

**PIN: 08-08-103-003
08-08-103-004**

**ADDRESS:
5S315 EAST AVENUE
NAPERVILLE, IL 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 #17-1-067

ORDINANCE NO. 17 - _____

**AN ORDINANCE REZONING THE PROPERTY LOCATED AT
SOUTHWEST CORNER OF BAUER ROAD AND EAST AVENUE (BAUER PLACE
PHASE 3) TO
R3 (MEDIUM DENSITY MULTIPLE-FAMILY RESIDENCE DISTRICT)**

WHEREAS, Oak Creek Capital Partners, LLC, ("Petitioner") has petitioned the City of Naperville for rezoning of real property located at the southwest corner of Bauer Road and East Avenue, legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property") to R3 (Medium Density Multiple-Family Residence District); and

WHEREAS, Chicago Title Land Trust No. 1092179 ("Owner") is the Owner of the Subject Property; and

WHEREAS, the Subject Property is presently zoned B3 (General Commercial District) and is currently vacant; and

WHEREAS, on August 16, 2017 the Planning and Zoning Commission conducted a public hearing to consider the rezoning request and recommended approval of PZC 17-1-019; and

WHEREAS, the requested rezoning meets the Standards for Granting a Map Amendment as provided in **Exhibit C** attached hereto; and

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 here. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: The Subject Property, legally described on **Exhibit A** and depicted on **Exhibit B**, is hereby rezoned to R3 (Medium Density Multiple-Family Residence District) in the City of Naperville.

SECTION 3: The Zoning Map of the City of Naperville is hereby amended in accordance with this Ordinance.

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 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 _____, 2017.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2017.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk