

PIN: 08-19-401-001

**ADDRESS:
806 SOUTH JULIAN STREET
NAPERVILLE, IL 60540**

**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 #21-1-002

ORDINANCE NO. 21 -

**AN ORDINANCE REZONING THE PROPERTY
LOCATED AT 806 SOUTH JULIAN STREET (JULIAN WOODS) TO
R1 (LOW DENSITY SINGLE-FAMILY RESIDENCE DISTRICT)**

RECITALS

1. **WHEREAS**, Simon Frisch and Mona Gandhi, 440 North Halsted Street, Unit 3A, Chicago, Illinois 60642, are the owners and developers (hereinafter "**Owners**") of real property located at 806 South Julian Street, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, Mathieson House, LLC d/b/a M House, 710 East Ogden Avenue, #250, Naperville, IL 60563, ("**Petitioner**") has petitioned the City of Naperville ("**City**") for approval of an annexation agreement and rezoning for the Subject Property and has been authorized by the Owners to submit the subject petition; and
3. **WHEREAS**, the Subject Property is presently zoned R-4 in unincorporated DuPage County and improved with a single-family residence; and

4. **WHEREAS**, the Owners and Petitioner have petitioned the City of Naperville for rezoning of the Subject Property to R1 (Low Density Single-Family Residence District) upon annexation in order construct a single-family residence; and
5. **WHEREAS**, the Owners and Petitioner have also sought approval of ordinances annexing the Subject Property and approving an annexation agreement for the Subject Property which are the subject of separate ordinances and together with this ordinance are collectively referenced as the “**806 South Julian Street Ordinances**”; and
6. **WHEREAS**, the requested rezoning of the Subject Property meets the Standards for Rezoning as provided in **Exhibit C** attached hereto; and
7. **WHEREAS**, on March 17, 2021, the Planning and Zoning Commission conducted a public hearing to consider the rezoning request and recommended approval of the Petitioner’s request; and
8. **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: The Subject Property, legally described on **Exhibit A** and depicted on **Exhibit B**, is hereby rezoned to R1 (Low Density Single-Family Residence District) upon annexation in the City of Naperville.

SECTION 3: The Zoning Map of the City of Naperville is hereby amended in accordance with this Ordinance.

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 the 806 South Julian Street Ordinances and their exhibits with the DuPage County Recorder upon completed execution thereof in the following order: (1) Annexation Ordinance; (2) Annexation Agreement Ordinance; and (3) Rezoning Ordinance.

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 upon its passage and approval.

PASSED this _____ day of _____, 2021.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2021.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk