

PINs:
07-03-205-004

ADDRESS:
2012 CORPORATE LANE
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 #17-1-041

ORDINANCE NO. 17 - _____

**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 2012 CORPORATE LANE**

WHEREAS, Junior Ninja Warriors Chicago 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 2012 Corporate Lane, Naperville IL, which is legally described in Exhibit A, and depicted on Exhibit B (“Subject Property”); and

WHEREAS, the Subject Property is zoned ORI (Office Research and Light Industry District), and improved with an approximately 188,333 square foot 1-story industrial building and 206 parking spaces; and

WHEREAS, the Petitioner proposes to occupy an approximately 13,662 square foot tenant space within the existing building with Junior Ninja Warriors, a fitness facility; and

WHEREAS, fitness facilities require 4 parking spaces per each 1,000 square feet of gross floor area, therefore Junior Ninja Warriors would be required to have 55 parking spaces; and

WHEREAS, the total parking requirement for the building's tenant mix, including Junior Ninja Warriors, is 347 parking spaces, exceeding the 206 parking spaces provided onsite; and

WHEREAS, parking counts were conducted over a 4-day period which indicated the peak parking demand for the existing tenant mix occurs at midday on weekdays and is approximately 121 vehicles; and

WHEREAS, the parking counts indicate there is sufficient parking is available on the Subject Property to accommodate the 55 parking spaces required for Junior Ninja Warriors; and

WHEREAS, Junior Ninja Warriors has primary operating hours in the evenings and weekends, which are complimentary to the typical weekday operating hours of the other industrial type uses in the building; and

WHEREAS, Petitioner requests a parking variance to allow a Junior Ninja Warriors to occupy approximately 13,662 square feet of the building on the Subject Property; and

WHEREAS, on June 7, 2017 the Planning and Zoning Commission conducted a public hearing concerning PZC 17-1-041, 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 Junior Ninja Warriors, a fitness facility, to occupy 13,662 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 variances 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 _____, 2017.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2017.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk