

PIN(S):07-13-423-020

ADDRESS:
125-127 S WASHINGTON STREET
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 #23-1-029

ORDINANCE NO. 23- __

**AN ORDINANCE APPROVING A CONDITIONAL USE
FOR AN AMUSEMENT ESTABLISHMENT IN THE B4 DISTRICT FOR THE PROPERTY
LOCATED AT
125-127 S WASHINGTON STREET (RIDDLEBOX ESCAPE ROOM)**

RECITALS

1. **WHEREAS**, RiddleBox Escape, Corp., 620B W 5th Avenue, Naperville, Illinois, 60563 ("**Petitioner**"), has petitioned the City of Naperville for approval of a conditional use to operate an amusement establishment in the B4 (Downtown Core) zoning district, for the property located at 125-127 S Washington St, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, the owner of the Subject Property is Naperville 125 Washington LLC, an Illinois limited liability company, 2 Ethel Road, Suite 205A Edison, New Jersey, 08817 ("**Owner**"); and
3. **WHEREAS**, the Owner has authorized the Petitioner to submit the subject petition;
and

4. **WHEREAS**, the Subject Property is currently zoned B4 (Downtown Core District) and is improved with a two story, multi-tenant commercial building; and
5. **WHEREAS**, pursuant to Section 6-7D-3:1 (B4/Conditional Uses) of the Naperville Municipal Code, conditional use approval is required to operate an amusement establishment at the subject property; and
6. **WHEREAS**, pursuant to 6-7D-3:1 (B4/Conditional Uses) of the Naperville Municipal Code, the Petitioner requests conditional use approval to operate an approximately 2,241 sq. ft. amusement establishment known as RiddleBox Escape Room on the second floor of the subject property; and
7. **WHEREAS**, the Naperville Downtown 2030 Plan states the desire for a variety of synergistic uses in the downtown, including entertainment options such as amusement establishments; and
8. **WHEREAS**, the requested conditional use meets the standards for conditional uses as provided in **Exhibit C** attached hereto; and
9. **WHEREAS**, on May 17, 2023, the Planning and Zoning Commission conducted a public hearing to consider the requested conditional use and recommended approval of the Petitioner's request; and
10. **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 herein. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: A conditional use to allow for an amusement establishment use pursuant to Section 6-7D-3:1 (B4/Conditional Uses) of the Naperville Municipal Code is hereby granted.

SECTION 3: The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

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: 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