

**PIN: 08-29-104-025**

**ADDRESS:  
1095 E. 75<sup>TH</sup> ST  
NAPERVILLE, IL 60565**

**FKA 1090 E. 75H ST  
NAPERVILLE, IL 60565**

**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 #19-1-079**

**ORDINANCE NO. 21 -**

**AN ORDINANCE REVOKING ORDINANCE NO. 20-033  
AS PREVIOUSLY APPROVED FOR PROPERTY LOCATED AT  
1095 E. 75<sup>TH</sup> STREET (FKA 1090 E. 75<sup>TH</sup> STREET)**

1. **WHEREAS**, Wash Werks Enterprises, LLC, is the Owner ("**Owner**") of real property located at 1095 E. 75th Street, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, the Subject Property has historically been known as 1090 E. 75<sup>th</sup> Street, Naperville, Illinois; and
3. **WHEREAS**, the address has been corrected and will hereinafter be referred to as 1095 E. 75<sup>th</sup> Street, Naperville, Illinois; and
4. **WHEREAS**, on April 7, 2020, the City Council of the City of Naperville passed Ordinance No. 20-033, approving a Minor Change to a Planned Unit Development, a Final Planned Unit Development Plat, and the Revocation of Ordinance 14-089 for

the Subject Property (hereinafter referred to as “**Prior Ducky’s Car Wash Approvals**”) in order to permit the major remodeling of the car wash facility and the revocation of the car sales permit; and

5. **WHEREAS**, the Prior Ducky’s Car Wash Approvals were never recorded with the DuPage County Recorder and the Owner no longer wishes to pursue development of the Subject Property in accordance with the Prior Ducky’s Car Wash Approvals; and
6. **WHEREAS**, the Owner accordingly requests revocation of the Prior Ducky’s Car Wash Approvals; and
7. **WHEREAS**, upon revocation of the Prior Ducky’s Car Wash Approvals, Ordinance 14-089, approving a Major Change to the Planned Unit Development to permit motor vehicle sales will continue to be applicable to the Subject Property; and
8. **WHEREAS**, Owner intends to complete an interior remodel of the car wash and continue operating the motor vehicle sales operation on the Subject Property; and
9. **WHEREAS**, the car wash has been renamed to “Brightside Car Wash”; however, the ownership of the Subject Property has not changed; and
10. **WHEREAS**, the City Council of the City of Naperville has determined that it is desirable to revoke the Prior Ducky’s Car Wash Approvals.

**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 authority, as follows:**

**SECTION 1:** The foregoing recitals are incorporated as though fully set forth in this Section 1.

**SECTION 2:** City of Naperville Ordinance No. 20-033 approving a Minor Change to the Planned Unit Development, a Final Planned Unit Development Plat, and the Revocation of Ordinance 14-089 for the Subject Property is hereby revoked.

**SECTION 3:** City of Naperville Ordinance 14-089, approving a Major Change to the Planned Unit Development to permit motor vehicle sales for the Subject Property remains in full force and effect on the Subject Property.

**SECTION 4:** 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 or resolution.

**SECTION 5:** The City Clerk is authorized and directed to record a certified copy of this Ordinance in the Office of the DuPage County Recorder.

**SECTION 6:** This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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Steve Chirico  
Mayor

ATTEST:

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Pam Gallahue, Ph.D.  
City Clerk