

PINs:
07-08-401-013

ADDRESS:
1152 FRONTENAC ROAD
NAPERVILLE, IL 60563

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 #18-1-046

ORDINANCE NO. 18 - _____

**AN ORDINANCE GRANTING A VARIANCE FROM
SECTION 6-9-3 (SCHEDULE OF OFF STREET PARKING REQUIREMENTS)
OF TITLE 6 (ZONING REGULATIONS) OF THE NAPERVILLE MUNICIPAL CODE
FOR THE PROPERTY LOCATED AT 1152 FRONTENAC ROAD**

WHEREAS, Illinois Cheer Enterprises LLC (“Petitioner”) has requested approval of a variance from Section 6-9-3 (Schedule of Off Street Parking Requirements), of the Naperville Municipal Code to reduce the number of required parking spaces in order to operate a fitness facility on the property commonly known as 1152 Frontenac Road, Naperville IL, which is legally described in Exhibit A, and depicted on Exhibit B (“Subject Property”); and

WHEREAS, the Subject Property is zoned I (Industrial District), and improved with an approximately 111,793 square foot 1-story industrial building and 160 parking spaces; and

WHEREAS, the Petitioner proposes to occupy an approximately 33,066 square foot tenant space within the existing building with Illinois Cheer Enterprises, a fitness facility; and

WHEREAS, fitness facilities require 4 parking spaces per each 1,000 square feet of gross floor area, therefore Illinois Cheer Enterprises would be required to have 132 parking spaces; and

WHEREAS, the total parking requirement for the building's tenant mix, including Illinois Cheer Enterprises, is 240 parking spaces, exceeding the 160 parking spaces provided onsite; and

WHEREAS, parking counts were conducted over a 10-day period which indicated the peak parking demand for the existing tenant mix is approximately 20 vehicles; and

WHEREAS, the parking counts indicate there is sufficient parking available on the Subject Property to accommodate the 132 parking spaces required for Illinois Cheer Enterprises; and

WHEREAS, Illinois Cheer Enterprises has primary operating hours in the evenings and weekends, which are complimentary to the typical weekday and overnight operating hours of the other industrial type uses in the building; and

WHEREAS, Petitioner requests a parking variance to allow Illinois Cheer Enterprises to occupy approximately 33,066 square feet of the building on the Subject Property; and

WHEREAS, on June 6, 2018 the Planning and Zoning Commission conducted a public hearing concerning PZC 18-1-046, and recommended approval of the Petitioner's requests; and

WHEREAS, the requested variance meets the standards for variances as provided in **Exhibit C** attached hereto; and

WHEREAS, the City Council of the City of Naperville 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 here in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: A variance to Section 6-9-3 (Schedule of Off Street Parking Facilities) of the Naperville Municipal Code is hereby granted to allow Illinois Cheer Enterprises, a fitness facility, to occupy 33,066 square feet of the building on the Subject Property, subject to the following condition:

- a) In the event the Petitioner's parking needs cannot be accommodated within the existing parking on the Subject Property, the Petitioner shall take measures, such as altering business hours, number of employees or other business operations, as necessary, to meet the Petitioner's parking demands, subject to review and approval by the Zoning Administrator.

SECTION 3: Any variance other than those approved by this Ordinance shall require approval of a separate variance.

SECTION 4: The variance approved by this Ordinance shall expire unless a building permit has been obtained and the construction or alteration of the structure as specified in this Ordinance has been started within two (2) years from the effective date of this Ordinance.

SECTION 5: These variances shall be subject to revocation for failure to comply with all other applicable provisions set forth in the Naperville Municipal Code, as amended from time to time, and all other applicable laws.

SECTION 6: The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

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

PASSED this _____ day of _____, 2018.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2018.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk