

**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; and

**WHEREAS**, the Owner has offered to contribute two hundred thousand dollars (\$200,000.00) to promote affordable or attainable housing in the City of Naperville, or for such other related purpose as the City deems appropriate in its sole discretion, which payment shall be made prior to issuance by the City of a building permit for any portion of the Subject Property; and

**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.

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Steve Chirico  
Mayor

ATTEST:

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Pam Gallahue, Ph.D.  
City Clerk