

**PINs:**

**08-18-131-014**

**08-18-131-015**

**08-18-131-016**

**08-18-131-017**

**ADDRESSES:**

**252 AND 262 4TH AVENUE**

**329 AND 333 NORTH LOOMIS 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 #20-1-075**

**ORDINANCE NO. 21 -**

**AN ORDINANCE APPROVING A PRELIMINARY PLAT OF SUBDIVISION  
FOR 4<sup>TH</sup> AVENUE & LOOMIS STREET**

1. **WHEREAS**, Bridge Street Properties LLC ("Petitioner"), as authorized by the Property Owners, has petitioned the City of Naperville for approval of a preliminary plat of subdivision, conditional use, and related variances to allow for the construction of nine (9) single-family attached townhome dwelling units and four (4) duplex dwelling units (referred to as the 4<sup>th</sup> Avenue and Loomis Street development) located at 252 4<sup>th</sup> Avenue, 262 4<sup>th</sup> Avenue, 329 N. Loomis Street, and 333 N. Loomis Street (cumulatively referenced herein as the "Subject Property") and are legally described on **Exhibit A** and depicted on **Exhibit B**; and

2. **WHEREAS**, Josephine M. Kokocinski Trust, 252 4<sup>th</sup> Avenue, Naperville, IL 60540, owns real property located at 252 4<sup>th</sup> Avenue, Naperville, IL 60540 (PIN 08-18-131-014); and
3. **WHEREAS**, BSP Station LLC, 618 W. Jefferson Avenue, Naperville, Illinois 60540, owns real properties located at 262 4<sup>th</sup> Avenue and 333 N. Loomis Street, Naperville, IL 60540 (PIN 08-18-131-015 and 08-18-131-016); and
4. **WHEREAS**, 5280 Properties, LLC- Series 329 Loomis, 215 Spring Avenue, Naperville, Illinois 60540, owns real property located at 329 N. Loomis Street, Naperville, IL 60540 (PIN 08-18-131-017); and
5. **WHEREAS**, the Subject Property is located at the southwest corner of 4<sup>th</sup> Avenue and North Loomis Street; and
6. **WHEREAS**, an Owner's Acknowledgement and Acceptance Agreement, which stipulates the Petitioner's obligations regarding the development of the Subject Properties, including but not limited to, the required payment of school and park donations per Section 7-3-5 of the Naperville Municipal Code, will be processed in conjunction with the Final Plat of Subdivision for the Subject Properties; and
7. **WHEREAS**, on October 21, 2020, the Planning and Zoning Commission conducted a public hearing regarding PZC 20-1-075 and recommended approval of Petitioner's requests as set forth herein; and
8. **WHEREAS**, the City Council of the City of Naperville has determined that the Preliminary Plat of Subdivision for 4<sup>th</sup> Avenue & Loomis Street should be should be approved subject to the conditions set forth 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 herein as though fully set forth in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated herein and made part hereof.

**SECTION 2:** The Preliminary Plat of Subdivision for 4<sup>th</sup> Avenue & Loomis Street, attached to this Ordinance as **Exhibit B**, is hereby approved.

**SECTION 3:** An Owner's Acknowledgement and Acceptance Agreement (OAA) which shall stipulate the Petitioner's obligations regarding the development of the Subject Properties, including but not limited to, the required payment of school and park donations per Section 7-3-5 of the Naperville Municipal Code and other development requirements, shall be required in conjunction with the review and approval of the Final Plat of Subdivision for the Subject Properties. Said Final Plat of Subdivision and OAA for the Subject Properties shall be subject to City Council review and approval prior to recording.

**SECTION 4:** This Ordinance is subject to revocation by the City for failure of Petitioners to comply with the conditions set forth herein or 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:** 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 6:** The City Clerk is authorized and directed to record this Ordinance and its Exhibits with the DuPage County Recorder.

**SECTION 7:** This Ordinance shall be in full force and effect from and after 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