

PIN: 07-14-300-022

ADDRESS:  
1492 W OGDEN AVENUE  
NAPERVILLE, IL 60540

PREPARED BY:  
CITY OF NAPERVILLE  
LEGAL DEPARTMENT  
400 SOUTH EAGLE STREET  
NAPERVILLE, IL 60540  
630/420-4170

RETURN TO:  
CITY OF NAPERVILLE  
CITY CLERK'S OFFICE  
400 SOUTH EAGLE STREET  
NAPERVILLE, IL 60540

PZC Case #24-1-019

**ORDINANCE NO. 24 - \_\_\_\_\_**

**AN ORDINANCE APPROVING THE FINAL PLAT OF SUBDIVISION  
AND THE OWNER'S ACKNOWLEDGEMENT AND ACCEPTANCE FOR  
1492 W OGDEN AVENUE (THE FLOW CAR WASH)**

**RECITALS**

1. **WHEREAS**, Penny D. Wolf, Daniel S. Wolf and Randall E. Wolf, as co-Trustees of the Declaration of Trust of Daniel A. Wolf, under a certain trust agreement dated December 23, 1992, 2251 Gulf of Mexico Drive, Suite 201, Longboat Key, FL 34228, are the owners ("**Petitioner**" and "**Owner**") of an approximately 4.42 acres of real property located at 1492 W Ogden Avenue, Naperville, IL 60540, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**").
2. **WHEREAS**, the Petitioner has petitioned the City of Naperville for approval of a final plat of subdivision for 1492 W Ogden Avenue to subdivide the Subject Property into two lots and to allow for the development of an approximately 5,550 square foot car wash to be known as the The Flow Car Wash on lot 1.

3. **WHEREAS**, on December 19, 2023, the City Council of the City of Naperville approved the following ordinances: Ordinance 23-174, approving a preliminary plat of subdivision for 1492 W Ogden Avenue; and, Ordinance 23-173, approving a conditional use in the B3 zoning district for a car wash and a variance from Section 6-9-6:2.2 (Supplemental Standards for Drive-Through Stacking Lanes) of the Naperville Municipal Code.
4. **WHEREAS**, the Final Plat of Subdivision for 1492 W Ogden Avenue (attached hereto as **Exhibit B**) is in substantial conformance with the Preliminary Plat of Subdivision for 1492 W Ogden Avenue approved through Ordinance 23-174.
5. **WHEREAS**, the City Council of the City of Naperville has determined that the Final Plat of Subdivision for 1492 W Ogden Avenue should be approved 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:** The Final Plat of Subdivision for 1492 W Ogden Avenue, attached to this Ordinance as **Exhibit B**, is hereby approved.

**SECTION 3:** The Owner's Acknowledgement and Acceptance, attached to this Ordinance as **Exhibit C**, is hereby approved.

**SECTION 4:** This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

**SECTION 5:** The City Clerk is authorized and directed to record this Ordinance, the Final Plat of Subdivision for 1492 W Ogden Avenue, and the Owners Acknowledgement and Acceptance, approved by this Ordinance, with the DuPage County Recorder.

**SECTION 6:** If this Ordinance and Final Plat of Subdivision it approves are not recorded with the office of the Recorder in which the Subject Property is located within one (1) year of their approval and passage by the Naperville City Council, this Ordinance and the Final Plat of Subdivision shall be null and void without any further action by the City unless this Ordinance is amended by the City to extend such timeframe. The Petitioner and Owner shall defend, indemnify, and hold the City and its officers, agents and employees harmless if recordation does not occur within the original, or any extended, timeframe.

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

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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Scott A. Wehrli  
Mayor

ATTEST:

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Dawn C. Portner  
City Clerk