

PINs: 07-22-102-034

PROPERTY ADDRESS:
2603 Aurora Avenue
NAPERVILLE, IL 60540

PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

RETURN TO:
CITY OF NAPERVILLE
CITY CLERK/COMMUNITY SERVICES DEPT.
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

PZC Case #DEV-0090-2025

ORDINANCE NO. 25- ____

**AN ORDINANCE APPROVING A CONDITIONAL USE AND GRANTING A PARKING
VARIANCE FROM SECTION 6-9-3.7 (SCHEDULE OF OFF-STREET PARKING
REQUIREMENTS)
FOR AN AMUSEMENT ESTABLISHMENT IN THE B2 DISTRICT FOR
THE PROPERTY LOCATED AT 2603 AURORA AVENUE**

RECITALS

1. **WHEREAS**, Samuel Stockton, Escapology, 621 Nicholson Street, Joliet, IL 60435 ("Petitioner"), has petitioned the City of Naperville for approval of a conditional use for an amusement establishment in the B2 (Community Shopping Center District) and a parking variance from section 6-9-3.7 (Schedule of Off-Street Parking Requirements) for the property located at 2603 Aurora Avenue, Naperville, Illinois, legally described on Exhibit A and depicted on Exhibit B ("Subject Property").
2. **WHEREAS**, the owner of the Subject Property is Brixmor Holdings 6 SPE, LLC, Brixmor Property Group, 8700 W. Bryn Mawr Avenue, Suite 1000S, Chicago, IL 60631 ("Owner").

3. **WHEREAS**, the Subject Property is currently zoned B2 (Community Shopping Center District) and is improved with a single-story, multi-tenant commercial building.
4. **WHEREAS**, with authorization of the Owner, Petitioner is requesting approval of a conditional use and a parking variance for an amusement establishment to locate Escapology in Suite 107 of the building on the Subject Property.
5. **WHEREAS**, Suite 107 has an allocated parking ratio of 4.5 spaces per 1000 square feet of gross floor area, reserving 28 parking spaces for the tenant space.
6. **WHEREAS**, per Section 6-9-3 (Schedule of Off-Street Parking Requirements) of the Naperville Municipal Code, the parking requirement for the proposed Escapology on the Subject Property is 63 parking spaces, resulting in a parking deficit of approximately 35 spaces.
7. **WHEREAS**, the Petitioner submitted parking information, included as **Exhibit C** ("**Parking Information**"), that compares the City's parking requirements to parking counts from comparable locations during peak times and finds that there is sufficient parking on the Subject Property which will accommodate an amusement establishment.
8. **WHEREAS**, the requested conditional use meets the standards for conditional uses as provided in **Exhibit D** attached hereto.
9. **WHEREAS**, the requested variance meets the Standards for Granting a Zoning Variance as provided in **Exhibit D** attached hereto.

10. **WHEREAS**, on August 20, 2025, the Planning and Zoning Commission conducted a public hearing to consider the requested conditional use and parking variance and recommended approval of the Petitioner's request.

11. **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 conditional use to allow for an amusement establishment in Suite 107 of the Subject Property pursuant to Section 6-7B-3 (B2 District: Conditional Uses) of the Municipal Code is hereby granted.

SECTION 3: A variance to section 6-9-3.7 (Schedule of Off-Street Parking Requirements) of the Municipal Code to reduce the number of required parking spaces from 63 parking spaces to 28 parking spaces to accommodate an amusement establishment is hereby granted.

SECTION 4: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

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. 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: 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