

PROPERTY ADDRESS:  
VACANT PROPERTY AT THE  
NORTHEAST CORNER OF  
ROUTE 59 AND 103<sup>rd</sup> STREET  
NAPERVILLE, IL 60564

P.I.N.S  
07-01-10-300-002  
07-01-10-300-028  
07-01-10-300-029

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 #19-1-034

**ORDINANCE NO. 19 -**

**AN ORDINANCE APPROVING THE FINAL  
PLAT OF SUBDIVISION FOR WAGNER FARMS - PHASE 2  
LOCATED NEAR THE NORTHEAST CORNER OF IL ROUTE 59 AND 103<sup>RD</sup> STREET**

**WHEREAS**, on February 5, 2019, by Ordinance 19-020, approximately one hundred and thirteen (113) acres of property legally described on **Exhibit A** and depicted on **Exhibit B** were annexed to the City of Naperville (hereinafter referenced as "Subject Property"); and

**WHEREAS**, Pulte Home Company, LLC, with offices located at 1900 East Golf Road, Suite 300, Schaumburg Illinois 60173 (**"OWNER AND DEVELOPER/RESIDENTIAL"**), owns approximately one hundred and five (105) acres of the Subject Property, legally described on **Exhibit C** and generally depicted on **Exhibit D**, which is zoned R2 (Single Family and Low Density Multiple Family Residence) hereinafter referenced as **"Wagner Farms-Residential Property"**; and

**WHEREAS**, The Compass Evangelical Free Church, with offices located at 2244 95<sup>th</sup> Street, Naperville, IL 60564 (“**OWNER AND DEVELOPER/CHURCH**”) owns the approximately eight (8) remaining acres of the Subject Property, legally described on **Exhibit C** and generally depicted on **Exhibit D**, which are zoned OCI (Office Commercial and Institutional), hereinafter referenced as “**Wagner Farms-Church Property**”; and

**WHEREAS**, the OWNER AND DEVELOPER/RESIDENTIAL intends to subdivide the SUBJECT PROPERTY in Phase 1A, Phase 1B, Phase 2, and Phase 3 (herein referenced individually as “Phase”) as depicted on the Wagner Farms Phasing Exhibit attached hereto as **EXHIBIT E**, with OWNER AND DEVELOPER/RESIDENTIAL improving the WAGNER FARMS-RESIDENTIAL PROPERTY with up to three hundred and twelve (312) single-family detached dwelling units, and OWNER AND DEVELOPER/CHURCH improving the WAGNER FARMS-CHURCH PROPERTY with a religious institution.

**WHEREAS**, on February 5, 2019, the Naperville City Council passed Ordinance 19-023, approving the Preliminary Subdivision Plat for Wagner Farms (the Subject Property); and

**WHEREAS**, the OWNER AND DEVELOPER/RESIDENTIAL has petitioned the City of Naperville for approval of a Final Plat of Subdivision for Wagner Farms – Phase 2; and

**WHEREAS**, the OWNER AND DEVELOPER/RESIDENTIAL has requested that the City approve this ordinance (“Ordinance”), and has further requested ordinances approving final plats of subdivision for Phase 1A, Phase 1B, and Phase 3 of Wagner Farms; and

**WHEREAS**, the Final Plat of Subdivision for Wagner Farms – Phase 2 is in substantial conformance with the Preliminary Subdivision Plat for Wagner Farms approved through Ordinance 19-023; and

**WHEREAS**, the City Council of the City of Naperville has determined that the Final Plat of Subdivision for Wagner Farms – Phase 2 should be approved 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:** The Final Plat of Subdivision for Wagner Farms – Phase 2, attached to this Ordinance as **Exhibit F**, is hereby approved.

**SECTION 3:** Subject to the terms and conditions set forth and referenced herein, the Owner's Acknowledgement and Acceptance attached to this Ordinance as **Exhibit G**, is hereby approved and shall be applicable to each Phase of the Subject Property.

**SECTION 4:** This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

**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 Will County Recorder when directed to do so by the City Attorney.

**SECTION 7:** This Ordinance shall be in full force and effect upon its recordation with the Will County Recorder.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Steve Chirico  
Mayor

ATTEST:

\_\_\_\_\_  
Pam Gallahue, Ph.D.  
City Clerk