

PIN: 07-27-300-016

ADDRESS:  
1440 S ROUTE 59  
NAPERVILLE, IL 60564

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

RETURN TO:  
CITY OF NAPERVILLE  
CITY CLERK/COMMUNITY SERVICES DEPT.  
400 SOUTH EAGLE STREET  
NAPERVILLE, IL 60540

PZC Case #23-1-061

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

AN ORDINANCE APPROVING A FINAL PLAT OF SUBDIVISION FOR THE  
RESUBDIVISION OF LOT 8 OF THE BRACH BRODIE PROPERTY UNIT – 1  
(TOMMY’S EXPRESS CAR WASH)

RECITALS

1. **WHEREAS**, Wash Holdings 23, LLC, 4609 33<sup>rd</sup> Avenue, Suite 400, Fargo, North Dakota, 58194 (“**Petitioner**”), has petitioned the City of Naperville for approval of a Final Plat of Subdivision for the Resubdivision of Lot 8 of the Brach Brodie Property Unit – 1 for certain property located at the southeast corner of Route 59 and Beebe Drive, Naperville, Illinois, legally described on Exhibit A, and depicted on Exhibit B (“**Subject Property**”).
2. **WHEREAS**, Lowe’s Home Centers, LLC, 1000 Lowe’s Boulevard, Mooresville, North Carolina, 28117 (“**Owner**”), is the owner of the Subject Property.

3. **WHEREAS**, the Subject Property is currently zoned B2 (Community Shopping Center District) with a conditional use for the Brach Brodie Lot 8 PUD.
4. **WHEREAS**, with the authorization of the Owner, the Petitioner has petitioned the City of Naperville for approval of a Final Plat of Subdivision for the Resubdivision of Lot 8 of the Brach Brodie Property Unit – 1 in order to allow for the development of a car wash, known as Tommy’s Express.
5. **WHEREAS**, Petitioner has requested the City approve this Ordinance seeking approval of a Final Plat of Subdivision for the Subject Property as described herein (“**Ordinance**”), along with an ordinance approving a Final PUD plat for the Subject Property “**Tommy’s Express Ordinances**”).
6. **WHEREAS**, a Preliminary Plat of Subdivision was approved by the City Council on December 5, 2023.
7. **WHEREAS**, the Final Plat of Subdivision for the Resubdivision of Lot 8 of the Brach Brodie Property Unit – 1 is in substantial conformance with preliminary plat of subdivision that was approved via Ordinance 23-170.
8. **WHEREAS**, the City Council of the City of Naperville has determined that the Final Plat of Subdivision for the Resubdivision of Lot 8 of the Brach Brodie Property Unit – 1 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 the Resubdivision of Lot 8 of the Brach Brodie Property Unit - 1, attached to this Ordinance as **Exhibit B**, is hereby approved.

**SECTION 3:** This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

**SECTION 4:** The City Clerk is authorized and directed to record this Ordinance and the Final Plat of Subdivision, with the DuPage County Recorder.

**SECTION 5:** 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. Technical and minor substantive revisions as deemed acceptable to the City Attorney may be made to this Ordinance and to the exhibits hereto prior to recordation with the office of the Recorder in which the Subject Property is located within.

**SECTION 6:** 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.

\_\_\_\_\_  
Scott A. Wehrli  
Mayor

ATTEST:

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Dawn C. Portner  
City Clerk