

PIN: 08-29-104-014

ADDRESS:
25W462 75TH STREET
NAPERVILLE, IL 60565

PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540
630/420-4170

RETURN TO:
CITY OF NAPERVILLE
COMMUNITY SERVICES OFFICE/
CITY CLERK'S OFFICE
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

PZC Case #23-1-007

ORDINANCE NO. 23 - _____

**AN ORDINANCE REZONING
CERTAIN PROPERTY LOCATED AT 25W462 75TH STREET
AND COMMONLY KNOWN AS FOREST MEADOWS
TO OCI (OFFICE, COMMERCIAL AND INSTITUTIONAL DISTRICT)**

RECITALS

1. **WHEREAS**, Greene Valley 75, LLC, an Illinois limited liability company, 8S330 College Road, Naperville, Illinois, 60540 (referenced herein as "**Owner/Petitioner**") has petitioned the City of Naperville ("**City**") for annexation of an approximately 1.53 acre parcel of real property located at 25W462 75th Street in unincorporated DuPage County, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**") for a development comprised of thirty-eight (38) multi-family dwelling units to be known as Forest Meadows ("**Forest Meadows**").
2. **WHEREAS**, the Subject Property is presently zoned R-2 (Single Family Residence District) in unincorporated DuPage County.

3. **WHEREAS**, Owner/Petitioner has requested the City approve this ordinance (“**Ordinance**”) rezoning the Subject Property to OCI (Office, Commercial and Institutional District) upon annexation, along with ordinances approving an annexation agreement for the Subject Property, annexing the Subject Property, and a conditional use for multi-family residential and variances to increase permissible building height and residential density for the Subject Property (hereinafter together referenced as the “**Forest Meadows Ordinances**”).
4. **WHEREAS**, on April 19, 2023 the Planning and Zoning Commission conducted a public hearing to consider the rezoning request and recommended approval of the Owner/Petitioner’s request.
5. **WHEREAS**, the requested rezoning of the Subject Property meets the Standards for Rezoning as provided in **Exhibit C** attached hereto.
6. **WHEREAS**, the City Council of the City of Naperville has determined that the Owner/Petitioner’s rezoning request 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: Subject to approval, execution, and recordation of the Forest Meadows Ordinances, the Subject Property, legally described on **Exhibit A** and depicted on **Exhibit B**, is hereby rezoned to OCI (Office, Commercial and Institutional District) in the City of Naperville.

SECTION 3: Upon recordation of the Forest Meadows Ordinances, the Zoning Map of the City of Naperville is hereby amended in accordance with this Ordinance.

SECTION 4: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 5: Upon confirmation from the City Attorney that the terms and conditions set forth or referenced herein have been fulfilled, the City Clerk is authorized and directed to record the Forest Meadows Ordinances, together with their exhibits, with the DuPage County Recorder.

SECTION 6: 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. Technical and minor substantive revisions as deemed acceptable to the City Attorney may be made to this Ordinance and to the exhibits hereto prior to recordation with the DuPage County Recorder.

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

SECTION 8: If this Ordinance is not recorded within one (1) year of the City Council approval of this Ordinance, this Ordinance shall be automatically null and void and all rights and obligations hereunder shall then terminate.

PASSED this _____ day of _____, 2023.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2023.

Scott A. Wehrli
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk