

PIN: 01-04-410-071

ADDRESS:  
2736 SHOWPLACE DRIVE  
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 #20-1-044

**ORDINANCE NO. 20 - \_\_\_\_**

**AN ORDINANCE APPROVING A MAJOR CHANGE TO A  
PLANNED UNIT DEVELOPMENT WITH DEVIATIONS AND A  
REVISED FINAL PLANNED UNIT DEVELOPMENT PLAT  
FOR LOT 16 BUILDING 7 (NAPERVILLE CROSSINGS)**

**RECITALS**

1. **WHEREAS**, Naperville Crossing Station LLC ("**Owner** and **Petitioner**"), has petitioned the City of Naperville for approval of a major change to the Naperville Crossings Final Planned Unit Development (PUD) with deviations and a revised final PUD plat to allow for the development of 4,782 square foot multi-tenant building with a drive-through for the property with a common street address of 2736 Showplace Drive, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, the Subject Property is currently zoned B2 (Community Shopping Center District) with a conditional use for a Planned Unit Development; and

3. **WHEREAS**, on July 21, 2015, the City Council of the City of Naperville passed Ordinance 15-118 approving a major change to the Naperville Crossings Final PUD plat for Lot 16 to establish controlling plans for two retail buildings and one future outlot building known as Building 7 at the Subject Property; and
4. **WHEREAS**, on April 7, 2020, the City Council passed Ordinance 20-032 approving a minor change to the Final PUD plat in order to construct a multi-tenant building on the Building 7 outlot at the Subject Property; and
5. **WHEREAS**, the Petitioner has revised the plans and is requesting approval of a major change to the PUD with deviations and a revised final PUD plat to establish development details for a 4,678-square foot multi-tenant building with a drive-through at the Subject Property; and
6. **WHEREAS**, the petitioner is requesting a deviation from Section 6-9-6:2.3.3 (Supplemental Standards for Drive-through Stacking Lanes) and Section 6-9-3:5 (Stacking Requirements for Use with Drive-through Facilities) to reduce the number of required drive-through stacking spaces from 12 spaces to 8 spaces, subject to the conditions listed in Section 3 below; and
7. **WHEREAS**, the petitioner is also requesting a deviation from Section 6-9-6:2.2 (Supplemental Standards for Drive-through Stacking Lanes) to allow a bypass lane which does not extend the full length of the drive-through; and
8. **WHEREAS**, the requested variance meets the Standards for Variances as provided in **Exhibit C** attached hereto; and
9. **WHEREAS**, on July 15, 2020, the Planning and Zoning Commission conducted a public hearing to consider the request and recommended approval; and

10. **WHEREAS**, the City Council has determined that the Petitioner's requests 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 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 Naperville Crossings Lot 16 Planned Unit Development with deviations in order to construct a multi-tenant building with a drive-through for Building 7 on Lot 16 is hereby approved.

**SECTION 3:** A deviation to Section 6-9-6:2.3.3 (Supplemental Standards for Drive-through Stacking Lanes) and Section 6-9-3:5 (Stackings Requirements for use with Drive-through Facilities) to reduce the number of required drive-through stacking spaces from 12 to 8 as depicted on **Exhibit D** is hereby approved subject to the following conditions:

1. The future tenant is required to submit data confirming that 8 stacking spaces will adequately serve their business. The data shall include, but is not limited to, data surveying the stacking needs of the same business in a comparable location or surveying a different business with a similar business model. This data will be subject to the review and approval by the Zoning Administrator. If the Zoning Administrator does not find the data supports the available stacking spaces for that tenant, it will not be administratively approved; in that instance, the tenant may seek approval of a stacking space variance, subject to the review and approval by the Planning and Zoning Commission and City Council.

2. If the Zoning Administrator approves the occupancy of the proposed tenant and that tenant's stacking subsequently causes circulation issues on Showplace Drive, the owner will be required to take adequate measures to adjust their business operations such that the stacking needs can be accommodated. These measures may include, but are not limited to, providing a limited drive-through menu, providing an employee on-site to facilitate drive-through customer transactions, providing reserved parking spaces for customers to pick-up carry-out orders, constructing additional stacking spaces, and/or ceasing use of the drive-through. Such measures will be subject to the review and approval of the Zoning Administrator. Failure to timely take adequate measures to accommodate the tenant's stacking needs may result in the City's revocation of the variance.

**SECTION 4:** A deviation to Section 6-9-6:2.2 (Supplemental Standards for Drive-through Stacking Lanes) to allow a bypass lane which does not extend the full length of the drive-through as depicted on **Exhibit D** is hereby approved.

**SECTION 4:** The Final Planned Unit Development Plat for Naperville Crossings Lot 16, attached to this Ordinance as **Exhibit B**, is hereby approved.

**SECTION 5:** The Landscape Plan for Naperville Crossings Lot 16 Building 7, attached to this Ordinance as **Exhibit E**, is hereby approved.

**SECTION 6:** The Building Elevations for Naperville Crossings Lot 16 Building 7, attached to this Ordinance as **Exhibit F**, are hereby approved.

**SECTION 7:** This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

**SECTION 8:** The City Clerk is authorized and directed to record this Ordinance and the Final Planned Unit Development Plat for Naperville Crossings with the Will County Recorder.

**SECTION 9:** 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 10:** This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Steve Chirico  
Mayor

ATTEST:

\_\_\_\_\_  
Pam Gallahue, Ph. D.  
City Clerk