

**PINs:
07-13-412-004
08-18-303-009**

**ADDRESS:
24 NORTH WASHINGTON STREET, NAPERVILLE, IL 60540
20 EAST FRANKLIN AVENUE, 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 #20-1-092

ORDINANCE NO. 20 -

AN ORDINANCE APPROVING A CONDITIONAL USE IN THE B5 (SECONDARY DOWNTOWN) DISTRICT TO ALLOW A DAYCARE, PRESCHOOL, AND PRIMARY SCHOOL FACILITY AND A VARIANCE TO SECTION 6-9-3:6 OF THE NAPERVILLE MUNICIPAL CODE FOR GUIDEPOST MONTESSORI

RECITALS

1. **WHEREAS**, Quattro Twenty Four North Washington, LLC ("**Petitioner**"), has petitioned the City of Naperville for approval of a conditional use for a daycare, preschool, and primary school facility in the B5 District for real property located at 24 N. Washington Street and 20 E. Franklin Avenue, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, U.S Bank National Association, a national banking association is the owner of Parcel 1 legally described on **Exhibit A**; and, U.S Bank National Association, a national association, as successor by merger to Naperville Federal

Savings and Loan Association, also known as Naperville Savings and Loan Association, is the owner of Parcel 2 legally described on **Exhibit A** (“Owners”); and

3. **WHEREAS**, the Subject Property is zoned B5 (Secondary Downtown) District in the City of Naperville; and
4. **WHEREAS**, the Petitioner proposes repurposing the existing building on-site for use as a Montessori daycare, preschool, and primary school facility; and, a variance to Section 6-9-3:6 (Parking Requirements/Services and Institutions) of the Naperville Municipal Code to eliminate the ten stacking spaces required for curbside drop-off/pick-up areas; and
5. **WHEREAS**, on November 18, 2020, the Planning and Zoning Commission conducted a public hearing concerning PZC 20-1-092 to consider the Petitioner’s requests for the Subject Property, and recommended approval of Petitioner’s requests; and
6. **WHEREAS**, the City Council finds that, subject to the terms and conditions set forth and referenced herein, the requested conditional use to allow for a daycare, preschool, and primary school facility on the Subject Property in accordance with Section 6-7E-3 of the Naperville Municipal Code meets the Standards for Conditional Uses as provided in **Exhibit C** attached hereto; and
7. **WHEREAS**, the City Council finds that, subject to the terms and conditions set forth and referenced herein, the requested variance to Section 6-9-3:6 (Parking Requirements/Services and Institutions) of the Naperville Municipal Code, as described herein, meet the Standards for Granting a Zoning Variance for the Subject Property as provided in **Exhibit D** attached hereto; and

8. **WHEREAS**, subject to the terms and conditions set forth and referenced herein, the City Council of the City of Naperville has determined that a conditional use in the B5 (Secondary Downtown) zoning district, and the variance specified above should be approved for the Subject Property.

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 herein as though fully set forth in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated herein and made part hereof.

SECTION 2: A conditional use to allow a daycare, preschool and primary school facility on the Subject Property, as depicted on **Exhibit E**, is hereby approved.

SECTION 3: The Site Plan for Guidepost Montessori, as depicted on **Exhibit E**, is hereby approved.

SECTION 4: A variance to Section 6-9-3:6 (Parking Requirements/Services and Institutions) of the Naperville Municipal Code to eliminate the required stacking spaces for a daycare drop-off/pick-up area is hereby approved, subject to the following condition:

- i. In the event that the current and proposed tenants' drop-off/pick-up procedures cannot be accommodated within the proposed parking lot on the Subject Property as depicted on **Exhibit E**, the Petitioner and Owner shall take measures, such as modifying drop-off/pick-up procedures, altering drop-off/pick-up times, or establishing an overflow parking location off-site, as necessary, to meet the drop-off/pick-up demands of the tenant, subject to review and approval by the Zoning Administrator.

SECTION 5: The Building Elevations for Guidepost Montessori, attached to this Ordinance as **Exhibit F**, are hereby approved.

SECTION 6: The Landscape Plan for Guidepost Montessori, attached to this Ordinance as **Exhibit G**, is hereby approved.

SECTION 7: This Ordinance is subject to all conditions and requirements set forth in Title 6 (Zoning) of 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 8: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 9: The City Clerk is authorized and directed to record this Ordinance and its Exhibits with the DuPage County Recorder.

SECTION 10: 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 11: This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED this _____ day of _____, 2020.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2020.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk