

**PIN:  
08-05-302-023**

**PROPERTY ADDRESS:  
1200 E. DIEHL ROAD  
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-0050-2025**

**ORDINANCE NO. 25 - \_\_\_\_**

**AN ORDINANCE GRANTING DEVIATIONS FROM  
SECTIONS 6-14-4:3.2.5 (EXTERIOR LIGHTING/ LUMINAIRE DESIGN FACTORS)  
AND 6-14-4-3.3.3 (EXTERIOR LIGHTING/ STANDARDS AND REQUIREMENTS) OF  
THE NAPERVILLE MUNICIPAL CODE FOR THE HINES DIEHL ROAD  
RESUBDIVISION PLANNED UNIT DEVELOPMENT (PUD)  
LOCATED AT 1200 EAST DIEHL ROAD**

**[HINES DIEHL ROAD RESUBDIVISION]**

**RECITALS**

1. **WHEREAS**, Adtalem Global Education, Inc., 233 S. Wacker Drive, Suite 800, Chicago, IL 60606, is the owner ("**Owner**") of approximately 9.59 acres of real property located at 1200 E. Diehl Road, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**").

2. **WHEREAS**, the Owner has authorized Hines Acquisitions, LLC, a Delaware Limited Liability Company, 444 W. Lake St., Suite 2400, Chicago, IL 60606, the contract purchaser of the Subject Property (“**Petitioner**”), to seek entitlements to allow construction of a mixed-use development on the Subject Property with 306 multi-family dwelling units, two commercial buildings, and a surface parking lot, in addition to retention of an existing parking structure (the “**Hines Diehl Road Resubdivision**”).
3. **WHEREAS**, on November 5, 2024, the City Council passed the following ordinances: Ordinance 24-119, approving rezoning 1200 E. Diehl from ORI (Office, Research and Light Industry District) to OCI (Office, Commercial, and Institutional); Ordinance 24-120, approving a Preliminary Plat of Subdivision of Hines Diehl Road Resubdivision for 1200 E. Diehl Road; and, Ordinance 24-121, approving a conditional use for a Planned Unit Development (PUD) and a Preliminary PUD Plat of Hines Diehl Road Resubdivision with various zoning deviations and conditional uses for retail, restaurants, residential, and parking as a principal use (together hereinafter referenced as the “**Hines Diehl Road Resubdivision Preliminary Ordinances**”).
4. **WHEREAS**, pursuant to Section 6-4-3:12 (Deviations) of the Naperville Municipal Code, the Petitioner requests approval of a deviation to Section 6-14-4:3.2.5 (Exterior Lighting/ Luminaire Design Factors) of the Naperville Municipal Code to allow reuse of existing light poles that exceed permissible height requirements, and Section 6-14-4-3.3.3 (Exterior Lighting/ Standards And Requirements) of the Naperville Municipal Code to permit a maximum of 0.5 footcandles along the south

property line of the subject property (hereinafter together referenced as the “**Photometric Deviations**”).

5. **WHEREAS**, approval of the Photometric Deviations allows the Petitioner to use and maintain the existing light poles on the Subject Property as a means of leveraging existing resources and minimizing waste during redevelopment.
6. **WHEREAS**, the requested Photometric Deviations meet the Standards for Granting a PUD Deviation as provided in **Exhibit C** attached hereto.
7. **WHEREAS**, on May 7, 2025, the Planning and Zoning Commission considered the requested Photometric Deviations and recommended approval of the Petitioner’s requests.
8. **WHEREAS**, by separate ordinance approving a Final Plat of Subdivision for the Hines Diehl Road Resubdivision, Owner and Petitioner will enter into an Owner’s and Developer’s Acknowledgement and Acceptance Agreement for the Hines Diehl Road Resubdivision.
9. **WHEREAS**, subject to development of the Subject Property in the manner described in the Owner’s and Developer’s Acknowledgement and Acceptance Agreement, the City Council of the City of Naperville has determined that the Petitioner’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 deviation from Section 6-14-4:3.2.5 (Exterior Lighting/ Luminaire Design Factors) of the Naperville Municipal Code to allow reuse of existing light poles that exceed permissible height requirements on the Subject Property is hereby approved.

**SECTION 3:** A deviation from Section 6-14-4-3.3.3 (Exterior Lighting/ Standards And Requirements) to permit a maximum of 0.5 footcandles along the south property line of the Subject Property, is hereby approved.

**SECTION 4:** The Photometric Plan, attached to this Ordinance as **Exhibit D**, is hereby approved for the Subject Property.

**SECTION 5:** The approvals granted herein are subject to development of the Hines Diehl Road Resubdivision in the manner described in the Owner's and Developer's Acknowledgement and Acceptance Agreement referenced in Recital 8 hereof.

**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. 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 7:** The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

**SECTION 8:** This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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Scott A. Wehrli  
Mayor

ATTEST:

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Dawn C. Portner  
City Clerk