

PINs: 08-18-327-017

ADDRESS:
22 E CHICAGO AVE
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 #18-1-018

ORDINANCE NO. 18- __

**AN ORDINANCE APPROVING A CONDITIONAL USE
FOR AN AMUSEMENT ESTABLISHMENT IN THE B4 DISTRICT FOR
THE PROPERTY LOCATED AT 22 E CHICAGO AVENUE**

WHEREAS, Marcus Beam ("Petitioner"), has petitioned the City of Naperville for approval of a conditional use for an amusement establishment in B4 (Downtown Core District) for the property located at 22 E Chicago Avenue, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property"); and

WHEREAS, the owner of the Subject Property is NARE River Square LLC; and

WHEREAS, the Subject Property is currently zoned B4 (Downtown Core District) and is improved with a multi-tenant commercial building; and

WHEREAS, the Petitioner is requesting approval of a conditional use for an amusement establishment in order to operate a virtual reality family entertainment center within an existing tenant space on the Subject Property; and

WHEREAS, the requested conditional use meets the standards for conditional uses as provided in **Exhibit C** attached hereto; and

WHEREAS, on April 4, 2018, the Planning and Zoning Commission conducted a public hearing to consider the requested conditional use and recommended approval of the Petitioner's request; and

WHEREAS, the City Council of the City of Naperville has determined that the Petitioner's request 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: A conditional use to allow for an amusement establishment on the Subject Property pursuant to Section 6-7D-3 (B4 District: Conditional Uses) of the Municipal Code is hereby granted.

SECTION 3: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 4: The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

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: 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