

**PINs:**  
07-01-17-205-037  
07-01-17-205-038

**ADDRESS:**  
4020 - 4036 ASHWOOD PARK COURT  
NAPERVILLE, IL 60564

**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 #19-1-090

**ORDINANCE NO. 20 - \_\_\_\_\_**

**AN ORDINANCE APPROVING A  
PRELIMINARY/FINAL PLAT OF SUBDIVISION FOR ASHWOOD PARK  
NORTH – TOWNHOMES FIRST RESUBDIVISION AT THE  
SOUTHWEST CORNER OF 248<sup>TH</sup> AVENUE & 103<sup>RD</sup> STREET**

**RECITALS**

1. **WHEREAS**, Crestview Builders, Inc., 3956 Caliente Circle, Naperville, IL 60564 (herein "**Petitioner**") has petitioned the City of Naperville for approval of a Preliminary/Final Plat of Subdivision for Ashwood Park North – Townhomes First Resubdivision for certain property located at the southwest corner of 248<sup>th</sup> Avenue and 103<sup>rd</sup> Street, Naperville, Illinois which property is legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, Mike Steck, 3956 Caliente Circle, Naperville, IL 60564 ("**Owner**") is the owner of the Subject Property; and

3. **WHEREAS**, the Subject Property is currently zoned R3A (Medium Density Multi-Family Residence District) with a conditional use for the Ashwood Park North – Townhomes PUD; and
4. **WHEREAS**, on April 19, 2005, the City Council of the City of Naperville (“City”) passed Ordinance No. 05-065, granting a conditional use for a planned unit development and approving the Preliminary Plat of Subdivision and Planned Unit Development for Ashwood Park North – Townhomes; and
5. **WHEREAS**, on September 6, 2005, the Naperville City Council passed Ordinance 05-026, approving the Final Plat of Planned Unit Development and Subdivision and Owner’s Acknowledgement and Acceptance for Ashwood Park North - Townhomes; and
6. **WHEREAS**, on February 19, 2013, the Naperville City Council passed Ordinance 13-009, approving a major change to a planned unit development and a revised Owner’s Acknowledgement and Acceptance for Ashwood Park North - Townhomes; and
7. **WHEREAS**, the Petitioner has requested approval of a Preliminary/Final Plat of Subdivision for Ashwood Park North – Townhomes First Resubdivision to allow for the development of four (4) duplex buildings, for a total of eight (8) units on the Subject Property; and
8. **WHEREAS**, the Petitioner has also requested a minor change to the Ashwood Park North - Townhomes PUD to change the housing product type from townhomes to duplexes and modify the controlling building elevations, as well as approval of an updated PUD plat; and

9. **WHEREAS**, the City Council of the City of Naperville has determined that the Preliminary/Final Plat of Subdivision for Ashwood Park North – Townhomes First Resubdivision 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:** The Preliminary/Final Plat of Subdivision for Ashwood Park North – Townhomes First Resubdivision, attached to this Ordinance as **Exhibit B**, is hereby approved.

**SECTION 3:** Subject to the terms and conditions set forth and referenced herein, and effective upon recordation of this Ordinance, the Owner's Acknowledgement and Acceptance, attached to this Ordinance as **Exhibit C**, is hereby approved.

**SECTION 4:** This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time, and to all supporting documents and exhibits contained as a part of the record of the public hearing before the Planning and Zoning Commission.

**SECTION 5:** 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.

**SECTION 6:** The City Clerk is directed to record this Ordinance and its exhibits with the Will County Recorder.

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

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Steve Chirico  
Mayor

ATTEST:

\_\_\_\_\_  
Pam Gallahue, Ph. D.  
City Clerk