

PINs:
07-03-103-017
07-03-103-018

ADDRESS:
NEC OF WESTINGS AV. & CITYGATE LN.
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

BRB Case #99
PZC Case 19-1-020

ORDINANCE NO. 19 -

AN ORDINANCE GRANTING A VARIANCE FROM SECTION 5-2C-3 (EXTERIOR WALL CONSTRUCTION) OF TITLE 5 (BUILDING REGULATIONS) OF THE NAPERVILLE MUNICIPAL CODE FOR THE SUBJECT PROPERTY LOCATED AT NORTHEAST CORNER OF WESTINGS & CITYGATE

WHEREAS, CityGate Centre II, LLC (“Owner”) owns certain property located at the northeast corner of Westings Avenue and CityGate Lane, Naperville, Illinois which property is legally described on **Exhibit A** and depicted on **Exhibit B** (“Subject Property”); and

WHEREAS, CityGate Centre Ventures, LLC (“Petitioner”) has petitioned the City of Naperville (“City”) for approval of a major change to the CityGate Centre PUD, a preliminary PUD plat with deviations to increase the permitted building height and to reduce the required off-street parking and lot area, a conditional use for multi-family dwelling units in OCI (Office, Commercial and Institutional District), and a preliminary subdivision plat in order to construct an approximately 482,358 square foot, 5 story multi-family residential apartment building with an approximately 38,000 square foot roof level event center; and

WHEREAS, Section 5-2C-3 (Exterior Wall Construction) of Title 5 (Building Regulations) of the Municipal Code requires that a minimum of 50% of the exterior wall construction for all multi-family dwellings shall be constructed of solid masonry, face brick, manufactured concrete stone veneer (1½” inch thickness) set individually into mortar bed, or other masonry products as approved by the City Council; and

WHEREAS, the Petitioner requests to construct the proposed building with fiber cement siding, metal panel, composite wood cladding, glass, and approximately 5% masonry materials in order to be consistent with the remainder of the buildings located within the CityGate campus; and

WHEREAS, the Petitioner accordingly requests a variance to Section 5-2C-3 (Exterior Wall Construction) in order to reduce the required amount of masonry from 50% to approximately 5%; and

WHEREAS, on June 17, 2019, the Building Review Board (BRB) conducted a hearing to consider BRB Case 99 (PZC 19-1-020) and recommended approval of the Petitioner’s request; and

WHEREAS, the proposed building materials satisfy the intent of Section 5-2C-3 (Exterior Wall Construction) to provide durable materials on multi-family buildings and are consistent with the remainder of the existing buildings located within the CityGate campus; and

WHEREAS, the City Council of the City of Naperville has determined that the variance to the Naperville Municipal Code should be granted to the extent and subject to the terms and conditions set forth in this Ordinance.

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 5-2C-3 (Exterior Wall Construction) of Title 5 (Building Regulations) of the Naperville Municipal Code to reduce the required masonry materials on a multi-family building from 50% to approximately 5% in order to construct an approximately 482,358 square foot multi-family residential building with an associated roof level event center on the Subject Property, as depicted on the Building Elevations attached as **Exhibit C**, is hereby granted.

SECTION 3: The Building Elevations attached to this Ordinance as **Exhibit C**, are hereby approved.

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