

PIN: 08-30-200-011

**ADDRESS:
1112 SOUTH WASHINGTON STREET, SUITE 10
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 #19-1-025

ORDINANCE NO. 19- ____

**AN ORDINANCE APPROVING A CONDITIONAL USE
FOR A MASSAGE ESTABLISHMENT IN THE OCI DISTRICT FOR THE PROPERTY
LOCATED AT 1112 S. WASHINGTON STREET**

WHEREAS, Nikole Clay of Soma Sage Health & Healing, Inc. ("Petitioner"), has petitioned the City of Naperville for approval of a conditional use for a massage establishment in the OCI (Office, Commercial, Institutional District) for the property located at 1112 S. Washington Street, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property"); and

WHEREAS, Cedar Street Capital IV, LLC is the owner of the Subject Property; and

WHEREAS, the Subject Property is currently zoned OCI (Community Shopping District) and is improved with an approximately 42,680 square-foot multi-tenant business and medical office building; and

WHEREAS, the Petitioner is proposing to occupy a 563 square-foot tenant space known as Suite 10 on the subject property; and

WHEREAS, Suite 10 is located in the lower level of the building on the Subject Property facing the rear parking lot and Washington Street; and

WHEREAS, pursuant to Section 6-7F-3 (OCI District: Conditional Uses), the Petitioner is requesting approval of a conditional use in order to allow a massage establishment on the Subject Property; and

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

WHEREAS, on April 17, 2019, the Planning and Zoning Commission conducted a public hearing to consider PZC 19-1-025 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 here. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: A conditional use to allow for a massage establishment in Suite 10 of the Subject property pursuant to Section 6-7F-3 (OCI 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 _____, 2019.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2019.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk