

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 MAJOR CHANGE TO THE CITYGATE CENTRE
PLANNED UNIT DEVELOPMENT, A FINAL PLANNED UNIT DEVELOPMENT PLAT
WITH CERTAIN DEVIATIONS, A CONDITIONAL USE FOR MULTI-FAMILY
DWELLING UNITS, AND AN OWNER'S ACKNOWLEDGEMENT AND ACCEPTANCE
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**" and "**Developer**"), has petitioned the City of Naperville ("**City**") for approval of a Major Change to the CityGate Centre Planned Unit Development, a Final Planned Unit Development Plat with certain deviations, and a Conditional Use to permit multi-family dwelling units for the property located at 2160 Citygate Lane, Naperville, IL 60563 and 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**, the Subject Property is zoned OCI (Office, Commercial, and Institutional District) with a Planned Unit Development and is improved with a surface level parking lot containing 79 parking spaces and a pickleball court.
4. **WHEREAS**, on December 20, 2005, the City Council of the City of Naperville passed Ordinance No. 05-255, approving a Conditional Use for a Planned Unit Development and for a Preliminary Plat and Subdivision Plat for Calamos Town Centre in order to subdivide the property into 3 lots and construct a 979,500 square foot mixed use development containing retail space, a full-service hotel, and a performing arts use.
5. **WHEREAS**, on March 7, 2006, the City Council of the City of Naperville passed Ordinance No. 06-054, approving the Final Plat of Planned Unit Development for CityGate Centre Phase 1 (f/k/a Calamos Town Center) in order to construct a 241,800 square foot mid-rise office building, 54,500 square feet of restaurant, retail and commercial space, and a 392,000 square foot parking structure.
6. **WHEREAS**, on November 6, 2006, the City Council of the City of Naperville passed Ordinance No. 06-259, approving a Major Change to the Planned Unit Development for CityGate Centre and a Final Planned Unit Development Plat for CityGate Centre Phase 1B (f/k/a Calamos Town Centre) to allow for an increase in the floor area of the proposed full-service hotel, a deviation of the required interior side yard setback,

and a stipulation to apply floor area ratio (FAR) to the CityGate Centre on a campus-wide basis, rather than a lot-by-lot basis, providing the campus-wide FAR not exceed 1.5.

7. **WHEREAS**, on April 18, 2007, the City Council of the City of Naperville passed Ordinance No. 07-075, approving a Major Change to the Planned Unit Development and approval of a Final Planned Unit Development Plat for CityGate Center Phase 2 (f/k/a Calamos Town Centre) to allow for a reduction in the number of approved parking spaces and increase in the square footage of the performing arts center.
8. **WHEREAS**, on September 3, 2019, the City Council of the City of Naperville passed Ordinance No. 19-123, approving a Major Change to the CityGate Centre Planned Unit Development in order to permit a Conditional Use for multi-family dwelling units and a Preliminary Planned Unit Development Plat, and deviations to Section 6-7F-8 (OCI District: Height Limitations/Bulk Regulations), Section 6-7F-5 (OCI District: Area Requirement), and Section 6-9-3:1 (Schedule of Off-Street Parking Requirements: Parking Class No. 1 - Residential Uses of the Naperville Municipal Code) in order to construct an approximately 482,358 square foot, 5-story multi-family residential apartment building and a 38,000 square-foot roof level event center.
9. **WHEREAS**, on May 2020, the City Council of the City of Naperville approved Ordinance No. 20-044, a Final Planned Unit Development Plat for CityGate Centre III in order to develop an approximately 482,385 square foot multi-family residential apartment building and a 38,000 square foot roof-level event center.
10. **WHEREAS**, on August 18, 2020, the City Council of the City of Naperville passed Ordinance No. 20-079, approving a Minor Change to the CityGate Centre III Planned

Unit Development approved by Ordinance No. 20-044 to amend the controlling building elevations in order to remove the obligation to construct the pedestrian bridge.

11. **WHEREAS**, on July 19, 2022, the City Council of the City of Naperville passed Ordinance No. 22-074, approving a Minor Change to the CityGate Centre III Planned Unit Development approved by Ordinance No. 20-044 to amend the controlling site plan in order to remove the obligation to construct the 380 parking spaces for the event center in the surface parking lot located on Lot 3.
12. **WHEREAS**, the Petitioner, with the authorization of the Owner, requests a Major Change to the CityGate Centre Planned Unit Development to permit a Conditional Use for multi-family dwelling units in the OCI district pursuant to Section 6-7F-3 (OCI District: Conditional Uses), and a Final Planned Unit Development Plat, attached to this Ordinance as **Exhibit C** ("**Final Plat of Planned Unit Development**"), with certain deviations to remove the existing surface level parking lot and construct an approximately 476,278 gross square foot, 4-story multi-family residential apartment building consisting of 297 units and associated parking on the Subject Property.
13. **WHEREAS**, per Section 6-4-6:1 (Major Changes to a Final Planned Unit Development), the request for a Conditional Use and deviations to the Municipal Code requires a Major Change to the Planned Unit Development.
14. **WHEREAS**, the Petitioner requests approval of a deviation to Section 6-7F-5:2 (OCI District: Area Requirements) of the Naperville Municipal Code to reduce the required lot area from 2,600 square feet to approximately 730 square feet per

dwelling unit to allow 297 multi-family dwelling units on the Subject Property as depicted on **Exhibit D** (“**Site Plan**”) attached hereto.

15. **WHEREAS**, the Petitioner requests approval of a deviation to Section 6-9-3:1 (Schedule of Off-Street Parking Requirements: Parking Class No. 1 — Residential Uses) of the Naperville Municipal Code to reduce the amount of required off-street parking spaces from 2 spaces per unit (594 spaces) to 1.24 spaces per unit (369 spaces) and reduce guest parking from 0.25 spaces per unit (74 spaces) to 0.18 spaces per unit (53 spaces) for a total of 1.42 parking spaces per unit in lieu of 2.25 parking spaces per unit for a total of 422 parking spaces as depicted on **Exhibit D** attached hereto.

16. **WHEREAS**, the Petitioner requests approval of a deviation to Section 6-7F-8:1 (OCI District: Height Limitations/Bulk Regulations) of the Naperville Municipal Code to increase the maximum building height from 43’ to 51’ as depicted on **Exhibit E** (“**Building Elevations**”) attached hereto.

17. **WHEREAS**, the Petitioner requests approval of a deviation to Section 6-2-10:2 (Accessory Buildings, Structures and Uses of Land: Yard Requirements) and Section 6-2-12:2.1 (Fences: Business Districts) of the Naperville Municipal Code to permit a pickleball court and an associated screening fence to be located in the 20’ corner side yard setback along Westings Avenue as depicted on **Exhibit D** attached hereto.

18. **WHEREAS**, the Petitioner requests approval of a deviation to Section 6-2-12:2.1 (Fences: Business Districts) of the Naperville Municipal Code to permit a retaining wall with a maximum height of 10’ plus 42” fall protection fencing to be located in

the 20' corner side yard setback along Comfort Drive as depicted on **Exhibit D** attached hereto.

19. **WHEREAS**, the requested amendment to the Planned Unit Development meets the Standards for Amending a Planned Unit Development as provided in **Exhibit E** ("**Response to Standards**") attached hereto.

20. **WHEREAS**, the requested Conditional Use to permit multi-family dwelling units meets the Standards for Granting a Conditional Use as provided in **Exhibit F** attached hereto.

21. **WHEREAS**, the requested Planned Unit Development deviations meet the Standards for Granting a Deviation to a Planned Unit Development as provided in **Exhibit F** attached hereto.

22. **WHEREAS**, the City and the Owner and Developer have negotiated an Owner's Acknowledgement and Acceptance Agreement ("**OAA**") for CityGate II, attached hereto as **Exhibit G** ("**Owner's Acknowledgement and Acceptance Agreement**").

23. **WHEREAS**, on June 3, 2026, the Planning and Zoning Commission conducted a public hearing regarding the Petitioner's requests and recommended approval of the Petitioner's requests.

24. **WHEREAS**, in conjunction with the requests considered at the June 3, 2026 Planning and Zoning Commission meeting, the Planning and Zoning Commission considered the Final Landscape Plan, attached to this Ordinance as **Exhibit H** ("**Final Landscape Plan**").

