

PINs:
07-03-104-006; 07-03-104-005;
07-03104-003

ADDRESS:
2379, 2415 & 2416 CORPORATE
NAPERVILLE, IL 60563

PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170

RETURN TO:

CITY OF NAPERVILLE
CITY CLERK'S OFFICE
P.O. BOX 3020
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60566-7020

ORDINANCE NO. 22 - ____

**AN ORDINANCE GRANTING AN EXTENSION TO THE
TEMPORARY USE FOR PARKING FACILITIES AT
MONARCH LANDING LOTS 1B, 1C AND 2**

1. **WHEREAS**, Calamos Real Estate LLC, ("**Petitioner**"), has petitioned the City of Naperville for approval of an extension to the temporary use for parking facilities on real property located north of Ferry Road and east of Route 59, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, Calamos Property Holdings LLC is the owner of the Subject Property;
and
3. **WHEREAS**, the Subject Property is zoned OCI PUD (Office, Commercial and Institutional);

4. **WHEREAS**, on April 6, 2005, the Naperville City Council passed Ordinance 05-058, approving the Final Plat of Subdivision for Monarch Landing to subdivide the property into Lot 1 and Lot 2; and
5. **WHEREAS**, on November 5, 2012, the Naperville City Council passed Ordinance 12-139, approving the Final Plat of Subdivision for Monarch Landing Lot 1 to resubdivide the property into Lot 1A and Lot 1B; and
6. **WHEREAS**, on June 3, 2014, the Naperville City Council passed Ordinance 14-072, approving the Preliminary/Final Plat of Subdivision for Monarch Landing Lots 1A and 1B to resubdivide the property into Lot 1A, Lot 1B and Lot 1C; and
7. **WHEREAS**, the Subject Property consists of a total of 4 parcels, including Lot 2 of the Monarch Landing Subdivision (hereafter referred to as "**Lot 2**"), and Lots 1A, 1B and 1C of the Monarch Landing Lots 1A and 1B Resubdivision (hereafter referred to as "**Lot 1A**", "**Lot 1B**" and "**Lot 1C**"); and
8. **WHEREAS**, as a result of the Monarch Landing Lots 1A and 1B Resubdivision, the existing parking facilities located on Lot 1B, Lot 1C and Lot 2 no longer complied with Section 6-9-2:4.3 (Yard Requirements for Off-Street Parking Facilities) which requires a 5' setback from the parking lot to the property line, and Section 6-7F-2 (OCI: Permitted Uses) which does not permit a parking lot as a principal use in OCI; and
9. **WHEREAS**, on June 3, 2014, the Naperville City Council passed Ordinance 14-074, authorizing the temporary use to allow 63 parking spaces to remain on Lot 1B, 2 parking spaces to remain on Lot 1C and 147 parking spaces to remain on Lot 2, until the commencement of construction on the property or June 3, 2019, whichever occurs first; and

10. **WHEREAS**, Ordinance 14-074 included a condition requiring the Petitioner to install a landscape island and a shade tree adjacent to the remaining parking spaces on Lot 1C in compliance with Section 5-10-3:5.1 after the removal of the 2 temporary parking spaces on Lot 1C; and
11. **WHEREAS**, on May 21, 2019, the Naperville City Council passed Ordinance 19-072, authorizing the temporary use to allow 63 parking spaces to remain on Lot 1B, 2 parking spaces to remain on Lot 1C, and 147 parking spaces to remain on Lot 2, until the commencement of construction on the property or June 2, 2022, whichever occurs first; and
12. **WHEREAS**, the Petitioner is requesting approval an extension to the temporary use authorized by Ord. 19-072 to permit 63 parking spaces to remain on Lot 1B, 2 parking spaces to remain on Lot 1C, and 147 parking spaces to remain on Lot 2 until commencement of construction or until June 2, 2025; and
13. **WHEREAS**, pursuant to Section 6-2-11 (Temporary Buildings, Structures and Uses of Land), City Council can approve a temporary use which exceeds a 6 month period provided that the use does not have an adverse impact on the surrounding properties, public health, safety and general welfare; and
14. **WHEREAS**, the City Council has determined that the temporary use 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: Pursuant to Section 6-2-11 (Temporary Buildings, Structures and Uses of Land), an extension of the temporary use to permit 63 parking spaces to remain on Lot 1B, 2 parking spaces to remain on Lot 1C, and 147 parking spaces to remain on Lot 2 as depicted on **Exhibit B**, is hereby granted for the Subject Property until the commencement of construction on the Subject Property or June 2, 2025, whichever occurs first subject to the following condition:

1. In compliance with Section 5-10-3:5.1 (Parking Lot Landscaping), the Petitioner shall install a landscape island and a shade tree adjacent to the remaining parking spaces on Lot 1C after the 2 temporary parking spaces are removed from Lot 1C.

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

SECTION 4: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2022.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2022.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk