

PINS:
07-01-15-101-045-0000
07-01-15-101-046-0000
07-01-15-101-044-0000

ADDRESS:
VACANT PROPERTY
SEC OF IL ROUTE 59 AND 103RD STREET
NAPERVILLE, IL 60564

PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540
630/420-4170

RETURN TO:
CITY OF NAPERVILLE
CITY CLERK/COMMUNITY SERVICES DEPT.
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

PZC Case #23-1-091

ORDINANCE NO. 24 - ____

AN ORDINANCE GRANTING A VARIANCE TO SECTION 6-16-5:2.1 OF THE MUNICIPAL CODE FOR THE SUBJECT PROPERTY LOCATED AT THE SOUTHEAST CORNER OF IL ROUTE 59 AND 103RD STREET (LIFE TIME)

RECITALS

1. **WHEREAS**, LTF Real Estate, Inc., 2900 Corporate Place, Chanhassen, MN 55317 (“**Petitioner**”) has petitioned the City of Naperville (“**City**”) for approval of a variance to Section 6-16-5:2.1 of the Municipal Code to allow a wall sign to be installed on the south façade of a Life Time Athletic Resort (“**Sign Variance**”) for the real property located at the southeast corner of IL Route 59 and 103rd Street, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** (“**Subject Property**”).

2. **WHEREAS**, City of Naperville, 400 S. Eagle Street, Naperville, IL 60540, is the current owner (“**Owner**”) of the Subject Property and has authorized the Petitioner to submit the request.
3. **WHEREAS**, in addition to the Ordinance approving the Sign Variance, Petitioner also seeks City approval of ordinances approving the Preliminary Plat of Naperville – South Forty Lots 4, 5, 6 and 7 Resubdivision, and rezoning Lot 1 of the South Forty Lots 4, 5, 6 and 7 Resubdivision from B2 (Community Shopping Center District) to OCI (Office, Commercial, and Institutional District) in order to develop a Life Time Athletic Resort (hereinafter together referenced as the “**Life Time Ordinances**”).
4. **WHEREAS**, the Petitioner has requested approval of a variance to Section 6-16-5:2.1 of the Municipal Code to allow an approximately 148-square-foot wall sign to be installed on the south façade of a Life Time Athletic Resort as depicted on **Exhibit C** (“**Sign Rendering**”) to identify the Life Time Athletic Resort to northbound travelers along IL Route 59.
5. **WHEREAS**, the requested variance helps achieve the goals of the City’s Sign Ordinance to advance the economy of the City by recognizing the need for adequate site identification and encouraging effective communication between signs and the public.
6. **WHEREAS**, the requested variance meets the Standards for Variances as provided in **Exhibit D** attached hereto.
7. **WHEREAS**, on May 1, 2024, the Planning and Zoning Commission considered the PZC 23-1-091 and recommended approval of the Petitioner’s requests.

8. **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 in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: Subject to approval, execution, and recordation of the Life Time Ordinances, a variance to Section 6-16-5:2.1 of the Municipal Code to allow a wall sign to be installed on the south façade of a Life Time Athletic Resort as depicted on **Exhibit C** ("**Sign Rendering**"), is hereby approved.

SECTION 3: The variance approved by this Ordinance shall expire unless within two (2) years from the effective date of this Ordinance if: (1) a building permit has been obtained and the construction or alteration of the structure as specified in this Ordinance has been started, or (2) the use specified in this Ordinance has commenced.

SECTION 4: This variance 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 5: Upon confirmation from the City Attorney that the terms and conditions set forth or referenced herein have been fulfilled, the City Clerk is authorized and directed to record this Ordinance with the Will County Recorder.

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 Will County Recorder.

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

PASSED this _____ day of _____, 2024.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2024.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk