

**PINS:
07-04-206-005
07-04-203-025**

**ADDRESSES:
2212 FERRY ROAD
NAPERVILLE, IL 60563**

AND

**VACANT PROPERTY LOCATED ON
THE SOUTH SIDE OF FERRY ROAD
AND WEST OF ILLINOIS ROUTE 59
AND PART OF THE IRON GATE MOTOR
CONDOS DEVELOPMENT LOCATED AT
2212 FERRY ROAD**

**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 #23-1-116

ORDINANCE NO. 24 -

**AN ORDINANCE APPROVING A MAJOR CHANGE TO THE
IRON GATE MOTOR CONDOS PUD AND FINAL PUD PLAT FOR PHASE 2A AND
PHASE 2B FOR THE PROPERTY LOCATED AT 2212 FERRY ROAD AND THE
VACANT LAND LOCATED IMMEDIATELY TO THE WEST (IRON GATE PHASE 2B)**

RECITALS

1. **WHEREAS**, High Point Investments, Inc. and Iron Gate Motor Condos, Inc., 1585 Beverly Court, Suite 121, Aurora, IL 60502 (hereinafter "**Owner/Petitioner**"), has petitioned the City of Naperville for approval of a major change to the Iron Gate Motor Condos Planned Unit Development ("**PUD**") and Final PUD Plat for Phase 2A and Phase 2B for real property located at 2212 Ferry Road and the vacant land located

immediately to the west in Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** (“**Subject Property**”).

2. **WHEREAS**, the Subject Property is currently zoned I (Industrial) district, with a conditional use for the Iron Gate Motor Condos PUD.
3. **WHEREAS**, Phases 1 and 2A of the Iron Gate Motor Condos PUD include uses such as car condominiums that cater to collectors of custom cars, custom/antique car servicing and repairs/add-ons, and potential eating and drinking establishments.
4. **WHEREAS**, on September 1, 2015, the City Council of the City of Naperville (“**City**”) approved Ordinance 15-145, a Final PUD Plat for Iron Gate Motor Condos Phase 2A, to establish controlling site development plans and building elevations for Iron Gate Motor Condos Phase 2A; and, the original Iron Gate Motor Condos Phase 2A PUD was developed in accordance with the approved site plan as provided in Ordinance 15-145.
5. **WHEREAS**, on June 15, 2021, the City Council of the City of Naperville (“**City**”) passed Ordinance 21-078, approving a major change to the Iron Gate Motor Condos PUD, a Final PUD Plat for the Iron Gate Motor Condos Phase 2A, Building 3, and Phase 2B, and various deviations to accommodate residential development for Phase 2B of the Iron Gate Motor Condos PUD.
6. **WHEREAS**, the Owner/Petitioner requests approval of a Major Change to the Iron Gate Motor Condos PUD and Final PUD Plat for Phase 2A & Phase 2B of the Iron Gate Motor Condos PUD to:
 - (i) consolidate a portion of Iron Gate Motor Condos Phase 2B (approved by Ordinance No. 21-078), legally described on **Exhibit C** and depicted on

Exhibit B, with the original Iron Gate Motor Condos Phase 2A, to establish new boundaries for Iron Gate Motor Condos Phase 2A and Phase 2B (hereinafter “**Boundary Change**”); and,

- (ii) change the approved land use for Phase 2B from residential (approved by Ordinance 21-078) to self-storage/garage facilities, including a large automobile storage facility for club members to utilize and private garage and storage units for automobiles, RVs and boats on the Subject Property (“**Self-storage/Garage Facilities**”).

7. **WHEREAS**, the Boundary Change proposed does not alter the concept or intent of the original Iron Gate Motor Condos Phase 2A PUD approved through Ordinance 15-145, or impact the buildings already constructed on the Phase 2A property. Instead, consolidating a portion of the Iron Gate Motor Condos Phase 2B property with the Phase 2A property will ensure vehicular access to the car condos on the west side of the Phase 2A property is provided, and allow a fence and other public facilities to be maintained in this area. Existing natural features and open space areas will also not be impacted by the consolidation.
8. **WHEREAS**, the Self-storage/Garage Facilities proposed for Phase 2B are complementary to the existing uses within the Iron Gate Motor Condos PUD and are consistent with original PUD approvals.
9. **WHEREAS**, the requested Major Change to the PUD meets the Standards for Amending a PUD as provided in **Exhibit D** attached hereto.

10. **WHEREAS**, on April 3, 2024, the Planning and Zoning Commission conducted a public hearing to consider PZC 23-1-116 and recommended approval of the Petitioner’s requests.

11. **WHEREAS**, the City Council has determined that the Owner’s requests 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: Approval of a major change to the Iron Gate Motor Condos Planned Unit Development (“**PUD**”) and Final PUD Plat for Phase 2A and Phase 2B to add a portion of the Phase 2B property back into the Phase 2A property and change the approved plans for Phase 2B from residential to Self-storage/Garage Facilities as depicted on **Exhibit B**, is hereby approved conditioned upon:

- i. Owner shall submit Final Engineering Plans and a Final Landscape Plan that comply with the requirements of the Naperville Municipal Code and are in substantial conformance with the site plan depicted on **Exhibit B** for the Zoning Administrator’s review and approval prior to the issuance of any building permits. Any modifications to the approved site plan as depicted on **Exhibit B** resulting from the Final Engineering Plans shall be processed as a change to a final PUD in accordance with Section 6-4-6 (Changes to a Final Planned Unit Development) of the Naperville Municipal Code.

SECTION 3: The Major Change to the Iron Gate Motor Condos PUD and Final PUD Plat for Phase 2A & Phase 2B of the Iron Gate Motor Condos PUD, attached to this Ordinance as **Exhibit B**, is hereby approved. Modifications to the Final PUD Plat, including modified building footprints, may be administratively approved so long as they do not:

- i. alter the concept or intent of the approved Final PUD;
- ii. increase the floor area ratio beyond 0.7, which is the maximum FAR for the I (Industrial) zoning district; or,
- iii. result in an increase in parking demand beyond the site analysis specified on the Major Change to the Iron Gate Motor Condos PUD and Final PUD Plat for Phase 2A & Phase 2B of the Iron Gate Motor Condos PUD, as prepared by CEMCON, Ltd. and dated March 15, 2024.

SECTION 4: The Building Elevations for Iron Gate Phase 2B, attached to this Ordinance as **Exhibit E**, are hereby approved; however, modifications to the Building Elevations may be administratively approved so long as they comply with the City's Building Design Guidelines or utilize materials that are consistent with the materials used in Phase 1 and Phase 2A of the Iron Gate Motor Condos PUD.

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 office of the Recorder in which the Subject Property is located within.

SECTION 7: The City Clerk is authorized and directed to record this Ordinance and the Major Change to the Iron Gate Motor Condos PUD and Final PUD Plat for Phase 2A & Phase 2B of the Iron Gate Motor Condos PUD, attached to this Ordinance as **Exhibit B**, with the DuPage County Recorder.

SECTION 8: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2024.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2024.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk