

PIN:
07-22-101-006

ADDRESS:
504 – 510 S. ROUTE 59
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 #18-1-090

ORDINANCE NO. 18 - _____

**AN ORDINANCE APPROVING A MAJOR CHANGE TO THE NAPER WEST PUD
WITH OUTDOOR STORAGE AND PARKING DEVIATIONS
ON THE PROPERTY LOCATED AT
504-510 S. ROUTE 59 UNIT 504 (NAPER WEST)**

WHEREAS, Bonnie Management Corporation (“Petitioner”), has petitioned the City of Naperville for approval of a major change to a planned unit development with deviations to allow the outdoor storage of vehicles and to reduce the required number of off-street parking spaces for real property located at 504 – 510 S. Route 59, Unit 504, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** (“Subject Property”); and

WHEREAS, the Petitioner proposes to occupy an approximately 2,100 square foot tenant space within the Subject Property with an Avis Rent-A-Car; and

WHEREAS, on May 3, 1982, the City Council of the City of Naperville passed Ordinance 82-046, approving a Preliminary Plat of Planned Unit Development for Naper West; and

WHEREAS, on September 19, 1983, the City Council of the City of Naperville passed Ordinance 83-106, approving a Final Plat of Planned Unit Development for Naper West; and

WHEREAS, on August 21, 2018, the City Council of the City of Naperville approved an occupancy of the Subject Property through December 31, 2018 at the Petitioner's risk for Avis Rent-A-Car subject to approval of all required zoning entitlements; and

WHEREAS, the Petitioner seeks approval of a major change to the Naper West PUD with deviations to Section 6-7B-4 (B2 District: Required Conditions) to allow the outdoor storage of rental vehicles and to Section 6-9-3 (Schedule of Off-Street Parking Requirements) to permit a reduction in the required amount of off-street parking; and

WHEREAS, a request for a deviation requires a major change to a planned unit development per Section 6-4-6:1.1 (PUD: Changes to a Final PUD); and

WHEREAS, the requested amendment to the planned unit development meets the Standards for Amending a Planned Unit Development as provided in **Exhibit C** attached hereto; and

WHEREAS, the requested PUD deviations meet the Standards for Deviation from a Planned Unit Development as provided in **Exhibit C** attached hereto; and

WHEREAS, on September 5, 2018, the Planning and Zoning Commission conducted a public hearing to consider PZC 18-1-090 and recommended approval of the petitioner's requests; and

WHEREAS, the City Council 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.

All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: A major change to the Naper West Planned Unit Development in order to grant deviations to allow the outdoor storage of vehicles and to reduce the required number of off-street parking spaces in order to allow Avis Rent-A-Car to occupy Unit 504 is hereby approved for the Subject Property.

SECTION 3: A deviation to Section 6-7B-4 (B2 District: Required Conditions) of the Naperville Municipal Code to allow the outdoor storage of rental vehicles, as depicted on Site Plan attached to this Ordinance as **Exhibit B**, is hereby approved conditioned upon the following:

1. The Petitioner is required to plant evergreen trees along Aurora Avenue to screen the stored vehicles.

SECTION 4: A deviation to Section 6-9-3 (Schedule of Off-Street Parking Requirements) of the Naperville Municipal Code to permit a reduction in the required amount of off-street parking from 606 spaces to 488 spaces, as depicted on the Site Plan attached to this Ordinance as **Exhibit B**, is hereby approved conditioned upon the following:

1. In the event that the current and proposed tenants' parking needs cannot be accommodated within the existing parking on the Subject Property, the Petitioner and Owner shall take measures, such as requiring tenants to alter business hours, number of employees or other business operations, alter the tenant mix, or establish an overflow parking location off-site, as necessary, to meet the parking demands of the tenants, subject to review and approval by the Zoning Administrator.

2. A maximum of 30 rental vehicles can be stored on the Subject Property by Avis Rent-A-Car at any one time; and

SECTION 5: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time, and to all supporting documents and exhibits contained as a part of the record of the public hearing before the Planning and Zoning Commission.

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: The City Clerk is directed to record this Ordinance and its exhibits with the DuPage County Recorder.

SECTION 8: 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