

WRITER'S DIRECT NUMBER: (630) 955-6594
DIRECT FAX: (630) 955-4273
INTERNET: MICHAEL.ROTH@ICEMILLER.CO

May 8, 2020

Naperville Plan Commission
c/o Erin Venard, AICP
Project Manager – DRT / TED Business Group
City of Naperville
400 S Eagle Street
Naperville IL 60540

RE: City Gate West (PZC 20-1-022)

Dear Ms. Venard:

One of the entitlements that the Petitioner is requesting with this project is the Plan Commission's Initiation and the City's Approval of a text amendment to Designate Restaurants as Conditional Uses in OCI, Office, Commercial, and Institutional Planned Unit Developments - per Section 6-3-9 of the Naperville Zoning Code.

Presently, the City allows as of right, commercial uses including offices, banks and financial institutions, civic buildings, clinics, hospitals, daycare centers, religious institutions, fitness facilities, and services such as barber shops and beauty shops, laundries, cleaners, pet grooming, repair shops, and similar stores or shops. And full service hotels, general retail, single-family attached and multi-family dwellings, and planned unit developments and other uses are all allowed as conditional uses in the OCI district. Restaurants are not included in the list, although the stated intent of the OCI district is that it should contain office, residential, and “support commercial facilities.”

We believe that, with the conditional use and planned unit development protections, restaurants can fit well and offer a supporting amenity that that can not only be useful and compatible with OCI PUDs, but are sometimes important to the very success of an OCI PUD. Indeed, full service hotels are *required* to have commercial dining facilities, either in the hotel building proper, or within the campus (PUD) setting. Restaurants will certainly be important to the success of the City Gate West PUD.

We ask that the Plan Commission initiate a text amendment to designate restaurants as conditional uses in OCI planned unit developments, and to favorably recommend the amendment to the Naperville City Council. A draft ordinance is included in the Petition packet.

Thank you.

.Very truly yours,

ICE MILLER LLP

/s/ Michael M. Roth

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