

PIN: 07-03-205-004

ADDRESS:
2012 CORPORATE LANE
NAPERVILLE, IL 60563

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 #22-1-133

ORDINANCE NO. 22 - _____

**AN ORDINANCE GRANTING A PARKING VARIANCE FROM
SECTION 6-9-3 (SCHEDULE OF OFF STREET PARKING REQUIREMENTS)
OF TITLE 6 (ZONING REGULATIONS) OF THE NAPERVILLE MUNICIPAL CODE
FOR THE PROPERTY LOCATED AT 2012 CORPORATE LANE (SHOOT 360)**

RECITALS

1. **WHEREAS**, 2012 Corporate Drive, LLC ("Petitioner") has petitioned the City of Naperville to grant a variance from Section 6-9-3 (Schedule of Off-Street Parking Requirements) of the Naperville Municipal Code to reduce the number of required parking spaces at the real property commonly known as 2012 Corporate Lane, Naperville, Illinois legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property"); and
2. **WHEREAS**, the Owner of the Subject Property is Prairie Point Complex, LLC ("Owner");
and
3. **WHEREAS**, the Owner has authorized the Petitioner to submit the petition referenced herein; and

4. **WHEREAS**, the Subject Property is zoned ORI (Office Research and Light Industry District), and is improved with a 188,333-square foot multi-tenant industrial building and 238 associated parking spaces; and
5. **WHEREAS**, the building is occupied by a mix of office and general distribution users; and
6. **WHEREAS**, the petitioner requests to occupy unit 140 which is 21,460 square feet in size with a fitness facility known as Shoot 360; and
7. **WHEREAS**, a fitness facility requires 4 parking spaces per 1,000 square feet of gross floor area resulting in 86 required parking spaces; and
8. **WHEREAS**, the total parking requirement for the existing and proposed tenants is 444 parking spaces resulting in a parking deficit of 206 spaces as indicated in the tenant roster included as **Exhibit C**; and
9. **WHEREAS**, the petitioner submitted a parking study, included as **Exhibit D**, which reviewed the parking counts of the existing tenants at various times over a one-week period and found that the average number of vacant spaces is 188 parking spaces; and
10. **WHEREAS**, the Petitioner provided a detailed description of the business, attached hereto as **Exhibit E**, indicating the typical parking usage for Shoot 360 during peak periods is 10-15 parking spaces on weekdays and less than a dozen spaces on weekends; and
11. **WHEREAS**, the petitioner has stated the weekday hours of operation for Shoot 360 are 1pm-9pm indicating the business will not contribute to the peak hours of operation onsite for the existing tenants which operate during more traditional business hours; and

- 12. **WHEREAS**, the details provided indicate that sufficient parking will be available on the Subject Property to accommodate the Shoot 360 tenant; and
- 13. **WHEREAS**, the requested variance meets the Standards for Variances as provided in **Exhibit F** attached hereto; and
- 14. **WHEREAS**, on February 2, 2022, the Planning and Zoning Commission considered the requested parking variance and recommended approval of the Petitioner’s request subject to a condition; and
- 15. **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 in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: A variance from 6-9-3 (Schedule of Off-Street Parking Requirements) to allow for a reduction of the number of required off-street parking spaces to permit a 21,460 square feet fitness facility within unit 140, as depicted on the property survey attached hereto as **Exhibit B** is hereby approved, subject to the following condition:

- a. If the City’s Zoning Administrator determines that the parking needs cannot be accommodated within the parking on the Subject Property as depicted on **Exhibit B**, the tenant shall promptly take adequate measures and work with the owner of the Subject Property (or Owner’s successors, transferees, and assigns) to meet

the parking needs of said tenants, including but not limited to formally assigning/reserving parking spaces for each tenant space, limiting business hours of operation, constructing additional off-street parking spaces, and/or establishing an overflow parking location off-site, as necessary, which measures shall be subject to the review and approval of the Zoning Administrator. Failure to timely take adequate measures to adequately accommodate tenant parking needs on the Subject Property to the satisfaction of the City's Zoning Administrator may result in the City's revocation of one or more of the variances approved herein.

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

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.

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

PASSED this _____ day of _____, 2022.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2022.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk