

PINs:
07-13-101-016
07-13-105-001
07-13-106-015

ADDRESS:
613 SPRING AVENUE
725 SPRING 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 #16-1-163

ORDINANCE NO. 17 - _____

AN ORDINANCE APPROVING THE FINAL PLAT OF SUBDIVISION, THE OWNER'S ACKNOWLEDGEMENT AND ACCEPTANCE (OAA), AND A DEVIATION TO MUNICIPAL CODE SECTION 7-3-5:5 (DEDICATION OF PARK LANDS AND SCHOOL SITES) FOR BURLINGTON WOODS ESTATES

WHEREAS, 725 Spring LLC ("Petitioner"), has petitioned the City of Naperville for approval of a final plat of subdivision for the approximately 3.64 acre property generally located at 613 and 725 Spring Avenue, legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property"); and

WHEREAS, the Subject Property is currently zoned R2 (Single-family and Low Density Multi-family Residence District); and

WHEREAS, on February 21, 2017 the Naperville City Council passed Ordinance 17-024, approving the Preliminary Subdivision Plat for Burlington Woods Estates in order to create 10 buildable lots on the Subject Property; and

WHEREAS, the Final Plat of Subdivision for Burlington Woods Estates is in substantial conformance with the Preliminary Subdivision Plat for Burlington Woods Estates approved through Ordinance 17-024; and

WHEREAS, the Petitioner also requested approval of a variance to Municipal Code Section 7-3-5:5 (Dedication of Park Lands and School Sites or for Payments or Fees in Lieu of: Procedures for Making Contributions) in order to pay the required school and park donation prior to issuance of a building permit for each unit rather than a lump sum payment due prior to recording of the Final Plat of Subdivision, as currently required by code; and

WHEREAS, the requested deviation meets the Standards for Granting a Subdivision Deviation as provided in **Exhibit C** attached hereto; and

WHEREAS, the City Council of the City of Naperville has determined that the Final Plat of Subdivision for Burlington Woods Estates and the school and park deviation 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 here in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: The Final Plat of Subdivision for Burlington Woods Estates, attached to this Ordinance as **Exhibit B**, is hereby approved.

SECTION 3: A deviation to Municipal Code Section 7-3-5:5 (Dedication of Park Lands and School Sites or for Payments or Fees in Lieu of: Procedures for Making

Contributions) to permit required school and park donations to be paid prior to issuance of a building permit for each unit is hereby approved.

SECTION 4: The Owner's Acknowledgement and Acceptance (OAA) for Burlington Woods Estates, attached to this Ordinance as **Exhibit D**, is hereby approved.

SECTION 5: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 6: The City Clerk is authorized and directed to record this Ordinance and its Exhibits with the DuPage County Recorder.

SECTION 7: This Ordinance shall be in full force and effect upon its recordation with the DuPage County Recorder.

PASSED this _____ day of _____, 2017.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2017.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk