

PINs:
07-03-105-008; 07-03-103-017;
07-03-103-018

ADDRESSES:
2140 CALAMOS COURT &
2140, 2155, AND 2188 CITYGATE LANE
NAPERVILLE, IL 60563

PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170

RETURN TO:
CITY OF NAPERVILLE
COMMUNITY SERVICES DEPARTMENT
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60566-7020

ORDINANCE NO. 23 - _____

**AN ORDINANCE GRANTING A TEMPORARY USE FOR PARKING FACILITIES AT
CALAMOS HEADQUARTERS & CITYGATE CENTRE**

1. **WHEREAS**, Calamos Real Estate LLC, (“**Petitioner**”), has petitioned the City of Naperville for approval of a temporary use for parking facilities on real property located at the southeast corner of Illinois Route 59 and Ferry Road, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** (“**Subject Property**”); and
2. **WHEREAS**, Calamos Property Holdings LLC (“**Owner**”) is the owner of the Subject Property; and
3. **WHEREAS**, on October 6, 2009, the Naperville City Council passed Ordinance 09-118, authorizing the temporary use of the subject property for temporary surface parking lots with 63 total spaces until the commencement of the development’s Phase 2 construction or October 7, 2012, whichever occurred first; and

4. **WHEREAS**, on March 6, 2012, the Naperville City Council passed Ordinance 12-018, authorizing the extension of the temporary use granted through Ordinance 09-118, until the commencement of the development's Phase 2 construction or October 7, 2014, whichever occurred first; and
5. **WHEREAS**, on March 4, 2014, the Naperville City Council passed Ordinance 14-017, authorizing the extension of the temporary use granted through Ordinance 09-118 and extended through Ordinance 12-018, until the commencement of the development's Phase 2 construction or October 7, 2019, whichever occurs first; and
6. **WHEREAS**, on September 4, 2019, the Naperville City Council passed Ordinance 19-111, authorizing the extension of the temporary use granted through Ordinance 09-118 and extended through Ordinance 12-018, until the commencement of the development's Phase 2 construction or October 7, 2022, whichever occurred first; and
7. **WHEREAS**, the Petitioner allowed temporary use granted through Ordinance 19-111 to expire; and
8. **WHEREAS**, the Petitioner is now requesting a temporary use to permit the parking facilities to remain on the Subject Property until commencement of the development's Phase 2 construction or until June 6, 2025, whichever occurs first; and
9. **WHEREAS**, pursuant to Section 6-2-11 (Temporary Buildings, Structures and Uses of Land), City Council can approve a temporary use which exceeds a 6 month period provided that the use does not have an adverse impact on the surrounding properties, public health, safety and general welfare; and

10. **WHEREAS**, the City Council has determined that temporary use 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 in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: Pursuant to Section 6-2-11 (Temporary Buildings, Structures and Uses of Land), an extension of the temporary use to permit two (2) surface parking lots with a total of 63 parking spaces, as depicted on **Exhibit C**, is hereby granted for the Subject Property until the commencement of the development's Phase 2 construction or June 6, 2023, whichever occurs first.

SECTION 3: The City Clerk is authorized and direct to record this Ordinance with the DuPage County Recorder.

SECTION 4: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2023.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2023.

Scott A. Wehrli
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk