

P.I.N.: 01-04-410-095

Property Address:
3056 ANNA MARIE LANE
NAPERVILLE, IL 60564

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

PZC Case #21-1-089

ORDINANCE NO. 21- ____

**AN ORDINANCE APPROVING A MINOR CHANGE TO THE
NAPERVILLE CROSSINGS PUD AND A FINAL PLAT OF PUD FOR
LOT 25 OF NAPERVILLE ACM AND DOG HAUS RESUBDIVISION (SCHLOTZSKY'S)**

RECITALS

1. **WHEREAS**, VedaSrikanth, LLC, ("**Petitioner**") has submitted a petition to the City of Naperville for the real property located at 3056 Anna Marie Lane, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property") and commonly known as Lot 25 of the Naperville ACM and Dog Haus Resubdivision; and
2. **WHEREAS**, the owner of the Subject Property is KripKin, LLC ("**Owner**"); and
3. **WHEREAS**, the Subject Property is zoned B2 PUD (Community Shopping Center District - Planned Unit Development) and is vacant; and
4. **WHEREAS**, on February 17, 2004, the City Council of the City of Naperville passed Ordinance No. 04-020, approving a conditional use for Planned Unit Development (PUD), a Preliminary PUD Plat, and a Preliminary/Final Subdivision Plat in order to

develop a mixed-use development known as Naperville Crossings which included the Subject Property; and

5. **WHEREAS**, on April 6, 2004, the City Council of the City of Naperville passed Ordinance No. 04-055, approving an amended Preliminary PUD Plat and a Preliminary/Final Subdivision Plat in order to shift the development towards Illinois Route 59; and
6. **WHEREAS**, on June 7, 2005, the City Council of the City of Naperville approved Ordinance 05-087, designating all non-residential parking within Naperville Crossings as shared parking; and
7. **WHEREAS**, on September 6, 2005, the City Council of the City of Naperville passed Ordinance No. 05-165, approving an amended Preliminary PUD Plat and a Preliminary/Final Subdivision Plat for Naperville Crossings; and
8. **WHEREAS**, on December 3, 2019, the City Council of the City of Naperville passed Ordinance No. 19-153, approving subdivision of the Subject Property into 2 lots known as Lot 25 and Lot 26; and
9. **WHEREAS**, on December 3, 2019, the City Council of the City of Naperville passed Ordinance No. 19-154, approving a minor change to the Naperville Crossings PUD and a final PUD for Naperville ACM and Dog Haus Resubdivision in order to construct a 2,200-square foot fast casual restaurant known as Dog Haus on Lot 25 and a 3,500-square foot medical office known as Advance Care Medical (ACM) on Lot 26; and
10. **WHEREAS**, the medical office known as Advance Care Medical (ACM) has recently been constructed on Lot 26 and the fast-casual restaurant known as Dog Haus approved for Lot 25 was never constructed; and

11. **WHEREAS**, the petitioner is requesting approval of a minor change in order to construct an approximately 2,000 square foot restaurant known as Schlotzsky's on Lot 25; and
12. **WHEREAS**, per Section 6-4-6:2.3 (Changes to a Final PUD: Minor Change), a minor change to the PUD is required in order to establish controlling building elevations, a site plan and a landscaping plan for the Subject Property; and
13. **WHEREAS**, the requested amendment to the PUD meets the Standards for Amending a Planned Unit Development as provided in **Exhibit C** attached hereto; and
14. **WHEREAS**, the City Council of the City of Naperville has determined that a final PUD plat and a Minor Change to Lot 25 of the Naperville ACM and Dog Haus Resubdivision of the Naperville Crossings PUD in order to establish controlling plans for the Subject Property should be approved.

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 Minor Change to Lot 25 of the Naperville ACM and Dog Haus Resubdivision of the Naperville Crossings PUD in order to establish controlling building elevations, a site plan, and a landscape plan for the Subject Property is hereby approved.

SECTION 3: The Final Planned Unit Development Plat for Schlotzsky's attached to this Ordinance as **Exhibit B**, is hereby approved.

SECTION 4: The Site Plan, attached to this Ordinance as **Exhibit D**, is hereby approved.

SECTION 5: The Landscape Plan, attached to this Ordinance as **Exhibit E**, is hereby approved.

SECTION 6: The Building Elevations, attached to this Ordinance as **Exhibit F**, are hereby approved. The building signage depicted on **Exhibit F** shall require submittal of a separate sign permit; said signage is not specifically being approved through this Ordinance.

SECTION 7: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 8: The City Clerk is directed to record this Ordinance and its exhibits and the Final Planned Unit Development Plat for Schlotzsky's with the Will County Recorder.

SECTION 9: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2021.

AYES:

NAYS:

ABSENT:

APPROVED this ___ day of _____, 2021.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk