

PINs:
07-24-201-009
07-24-201-010
07-24-201-011

ADDRESS:
523 S Webster 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 #20-1-078

ORDINANCE NO. 21 - ____

**AN ORDINANCE APPROVING A MAJOR CHANGE TO
THE NAPERVILLE SETTLEMENT PRELIMINARY/FINAL
PLANNED UNIT DEVELOPMENT TO GRANT DEVIATIONS
AND A FINAL PLANNED UNIT DEVELOPMENT PLAT
FOR NAPER SETTLEMENT (523 S. WEBSTER STREET)**

RECITALS

1. **WHEREAS**, Naper Settlement ("**Petitioner**"), has petitioned the City of Naperville for approval of a major change to the Naper Settlement Planned Unit Development (PUD), and a final PUD plat to allow for the development of three new facilities on the property with a common street address of 523 South Webster Street, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, the City of Naperville, is the owner of the Subject Property; and
3. **WHEREAS**, the Subject Property is currently zoned R1A PUD (Low Density Single Family Residence District Planned Unit Development); and

4. **WHEREAS**, on December 2, 2008, the City Council of the City of Naperville passed Ordinance 08-220 approving a Major Change to the Planned Unit Development to adopt a conceptual site plan for construction of future facilities on the Subject Property to allow the Petitioner to pursue fundraising; and
5. **WHEREAS**, the Petitioner has indicated the conceptual site plan identified in 2008 will no longer be pursued; and
6. **WHEREAS**, the Petitioner has requested approval of a major change to the PUD to grant approval of a deviation from Section 5-10-3:4.2.1 (Landscaping and Screening: Foundation Landscaping), a deviation from Section 6-2-12:1 (Fences: Residence Districts), and a deviation from Section 6-6A-7 (R1A: Yard Requirements) and a final PUD plat to establish three new facilities on the Subject Property; and
7. **WHEREAS**, the three new facilities include the Innovation Gateway, the Agricultural Interpretive Center and Thresher Pavilion; and
8. **WHEREAS**, a deviation from Section 6-6A-7 (R1A: Yard Requirements) of the Municipal Code is requested in order to reduce the required 30' corner side yard setback to 16.1' for the building and 7' for the canopy of the Innovation Gateway along Webster Street which will serve as a new entryway into the Naper Settlement Campus; and
9. **WHEREAS**, a deviation from Section 6-2-12:1 (Fences: Residence Districts) of the Municipal Code is requested to allow a 6' fence along the property line adjacent to Webster Street and Porter Avenue to create a consistent fence height, color and material and to match existing fencing around the Subject Property; and

10. **WHEREAS**, a deviation from Section 5-10-3:4.2.1 (Landscaping and Screening: Foundation Landscaping) is requested to eliminate the required foundation plantings. This request is consistent with previous requests that have been granted for the Subject Property; and
11. **WHEREAS**, the Petitioner provided a letter detailing the parking information in lieu of a parking study, this letter is attached hereto as **Exhibit C**; and
12. **WHEREAS**, the requested deviations meet the Standards for Deviations as provided in **Exhibit D** attached hereto; and
13. **WHEREAS**, on January 6, 2021, the Planning and Zoning Commission conducted a public hearing to consider the major change to the PUD for approval of deviations and final PUD plat for the Subject Property, and recommended approval of the Petitioner's requests; and
14. **WHEREAS**, the City Council 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 major change to the Naper Settlement Planned Unit Development for the establishment of three new facilities is hereby approved.

SECTION 3: The Final Planned Unit Development Plat for Naper Settlement, attached to this Ordinance as **Exhibit B** and PUD Statement of Intent attached to this Ordinance as **Exhibit E** is hereby approved.

SECTION 4: The Landscape Plan for Innovation Gateway, Agricultural Center, Thresher Pavilion, attached to this Ordinance as **Exhibit F**, is hereby approved.

SECTION 5: The Building Elevations for the Innovation Gateway, Agricultural Center, Thresher Pavilion, attached to this Ordinance as **Exhibit G** and the Building Elevations Letter, attached to this Ordinance as **Exhibit H**, are hereby approved.

SECTION 6: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 7: The City Clerk is authorized and directed to record this Ordinance and the Final Planned Unit Development Plat with the DuPage County Recorder.

SECTION 8: 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 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