

PIN:
08-05-100-028

ADDRESS:
1151 E. WARRENVILLE ROAD
NAPERVILLE, IL 60563

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 #24-1-130

ORDINANCE NO. 25 - ____

AN ORDINANCE APPROVING A
PRELIMINARY PLAT OF SUBDIVISION FOR
NORTHWOODS OF NAPERVILLE WITH A DEVIATION TO
SECTION 7-3-3:1 (RIGHT-OF-WAY IMPROVEMENTS: STREETS)

[NORTHWOODS OF NAPERVILLE]

RECITALS

1. **WHEREAS**, the Illinois Hospital Association, an Illinois not-for-profit corporation, 1151 Warrenville Road, Naperville, IL 60563, is the owner ("**Owner**") of approximately 12.18 acres of real property located within the corporate limits of the City of Naperville ("**City**") having a common address of 1151 E. Warrenville Road, Naperville, Illinois, which is legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**").
2. **WHEREAS**, the Owner has authorized M/I Homes of Chicago, LLC, a Delaware limited liability company authorized to transact business in the State of Illinois,

2135 City Gate Lane, Suite 620, Naperville, IL 60563, (“**Petitioner**”), to seek entitlements to allow development of a residential community consisting of 64 single-family townhomes identified as the Northwoods of Naperville (“**Northwoods of Naperville**”) on the Subject Property.

3. **WHEREAS**, Petitioner seeks the following entitlements from the City for the Northwoods of Naperville development (together hereinafter referenced herein as the “**Initial Northwoods of Naperville Ordinances**”): (i) rezoning of the Subject Property from RD (Research and Development District) to OCI (Office, Commercial and Institutional District); (ii) a conditional use for single-family attached dwellings in the OCI zoning district; and (iii) a preliminary plat of subdivision for Northwoods of Naperville including a subdivision deviation.
4. **WHEREAS**, the Subject Property consists of a flag lot with minimal frontage or visibility from Warrenville Road, and a variety of land uses and zoning districts surround it, including: the Herrick Lake Forest Preserve owned by the Forest Preserve District of DuPage County to the west (zoned E1/Low Density Estate District in the City); unincorporated single-family homes to the north and east; and offices to the south (zoned ORI/Office, Research, and Light Industry District in the City).
5. **WHEREAS**, Petitioner has petitioned the City for approval of a Preliminary Plat of Subdivision of Northwoods of Naperville to subdivide the Subject Property into: (i) sixty-four residential lots; and (ii) Outlot A which will be encumbered by a Public Utility and Drainage Easement (PUDE) and which will also be included, in part, within a tree preservation covenant which will be recorded against the Subject Property.

6. **WHEREAS**, the Petitioner also requests approval of a deviation to Section 7-3-3:1 (Right-Of-Way Improvements: Streets) of the Naperville Municipal Code to permit a private street on the Subject Property.
7. **WHEREAS**, subject to the requirements set forth in Section 3 below, the requested deviation meets the Standards for Granting a Subdivision Deviation as provided in **Exhibit C** attached hereto.
8. **WHEREAS**, Petitioner and the City have been negotiating in good faith to arrive at an owner's acknowledgement and acceptance agreement ("**Owner's Acknowledgement and Acceptance Agreement**" or "**OAA**") for the Subject Property, but have agreed that said OAA shall be a condition of approval of the Final Plat of Subdivision for the Subject Property.
9. **WHEREAS**, the City Council of the City of Naperville has determined that the Preliminary Plat of Subdivision of Northwoods of Naperville and a deviation to Section 7-3-3:1 of the Naperville Municipal Code should be approved as provided in this ordinance ("**Ordinance**") subject to the terms and conditions set forth and referenced 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: Subject to the terms and conditions set forth in Section 3 hereof, the Preliminary Subdivision Plat of Northwoods of Naperville, attached hereto as **Exhibit B**, is hereby approved.

SECTION 3: Approval of a deviation to Section 7-3-3:1 of the Naperville Municipal Code is specifically conditioned upon City Council approval of a Final Plat of Subdivision for the Subject Property .

SECTION 4: Approval of a Final Plat of Subdivision for the Subject Property shall be subject to approval of a fully executed OAA which shall be attached to the ordinance approving the Final Plat of Subdivision for the Subject Property and shall also be separately recorded against the Subject Property.

SECTION 5: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

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 DuPage County Recorder.

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

SECTION 8: The City Clerk is authorized and directed to record this Ordinance, including all exhibits hereto, with the DuPage County Recorder.

PASSED this _____ day of _____, 2025.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2025.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk