

PINS:

07-13-418-004
07-13-418-005
07-13-418-006
07-13-418-007

ADDRESSES:

3 S. MAIN STREET
13 S. MAIN STREET
15 S. MAIN STREET
21 S. MAIN STREET

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 #20-1-016

RESOLUTION NO. 20 - _____

**A RESOLUTION AUTHORIZING APPLICATION OF PARKING FEE IN-LIEU
PROVISIONS FOR MAIN STREET PROMENADE PHASE III**

RECITALS

1. **WHEREAS**, RPAI Naperville Main North, LLC ("**Owner**" and "**Petitioner**") is the owner of real property located at 3 S. Main Street, 13 S. Main Street, 15 S. Main Street, and 21 S. Main Street, Naperville Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, Petitioner is proposing the development of a five-story, mixed-use building on the Subject Property known as Main Street Promenade Phase III; and
3. **WHEREAS**, the City developed certain parking exemptions in Section 11-2E-1 et seq. of the Naperville Municipal Code in order to allow properties located within the downtown area to develop without providing the full amount of on-site parking required under the Code so long as said properties meet certain criteria and

participate in collective funding provided for through established special service areas; and

4. **WHEREAS**, Petitioner has requested to be permitted to utilize the partial parking exemption provisions set forth in Section 11-2E-2:3 of the Naperville Municipal Code; and
5. **WHEREAS**, subject to approval of ordinances revoking Ordinances 08-221 and 08-223, and approving a conditional use for establishment of the Main Street Promenade Phase III PUD within the B4 zoning district with deviations, the Subject Property is eligible to request City Council approval of a fifty percent (50%) exemption from off-street parking required by Section 6-9-3 of the Naperville Municipal Code under the parking fee in-lieu-of provisions of Section 11-2E-2:3; and
6. **WHEREAS**, pursuant to the parking fee in-lieu calculation prescribed, the Subject Property is required to provide a net parking demand of at least ten (10) off-street parking spaces at a weighted cost per space of \$15,865.00, calculations are set forth on **Exhibit C**; and
7. **WHEREAS**, in addition to adopting this resolution authorizing application of parking fee in-lieu provisions Petitioner has also requested the City approve an ordinance approving revocation of Ordinances 08-221 and 08-223, an ordinance approving a preliminary/final plat of subdivision for Main Street Promenade Phase III, and an ordinance approving a conditional use to allow for the establishment of the Main Street Promenade Phase III PUD within the B4 zoning district with

deviations to Section 6-9-3 (Schedule of Off Street Parking Requirements), Section 6-7D-7 (Yard Requirements), and Section 6-7D-4:5 (Required Conditions) of the Naperville Municipal Code (hereinafter cumulatively referenced herein as the “**Main Street Promenade Phase III Ordinances**”); and

8. **WHEREAS**, in the event that all of the Main Street Promenade Phase III Ordinances are not approved and recorded, the City and Petitioner agree that the Main Street Promenade Phase III Ordinances and this resolution shall be deemed to be automatically null and void with no further action being taken by the City or the Petitioner.

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 here. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: This resolution is subject to and conditioned upon approval of the Main Street Promenade Phase III Ordinances and strict compliance with the terms and conditions set forth and referenced herein. All terms and conditions set forth and referenced herein shall be binding upon the Owner and Owner’s successors, transferees, and assigns.

SECTION 3: Petitioner’s request for the parking fee-in-lieu provisions set forth in Section 11-2E-2:3 of the Naperville Municipal Code to be applied to the Subject Property is hereby approved as provided herein subject to all of the terms and conditions set forth or referenced herein.

SECTION 4: This Ordinance shall be in full force and effect upon recordation with the DuPage County Recorder.

ADOPTED this _____ day of _____, 2020.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2020.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk