

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

PZC Case #19-1-020

ORDINANCE NO. 19 - ____

**AN ORDINANCE APPROVING
A PRELIMINARY PLAT OF SUBDIVISION FOR THE
RESUBDIVISION OF LOTS 2 & 3 OF CITYGATE CENTRE SUBDIVISION**

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 Preliminary Plat of Subdivision for the Resubdivision of Lots 2 & 3 of CityGate Centre to combine Lot 2 and a portion of Lot 3 in order to construct an approximately 482,358 square foot, 5-story multi-family residential apartment building including an approximately 38,000 square foot roof level event center and associated parking on the Subject Property; and

WHEREAS, the Petitioner also requests to vacate the 30’ building line along Westings Avenue platted per Doc. R2000-110800; and

WHEREAS, the requested vacation meets the Standards for Granting a Subdivision Deviation as provided in **Exhibit C** attached hereto; and

WHEREAS, any conversion of the residential apartment building described above to condominiums in the future shall require full compliance with the City of Naperville Condominium Regulations then in effect.

WHEREAS, the City Council of the City of Naperville has determined that the Preliminary Plat of Subdivision for the Resubdivision of Lots 2 & 3 of CityGate Centre should be approved as provided herein; and

WHEREAS, if an objection as to the accuracy of the population generation tables, fair market land values, or any other matter set forth in Section 7-3-5 of the Naperville Municipal Code (“Dedication of Park Lands and School Sites or for Payments or Fees in Lieu of”) is made pursuant to the applicable provisions of Section 7-3-5:12, such objection shall be resolved in conformity with those provisions prior to recordation of a final plat of subdivision for the Subject Property.

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: Subject to the terms and conditions set forth herein, the Preliminary Plat of Subdivision for the Resubdivision of Lots 2 & 3 of CityGate Centre, attached hereto as **Exhibit B**, is hereby approved.

SECTION 3: A platted setback deviation in order to permit the vacation of the 30' building setback line platted per Doc. R2000-110800 is hereby approved.

SECTION 4: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time, including but not limited to the provisions of Section 7-3-5 thereof as referenced herein.

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 the exhibits with the DuPage County Recorder.

SECTION 7: 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