

PIN: 07-13-419-030

ADDRESS:

50 S. MAIN STREET, SUITE 104
NAPERVILLE, IL 60540

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 #DEV-0103-2025

ORDINANCE NO. 25- ____

**AN ORDINANCE APPROVING A VARIANCE TO
SECTION 6-7D-4 OF THE NAPERVILLE MUNICIPAL CODE
TO ALLOW A GENERAL SERVICE USE/FITNESS FACILITY TO OPERATE IN A
FIRST FLOOR TENANT SPACE ON THE PROPERTY
LOCATED AT 50 S. MAIN STREET, SUITE 104**

[BARRY'S BOOTCAMP]

RECITALS

1. **WHEREAS**, KRG Naperville Main, LLC c/o Gene Beiermann, 30 South Meridian St., Suite 1100, Indianapolis, IN 46204 ("**Petitioner**" and "**Owner**") is the owner of real property located at 50 S. Main Street, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**").
2. **WHEREAS**, the Owner has petitioned the City of Naperville for approval of a variance to Section 6-7D-4 (B4 Downtown Core District; Required Conditions) to allow for the

operation of a general service use/fitness facility on the first floor of the Subject Property, in Suite 104.

3. **WHEREAS**, the Subject Property is currently zoned B4 (Downtown Core District) and is improved with a multi-tenant commercial building known as Main Street Promenade East.
4. **WHEREAS**, 50 S. Main Street, Suite 104's location near the perimeter of the downtown boundaries may result in less pedestrian activity, making it difficult for tenants to rely on passersby to attract customers and making traditional retail uses less viable in these tenant spaces.
5. **WHEREAS**, 50 S. Main Street, Suite 104 has not been leased since the opening of Main Street Promenade East in 2014.
6. **WHEREAS**, pursuant to Section 6-3-6:2 (Standards for Variances) of the Naperville Municipal Code, the Petitioner is requesting approval of a variance to Section 6-7D-4 (B4 Downtown Core District: Required Conditions) of the Naperville Municipal Code to allow a general service use/fitness facility, to be known as Barry's, to locate on the first floor, in Suite 104, of the Subject Property.
7. **WHEREAS**, Barry's is a fitness studio known for high intensity workouts including cardio and strength training, as well as its Fuel Bar (which offers customized shakes and grab and go items) and retail component.
8. **WHEREAS**, Barry's has intentionally designed their proposed tenant space at 50 S. Main Street, Suite 104 to include both a Fuel Bar and retail area along the Main Street frontage, to promote an active retail environment along the streetscape as depicted on **Exhibit C** ("Site Plan").

9. **WHEREAS**, the Naperville Downtown 2030 Plan indicates that certain first-floor tenant spaces in downtown should be considered for general service uses based on their location.
10. **WHEREAS**, the requested variance meets the Standards for Variances as provided in **Exhibit D** attached hereto.
11. **WHEREAS**, on October 1, 2025, the Planning and Zoning Commission conducted a public hearing to consider the Petitioner's requested variance and recommended approval of the Petitioner's request (approved 8-0).
12. **WHEREAS**, the City Council of the City of Naperville has determined that the Petitioner's 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 here.

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

SECTION 2: A variance to allow for a general service use/fitness facility to occupy 50 S. Main Street, Suite 104, a first-floor tenant space on the Subject Property, pursuant to Section 6-7D-4 (B4 Downtown Core District: Required Conditions) of the Naperville Municipal Code, is hereby approved for Barry's subject to the following conditions:

1. The portion of the tenant space adjacent to the Main Street storefront shall be dedicated to lobby/retail/café (Fuel Bar) space as generally shown on the Site Plan attached hereto as **Exhibit C**. Modifications to the Site Plan may be administratively approved so long as the lobby, Fuel Bar and retail environment along the Main Street storefront is maintained.
2. The variance shall only apply to the operation of a general service use (fitness facility) by Barry's.

SECTION 3: The variance approved by this Ordinance shall expire unless within two (2) years from the effective date of this Ordinance if: (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 4: This variance shall be subject to revocation for failure to comply with all other applicable provisions set forth in the Naperville Municipal Code, as amended from time to time, and all other applicable laws.

SECTION 5: 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 6: The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

SECTION 7: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2025.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2025.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk