

PIN:
07-23-100-014

ADDRESS:
1568 W. OGDEN AV. UNIT 146
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 #19-1-063

ORDINANCE NO. 19 - _____

**AN ORDINANCE APPROVING A MAJOR CHANGE TO THE SCHWEIKERT SQUARE
PUD IN ORDER TO GRANT A CONDITIONAL USE TO PERMIT A CULTURAL
INSTITUTION AT THE SUBJECT PROPERTY LOCATED AT
1568 W. OGDEN AVENUE UNIT 146 (SRI PANCHAMUKHA HANUMAN)**

WHEREAS, Sri Panchamukha Hanuman (“Petitioner”) has petitioned the City of Naperville for approval of a major change to a Planned Unit Development in order to grant a conditional use to permit a cultural institution for real property located at 1568 W. Ogden Avenue, Unit 146, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** (“Subject Property”); and

WHEREAS, Naperville Ogden Properties (“Owner”) is the owner of the Subject Property; and

WHEREAS, on October 5, 1981, the City Council of the City of Naperville passed Ordinance 81-111, approving a Preliminary Plat of Planned Unit Development in order to develop an approximately 100,000 square foot building on the Subject Property; and

WHEREAS, on October 4, 1982, the City Council of the City of Naperville passed Ordinance 82-101, approving a Final Plat of Planned Unit Development for the Subject Property; and

WHEREAS, the Petitioner requests to operate a cultural institution functioning as a religious social club, on the Subject Property; and

WHEREAS, the Subject Property is zoned B3 PUD (General Commercial District) and a conditional use is required to operate a cultural institution in B3 per Section 6-7C-3 (B3 District: Conditional Uses); and

WHEREAS, the request for a conditional use requires approval of a major change to the PUD per Section 6-4-6 (Changes to a Final PUD: Major Change); and

WHEREAS, the requested amendment to the PUD meets the Standards for Amending a PUD and the Standards for Granting a Conditional Use as provided in **Exhibit C** attached hereto; and

WHEREAS, on August 7, 2019, the Planning and Zoning Commission conducted a public hearing to consider PZC 19-1-063 and recommended approval of the petitioner's request subject to conditions; and

WHEREAS, the City Council 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 in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: A major change to the Schweikert Square Planned Unit Development in order to grant a conditional use to permit a cultural institution for the Sri Panchamukha Hanuman Religious Social Club on the Subject Property is hereby approved. Said conditional use approval for a cultural institution at the Subject Property shall be limited to the Sri Panchamukha Hanuman Religious Social Club and shall not be transferrable to any other cultural institutions.

SECTION 3: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time, and to all supporting documents and exhibits contained as a part of the record of the public hearing before the Planning and Zoning Commission.

SECTION 4: 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 5: The City Clerk is directed to record this Ordinance and its exhibits with the DuPage County Recorder.

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