

**PIN:**  
**01-04-410-078**

**ADDRESS:**  
**3136 ANNA MARIE LN**  
**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 #17-1-143**

**ORDINANCE NO. 18 - \_\_\_\_\_**

**AN ORDINANCE APPROVING A MAJOR CHANGE TO THE  
RESUBDIVISION OF LOT 11 OF NAPERVILLE CROSSINGS PUD,  
A CONDITIONAL USE FOR AN AUTOMOBILE REPAIR FACILITY,  
AND A PRELIMINARY/FINAL PUD PLAT ON THE PROPERTY LOCATED AT  
3136 ANNA MARIE LANE (CHRISTIAN BROTHERS)**

**WHEREAS**, Christian Brothers Automotive Corporation, ("Petitioner"), has petitioned the City of Naperville for approval of a major change to a planned unit development, a conditional use for an automobile repair facility, and approval of a preliminary/final PUD plat for the real property located at 3136 Anna Marie Lane, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property"); and

**WHEREAS**, First National Bank of Brookfield, is the owner of the Subject Property;  
and

**WHEREAS**, the Subject Property is currently zoned B2 (Community Shopping Center District) with a conditional use for a Planned Unit Development; and

**WHEREAS**, on February 18, 2004, the City Council of the City of Naperville passed Ordinance 04-020 approving a conditional use for a planned unit development, a

preliminary/final subdivision plat, and a preliminary PUD plat to allow for the development of a 15 lot mixed use project at the northwest corner of Route 59 and 95<sup>th</sup> Street, which included the Subject Property; and

**WHEREAS**, on September 6, 2005, the City Council of the City of Naperville passed Ordinance 05-165 approving a preliminary plat of resubdivision and a 2<sup>nd</sup> amended preliminary plat of PUD which envisioned the development of a single retail building and associated parking on the Subject Property; and

**WHEREAS**, on March 15, 2016, the City Council passed Ordinance 16-034 approving a preliminary/final plat of subdivision in order to subdivide the Subject Property, formerly known as Lot 11 of Naperville Crossings into Lot 23 and Lot 24; and

**WHEREAS**, also on March 15, 2016, the City Council also passed Ordinance 16-035 approving a final PUD plat and minor change to the Naperville Crossings PUD in order to allow the development of an 1,800 square foot custard store on the newly created Lot 24; and

**WHEREAS**, the Petitioner has requested approval of a conditional use for an automobile repair facility in the B2 District, a major change to the PUD, and a final PUD plat to establish development details in order to develop a 5,500 square foot automobile repair facility on Lot 23 (Subject Property); and

**WHEREAS**, the requested major change to the PUD and the conditional use meet the standards for amending a planned unit development and the standards for granting a conditional use as provided in **Exhibit C** attached hereto; and

**WHEREAS**, on March 7, 2018, the Planning and Zoning Commission conducted a public hearing to consider the requested major change to the PUD, conditional use, and

preliminary/final PUD plat for the Subject Property, and recommended approval of the Petitioner's requests; and

**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 here. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

**SECTION 2:** A major change to the Resubdivision of Lot 11 of Naperville Crossings Planned Unit Development for a conditional use in the B2 district to allow for an automobile repair facility on the Subject Property pursuant to Section 6-7B-3 (B2: Conditional Uses) of the Municipal Code, and as depicted on the Site Layout Plan attached hereto as **Exhibit D**, is hereby granted to Christian Brothers Automotive Corporation, subject to the following conditions:

1. The approved conditional use shall be limited to the Christian Brothers Automotive Corporation. Should Christian Brothers Automotive Corporation vacate the building and a new automotive repair facility seek to occupy the building, a new conditional use will be required to be processed and will be evaluated based on the specifics of the use proposed at that time.
2. The petitioner shall provide overhead screens that will be lowered upon the opening of the overhead service doors.
3. The noise level of 62dB as measured at the property line shall not be exceeded. Should the noise exceed the limit of 62dB as measured at the property line, the petitioner shall take additional measures, such as landscaping, screening, or modified service offerings, to ensure that noise levels fall within the acceptable limits.
4. There shall be no outside storage of materials or equipment at the subject property.

**SECTION 3:** The preliminary/final plat of Planned Unit Development attached to this Ordinance as **Exhibit B**, is hereby approved.

**SECTION 4:** The building elevations attached to this Ordinance as **Exhibit E**, are hereby approved.

**SECTION 5:** The landscape plan attached to this Ordinance as **Exhibit F**, 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 passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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Steve Chirico  
Mayor

ATTEST:

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Pam Gallahue, Ph. D.  
City Clerk