

PIN:
08-05-100-028

ADDRESS:
1151 E. WARRENVILLE ROAD
NAPERVILLE, IL 60563

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

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

PZC Case #24-1-130

ORDINANCE NO. 25 - ____

AN ORDINANCE APPROVING
A CONDITIONAL USE FOR SINGLE-FAMILY ATTACHED DWELLINGS
IN THE OCI ZONING DISTRICT

[NORTHWOODS OF NAPERVILLE]

RECITALS

1. **WHEREAS**, the Illinois Hospital Association, an Illinois not-for-profit corporation, 1151 Warrenville Road, Naperville, IL 60563, is the owner ("**Owner**") of approximately 12.18 acres of real property located within the corporate limits of the City of Naperville ("**City**") having a common address of 1151 E. Warrenville Road, Naperville, Illinois, and which is legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**").
2. **WHEREAS**, the Owner has authorized M/I Homes of Chicago, LLC, a Delaware limited liability company authorized to transact business in the State of Illinois, 2135 City Gate Lane, Suite 620, Naperville, IL 60563, ("**Petitioner**"), to seek

entitlements from the City to allow development of a residential community consisting of 64 single-family townhomes identified as the Northwoods of Naperville (“**Northwoods of Naperville**”) on the Subject Property.

3. **WHEREAS**, Petitioner seeks the following zoning and preliminary plat entitlements for the Northwoods of Naperville development (together hereinafter referenced herein as the “**Initial Northwoods of Naperville Ordinances**”): (i) rezoning of the Subject Property from RD (Research and Development District) to OCI (Office, Commercial and Institutional District); (ii) a conditional use for single-family attached dwellings in the OCI zoning district; and (iii) a preliminary plat of subdivision for Northwoods of Naperville including a subdivision deviation to permit a private street on the Subject Property.
4. **WHEREAS**, the Subject Property consists of a flag lot with minimal frontage or visibility from Warrenville Road, and a variety of land uses and zoning districts surround it, including: the Herrick Lake Forest Preserve owned by the Forest Preserve District of DuPage County to the west (zoned E1/Low Density Estate District in the City); unincorporated single-family homes to the north and east; and offices to the south (zoned ORI/Office, Research, and Light Industry District in the City).
5. **WHEREAS**, the City of Naperville’s Land Use Master Plan designates the Subject Property as Medium Density Residential, which supports single-family attached dwellings.

6. **WHEREAS**, the Petitioner has petitioned the City of Naperville for approval of a conditional use pursuant to Section 6-7F-3 (OCI/Conditional Uses) of the Naperville Municipal Code for single-family attached dwellings in the OCI zoning district.
7. **WHEREAS**, Petitioner has given special consideration to the natural features of the Subject Property and has made efforts to minimize the areas that will be disturbed upon redevelopment, including: (i) incorporating a 15-foot-wide native planting buffer adjacent to the Herrick Lake Forest Preserve as depicted on **Exhibit C** (“**Site Plan**”); and (ii) preserving the existing trees on the eastern portion of the Subject Property through establishment of a tree preservation covenant (“**Tree Preservation Covenant**”) the limits of which are demarcated on **Exhibit D** (“**Open Space Exhibit**”). Said Tree Preservation Covenant shall be finalized concurrently with a final plat of subdivision for the Subject Property and an agreed upon and fully executed OAA (defined hereafter).
8. **WHEREAS**, on February 19, 2025, the City’s Planning and Zoning Commission conducted a public hearing regarding Petitioner’s conditional use request, and recommended approval of Petitioner’s request.
9. **WHEREAS**, in response to public comments received during the public hearing before the City’s Planning and Zoning Commission, Petitioner increased the amount of landscaping proposed along the Subject Property’s north property line, as depicted on **Exhibit E** (“**Northern Landscape Modifications**”) to provide additional buffering.
10. **WHEREAS**, the requested conditional use for single-family attached dwellings meets the Standards for Granting a Conditional Use as provided in **Exhibit F**

attached hereto and should be granted as provided in this ordinance (“**Ordinance**”) subject to the terms and conditions set forth and referenced herein.

11. **WHEREAS**, Petitioner and the City have been negotiating in good faith to arrive at an owner’s acknowledgement and acceptance agreement (“**Owner’s Acknowledgement and Acceptance Agreement**” or “**OAA**” for the Subject Property, but have agreed that said OAA shall be a condition of approval of the Final Plat of Subdivision 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 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 conditional use pursuant to Section 6-7F-3 (OCI District: Conditional Uses) of Title 6 (Zoning Regulations) of the Naperville Municipal Code in order to construct sixty-four (64) single-family attached dwelling units on the Subject Property is hereby granted as depicted on **Exhibit C** subject to the following conditions:

1. Approval, execution, and recordation of the **Initial Northwoods of Naperville Ordinances**; and
2. Approval, execution, and recordation of a Final Plat of Subdivision for the Northwoods of Naperville and a fully executed Owner’s Acknowledgement and Acceptance Agreement (“**OAA**”) approved by the City of Naperville.

SECTION 3: The Preliminary Landscape Plan, attached to this Ordinance as **Exhibit G**, is hereby approved subject to modifications being made along the northern property line

as depicted on **Exhibit E** (“**Northern Landscape Modifications**”). The Final Landscape Plan for the Subject Property shall substantially conform to the Preliminary Landscape Plan and shall substantially conform with the Northern Landscape Modifications as determined by the City of Naperville Zoning Administrator.

SECTION 4: The Building Elevations, attached to this Ordinance as **Exhibit H**, are hereby approved.

SECTION 5: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

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 passage and approval.

SECTION 8: The City Clerk is authorized and directed to record this Ordinance, including all exhibits hereto, with the DuPage County Recorder.

PASSED this _____ day of _____, 2025.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2025.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk