

PIN:  
07-13-207-015

PROPERTY ADDRESS:  
655 N. WASHINGTON STREET  
NAPERVILLE, IL 60563

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

RETURN TO:  
CITY OF NAPERVILLE  
CITY CLERK/COMMUNITY SERVICES DEPT.  
400 SOUTH EAGLE STREET  
NAPERVILLE, IL 60540

PZC Case # DEV-0170-2025

ORDINANCE NO. 26- \_\_\_\_

**AN ORDINANCE APPROVING A VARIANCE TO SECTION 6-9-2:4.3.2 (OFF STREET PARKING FACILITIES) AND SECTION 6-9-3:6 (SCHEDULE OF OFF STREET PARKING REQUIREMENTS) OF THE NAPERVILLE MUNICIPAL CODE FOR A PRIVATE GYM & LACROSSE FACILITY (JAX LAX)**

**RECITALS**

1. **WHEREAS**, Throw Me a Bone, LLC, with a mailing address of 5S524 Columbia Street, Naperville, IL 60563 ("**Owner**" and "**Petitioner**"), owns real property located at 655 N. Washington Street, Naperville, IL 60563 which is legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"), and has petitioned the City of Naperville ("**City**") for approval of a variance to Section 6-9-2:4.3.2 (Off Street Parking Facilities) and approval of a variance to Section 6-9-3:6 (Schedule of Off Street Parking Requirements) of the Naperville Municipal Code for a private gym and lacrosse training facility on the Subject Property.

2. **WHEREAS**, the Subject Property is zoned B3 General Commercial District and is improved with an approximately 6,405 square foot, 1-story, vacant building, a gravel parking area, and a fenced outdoor storage area.
3. **WHEREAS**, the Petitioner is proposing to renovate the vacant building on the Subject Property for a private gym and lacrosse training facility and to construct a paved parking area adjacent to the building to provide nine (9) on-site parking spaces.
4. **WHEREAS**, the proposed private gym and lacrosse training facility is considered a fitness facility per the Naperville Municipal Code and is a permitted use in the B3 General Commercial District.
5. **WHEREAS**, the proposal requires approval of the following variances:
  - a. A variance to Section 6-9-2:4.3.2 (Off Street Parking Facilities) of the Naperville Municipal Code to decrease the required five-foot minimum parking facility setback to zero (0) feet along the north property line on the Subject Property.
  - b. A variance to Section 6-9-3:6 (Schedule of Off Street Parking Requirements) of the Naperville Municipal Code to decrease the minimum number of required off-street parking spaces for a fitness facility on the Subject Property from twenty-six (26) spaces to nine (9) spaces.
6. **WHEREAS**, given Petitioner's intended use of the Subject Property for the low intensity purposes of one-on-one personal training and for private lacrosse training, the requested variances meet the Standards for Granting a Zoning Variance as provided in **Exhibit C** ("**Response to Standards**") attached hereto.

7. **WHEREAS**, on April 15, 2026, the Planning and Zoning Commission conducted a public hearing to consider the requested variances and recommended approval of Petitioner's requests.
8. **WHEREAS**, the City Council of the City of Naperville has determined that Petitioner's requested variances 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 variance from Section 6-9-2:4.3.2 (Off Street Parking Facilities) of the Naperville Municipal Code to decrease the required five-foot minimum parking facility setback to zero (0) feet along the north property line as depicted on the Site Plan attached hereto as **Exhibit B** ("Site Plan"), is hereby approved as provided herein.

**SECTION 3:** A variance from Section 6-9-3:6 (Schedule of Off Street Parking Requirements) of the Naperville Municipal Code to decrease the minimum number of required off-street parking spaces for a fitness facility on the Subject Property from twenty-six (26) spaces to nine (9) spaces as depicted on the Site Plan attached hereto as **Exhibit B** is hereby approved subject to the following conditions:

- a. If the City's Zoning Administrator determines that the private gym and lacrosse facility's parking needs cannot be accommodated with the parking on the subject property, the Petitioner shall take adequate measures to meet the parking needs of said facility, including but not limited to limiting business hours of operation, altering

the number of employees or other business operations, constructing additional parking spaces, and/or establishing an overflow parking location off-site as necessary, which shall be subject to the review and approval of the Zoning Administrator. Failure to timely take adequate measures to accommodate the facility's parking needs may result in the City's revocation of the parking variance.

- b. The variance shall not run with the land, but is granted solely to Throw Me a Bone LLC and shall not be transferrable to any other individual or entity, including but not limited to future owners, lessees, assignees, or other series of Throw Me a Bone LLC.

**SECTION 4:** The Site Plan, attached to this Ordinance as **Exhibit B**, is hereby approved as the controlling site plan for the Subject Property.

**SECTION 5:** The Building Elevations, attached to this Ordinance as **Exhibit D** ("**Building Elevations**"), are hereby approved for the Subject Property.

**SECTION 6:** The variances approved by this Ordinance shall expire unless within two (2) years from the effective date of this Ordinance: (1) a building permit has been obtained and the construction or alteration of the structure as specified in this Ordinance has been started, or (2) the use specified in this Ordinance has commenced.

**SECTION 7:** These variances shall be subject to revocation by the City for failure to comply with the requirements of this Ordinance as well as all other applicable provisions set forth in the Naperville Municipal Code, as amended from time to time, and all other applicable laws.

**SECTION 8:** The City Clerk is authorized and directed to record a certified copy of this Ordinance, together with the exhibits attached hereto, with the DuPage County Recorder.

**SECTION 9:** If this Ordinance is not recorded with the DuPage County Recorder within one (1) year of its approval and passage by the Naperville City Council, this Ordinance shall be null and void without any further action by the City.

**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. 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 office of the DuPage County Recorder.

**SECTION 11:** This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Scott A. Wehrli  
Mayor

ATTEST:

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Dawn C. Portner  
City Clerk