

PIN: 01-09-306-023

ADDRESS:
3540 248TH AVENUE
NAPERVILLE, ILLINOIS 60564

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 #23-1-053

ORDINANCE NO. 24 -

AN ORDINANCE APPROVING A MINOR CHANGE TO THE CONDITIONAL USE FOR A RELIGIOUS FACILITY APPROVED BY ORDINANCE 21-026 FOR THE ISLAMIC CENTER OF NAPERVILLE LOCATED AT 3540 248TH AVENUE

RECITALS

1. **WHEREAS**, Ragu Sada (Cordogan Clark Associates), 960 Ridgeway Avenue, Aurora, IL 60506 ("**Petitioner**") has petitioned the City of Naperville for a minor change to the conditional use for a religious facility as approved by Ordinance 21-026 for property located at 3540 248TH Avenue, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**").
2. **WHEREAS**, the Islamic Center of Naperville ("**ICN**"), 2844 W. Ogden Avenue, Naperville, IL 60540 ("**Owner**") is the owner of the Subject Property.
3. **WHEREAS**, on November 16, 2021, the City Council of the City of Naperville ("**City**") approved Ordinance 21-026, approving a conditional use for a religious facility comprised of a mosque, school, multi-purpose hall, and gymnasium to be built in phases potentially over the next forty years, and an Owner's Acknowledgement and

Acceptance Agreement (OAA) for the Islamic Center of Naperville (“**ICN**”) – 248th Avenue.

4. **WHEREAS**, the building elevations approved per Ordinance 21-026 and attached to this Ordinance as **Exhibit C**, depict white, metal domes on the roof.
5. **WHEREAS**, the Petitioner requests approval of a minor change to the approved building elevations per Ordinance 21-026 in order to change the dome color from white to an earthtone, green color (Benjamin Moore Stonybrook), as depicted on **Exhibit D** (“**Proposed Elevations**”).
6. **WHEREAS**, the requested minor change to the approved conditional use meets the Standards for Amending a Conditional Use as provided in **Exhibit E** attached hereto.
7. **WHEREAS**, the City Council has determined that the Petitioner’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: A minor change to the conditional use as approved by Ordinance 21-026 to change the dome color from white to an earthtone, green color (Benjamin Moore Stonybrook) as depicted in **Exhibit D**, is hereby approved for the Subject Property.

SECTION 3: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 4: 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 5: The City Clerk is directed to record this Ordinance and its exhibits with the Will County Recorder.

SECTION 6: This Ordinance shall be in full force and effect upon its recordation with the Will County Recorder.

PASSED this _____ day of _____, 2024.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2024.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk