

PINs:
07-01-17-205-037
07-01-17-205-038

ADDRESS:
4020 - 4036 ASHWOOD PARK COURT
NAPERVILLE, IL 60564

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 #19-1-090

ORDINANCE NO. 20 - _____

AN ORDINANCE APPROVING A MINOR CHANGE TO THE
ASHWOOD PARK NORTH - TOWNHOMES PUD AND FINAL PLANNED UNIT
DEVELOPMENT PLAT FOR THE SUBJECT PROPERTY LOCATED AT THE
SOUTHWEST CORNER OF 248TH AVENUE & 103RD STREET

RECITALS

1. **WHEREAS**, Crestview Builders, Inc., 3956 Caliente Circle, Naperville, IL 60564 (herein "**Petitioner**") has petitioned the City of Naperville for a minor change to the Ashwood Park North – Townhomes PUD to change the housing product type from townhomes to duplexes and modify the controlling building elevations, as well as approval of an updated PUD plat for certain property located at the southwest corner of 248th Avenue and 103rd Street, Naperville, Illinois which property is legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, Mike Steck, 3956 Caliente Circle, Naperville, IL 60564 ("**Owner**") is the owner of the Subject Property; and

3. **WHEREAS**, the Subject Property is currently zoned R3A (Medium Density Multi-Family Residence District) with a conditional use to the Ashwood Park North – Townhomes PUD; and
4. **WHEREAS**, on April 19, 2005, the City Council of the City of Naperville (“City”) passed Ordinance No. 05-065, granting a conditional use for a planned unit development and approving the Preliminary Plat of Subdivision and Planned Unit Development for Ashwood Park North – Townhomes; and
5. **WHEREAS**, on September 6, 2005, the Naperville City Council passed Ordinance 05-026, approving the Final Plat of Planned Unit Development and Subdivision and Owner’s Acknowledgement and Acceptance for Ashwood Park North Townhomes; and
6. **WHEREAS**, on February 19, 2013, the Naperville City Council passed Ordinance 13-009, approving a major change to a planned unit development and a revised Owner’s Acknowledgement and Acceptance for Ashwood Park North Townhomes; and
7. **WHEREAS**, the Petitioner requests a minor change to the Ashwood Park North - Townhomes PUD to change the housing product type from townhomes to duplexes and modify the controlling building elevations, as well as approve an updated PUD plat; and
8. **WHEREAS**, the original PUD planned for the development of eight (8) townhome units on the subject property; and, eight (8) duplex dwelling units are proposed as part of the minor change to the PUD, which is consistent in terms of unit count and proposed residential density; and

9. **WHEREAS**, per Section 6-4-6:2 (Minor Changes to a Final PUD), the request to change the housing product type from townhomes to duplexes and modify the controlling building elevations requires a minor change to the PUD; and
10. **WHEREAS**, the requested amendment to the PUD meets the Standards for Amending a Planned Unit Development as provided in **Exhibit C** attached hereto; and
11. **WHEREAS**, the City Council has determined that the Petitioner's requests should be granted as provided herein; and
12. **WHEREAS**, the terms and conditions set forth herein shall be binding upon the Owner and Owner's successors, assigns, and transferees, and shall constitute a covenant running with the land.

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: A minor change to the Ashwood Park North - Townhomes Planned Unit Development to change the housing product type from townhomes to duplexes and modify the controlling building elevations, is hereby approved for the Subject Property.

SECTION 3: The Final Planned Unit Development Plat for Ashwood Park North – Townhomes First Resubdivision, attached to this Ordinance as **Exhibit B**, is hereby approved for the Subject Property.

SECTION 4: The Building Elevations attached to this Ordinance as **Exhibit D**, are hereby approved.

SECTION 5: The Landscape Plan attached to this Ordinance as **Exhibit E**, is hereby approved.

SECTION 6: 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 7: 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 8: The City Clerk is directed to record this Ordinance and its exhibits with the Will County Recorder.

SECTION 9: This Ordinance shall be in full force and effect upon its recordation with the Will County Recorder.

PASSED this _____ day of _____, 2020.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2020.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk