

PIN:
07-25-300-011

ADDRESS:
1304 PLAINFIELD/NAPERVILLE RD
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 #22-1-051

ORDINANCE NO. 22 - _____

**AN ORDINANCE APPROVING A CONDITIONAL USE
FOR AN AUTOMOBILE SERVICE STATION AT
AT 1304 PLAINFIELD/NAPERVILLE ROAD (CASEY'S)**

RECITALS

1. **WHEREAS**, Casey's Retail Company, One Convenience Blvd, Ankeny, IA 50010 ("Petitioner and Owner") owns real property located at 1304 Plainfield/Naperville Road, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, the Subject Property is currently zoned B3 (General Commercial District); and is improved with an approximately 820 square-foot convenience store, a gas canopy with three fuel pump islands, and a 646 square-foot car wash; and
3. **WHEREAS**, the Owner and Petitioner has requested approval of a conditional use for an automobile service station in the B3 District in order to demolish the existing convenience store and car wash and develop a 3,200 square-foot convenience store

and install an additional gas pump under the existing approximately 3,618 square-foot canopy for a total of four gas pump islands; and

4. **WHEREAS**, the requested conditional use meets the standards for conditional uses as provided in **Exhibit C** attached hereto; and
5. **WHEREAS**, on November 16, 2022, the Planning and Zoning Commission conducted a public hearing to consider the conditional use request and recommended approval of the request; and
6. **WHEREAS**, the City Council of the City of Naperville has determined that the Petitioner's request 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 conditional use to allow for an automobile service station at the Subject Property pursuant to Section 6-7C-3 (B3 District: Conditional Uses) of the Municipal Code is hereby approved.

SECTION 3: The Site Plan, attached to this Ordinance as **Exhibit B**, is hereby approved as the controlling site plan 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.

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 DuPage County Recorder.

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

PASSED this _____ day of _____, 2022.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2022.

Steve Chirico

Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk