078 which established the Iron Gate Motor Condos Phase 2B PUD; and, an ordinance approving a preliminary/final plat of subdivision of Highpoint 2B (hereinafter cumulatively referenced herein as the “**Highpoint 2B Ordinances**”).
9. **WHEREAS**, the City Council has determined that the Owner’s requests 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 Minor Change to the Iron Gate Motor Condos Phase 2A PUD to consolidate a portion of Iron Gate Motor Condos Phase 2B (approved by Ordinance No. 21-078), legally described on **Exhibit C** and depicted on **Exhibit D** (“**Phase 2B Extension**”), with the original Iron Gate Motor Condos Phase 2A, to establish new boundaries for Iron Gate Motor Condos Phase 2A (“**Minor Change**”); and, a Final PUD Plat for Iron Gate Motor Condos Phase 2A, legally described on **Exhibit E** and attached hereto as **Exhibit F** (“**Final PUD Plat for Iron Gate Motor Condos Phase 2A**”) is hereby approved.

**SECTION 3:** This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

**SECTION 4:** 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 5:** The City Clerk is authorized and directed to record this Ordinance, along with the Highpoint 2B Ordinances, 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 \_\_\_\_\_, 2023.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Scott A. Wehrli  
Mayor

ATTEST:

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