25. **WHEREAS**, the Petitioner has requested that the City approve this Ordinance ("**Ordinance**") for 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, along with an ordinance approving a platted setback deviation (together hereinafter referenced as the “CityGate II Ordinances”).

26. **WHEREAS**, the City Council of the City of Naperville has determined that the Petitioner’s requests 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 in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: A major change to the CityGate Centre Planned Unit Development to construct an approximately 476,278 gross square foot, 4-story multi-family residential apartment building consisting of 297 units and associated parking, as depicted on the Site Plan attached as **Exhibit D**, is hereby approved for the Subject Property.

SECTION 3: A conditional use to permit multi-family dwelling units in OCI (Office, Commercial and Institutional District) pursuant to Section 6-7F-3 (OCI District: Conditional Uses) of the Municipal Code is hereby approved for the Subject Property.

SECTION 4: A deviation to Section 6-7F-5:2 (OCI District: Area Requirements) of the Naperville Municipal Code to reduce the required lot area from 2,600 square feet to approximately 730 square feet per dwelling unit as depicted on the Site Plan attached to this Ordinance as **Exhibit D**, is hereby approved for the Subject Property.

SECTION 5: A deviation to Section 6-9-3:1 (Schedule of Off-Street Parking Requirements: Parking Class No. 1 — Residential Uses) of the Naperville Municipal Code to reduce the amount of required off-street parking spaces from 2 spaces per unit (594 spaces) to 1.24 spaces per unit (369 spaces) and reduce guest parking from 0.25 spaces per unit (74 spaces) to 0.18 spaces per unit (53 spaces) for a total of 1.42 parking spaces per unit in lieu of 2.25 parking spaces per unit for a total of 422 parking spaces as depicted on the Site Plan attached to this Ordinance as **Exhibit D**, is hereby approved for the Subject Property, subject to the following condition:

- a. In the event that the parking needs cannot be accommodated within the proposed parking supply on the Subject Property, the Petitioner and Owner shall take measures, such as constructing additional parking spaces or establishing an overflow parking location off-site, as necessary, to meet the parking demands of the Subject Property, subject to review and approval by the Zoning Administrator.

SECTION 6: A deviation to Section 6-7F-8:1 (OCI District: Height Limitations/Bulk Regulations) of the Naperville Municipal Code to increase the maximum building height from 43' to 51' as depicted the Building Elevations attached to this Ordinance as **Exhibit E**, is hereby approved for the Subject Property.

SECTION 7: A deviation to Section 6-2-10:2 (Accessory Buildings, Structures and Uses of Land: Yard Requirements) and Section 6-2-12:2.1 (Fences: Business Districts) of the Naperville Municipal Code to permit a pickleball court and an associated screening fence to be located in the 20' corner side yard setback along Westings Avenue as depicted on the Site Plan attached to this Ordinance as **Exhibit D**, is hereby approved for the Subject Property.

SECTION 8: A deviation to Section 6-2-12:2.1 (Fences: Business Districts) of the Naperville Municipal Code to permit a retaining wall with a maximum height of 10' plus 42" fall protection fencing to be located in the 20' corner side yard setback along Comfort Drive as depicted on the Site Plan attached to this Ordinance as **Exhibit D**, is hereby approved for the Subject Property.

SECTION 9: The Owner's Acknowledgement and Acceptance Agreement for CityGate II, attached hereto as **Exhibit G**, is hereby approved for the Subject Property.

SECTION 10: The Final Plat of Planned Unit Development for CityGate II, attached to this Ordinance as **Exhibit C**, is hereby approved for the Subject Property.

SECTION 11: The Site Plan attached to this Ordinance as **Exhibit D**, is hereby approved for the Subject Property.

SECTION 12: The Building Elevations attached to this Ordinance as **Exhibit E**, is hereby approved for the Subject Property.

SECTION 13: The Final Landscape Plan attached to this Ordinance as **Exhibit H**, is hereby approved for the Subject Property.

SECTION 14: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 15: The City Clerk is authorized and directed to record this Ordinance and its exhibits with the DuPage County Recorder.

SECTION 16: 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 17: 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.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk