

PINs:
07-15-101-024
07-15-101-025

ADDRESSES:
LOT 1:
1780 NORTH AURORA RD
NAPERVILLE, IL 60563

LOT 2:
504 NORTH ROUTE 59
NAPERVILLE, IL 60563

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

ORDINANCE NO. 22- __

**AN ORDINANCE APPROVING A CONDITIONAL USE
FOR AN AUTOMOBILE SERVICE STATION/CAR WASH
FACILITY IN THE B3 DISTRICT FOR THE PROPERTY
LOCATED AT 1780 NORTH AURORA ROAD (DELTA SONIC)**

RECITALS

1. **WHEREAS**, Delta Sonic Car Wash Systems, Inc., ("Petitioner"), has petitioned the City of Naperville for approval of a conditional use for an automobile service station/car wash facility in B3 (General Commercial District) for the property located at 1780 North Aurora Road, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property", "Lot 1"); and
2. **WHEREAS**, the Owners of the Subject Property, are Delta Sonic Car Wash Systems, Inc. and 1780 NAR, LLC ("Owners of Lot 1"); and

3. **WHEREAS**, the Subject Property is currently zoned B3 (General Commercial District) and is improved with an automobile service station/car wash facility known as Delta Sonic which is currently in operation; and
4. **WHEREAS**, Ordinance 16-108 approved a text amendment to the B3 zoning district requiring conditional use approval for automobile service stations/car wash facilities, any automobile service station/car wash facility which was established prior to the approved text amendment is permitted to continue to operate in accordance with Section 6-10 (Nonconforming Uses), said regulations prohibit the expansion of existing nonconforming uses; and
5. **WHEREAS**, the existing car wash was established prior to the approved text amendment and the Petitioner is requesting approval to permit modifications to the existing automobile service station/car wash facility triggering the need for conditional use approval at the Subject Property; and
6. **WHEREAS**, the proposed modifications to the Subject Property include construction of an 11,400 square foot indoor vacuum addition, replacement of the existing prep hut building, relocation of the bay booths and express lane machines, an increase to the number of cars which can be stacked in the car wash stacking lanes, and construction of a storage area and dumpster enclosure; and
7. **WHEREAS**, the Petitioner has submitted a preliminary/final plat of subdivision and plat of easement for Delta Sonic Second Resubdivison to vacate/grant easements and to shift the lot lines between the Subject Property ("Lot 1") and the adjacent lot known as 504 N. Route 59 ("Lot 2"); and
8. **WHEREAS**, the Owners of Lot 2 are 570 DAB 26, LLC ("Owners of Lot 2"); and

9. **WHEREAS**, the proposed shift to the existing lot lines results in an increase to the size of the Subject Property from 4.7 acres to 4.9 acres, no new buildable lots will be created as a result of this result; and
10. **WHEREAS**, the requested conditional use meets the standards for conditional uses as provided in **Exhibit C** attached hereto; and
11. **WHEREAS**, on March 2, 2022, the Planning and Zoning Commission conducted a public hearing to consider the requested conditional use and recommended approval of the Petitioner's request; and
12. **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 in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: A conditional use to allow for site improvements as depicted on **Exhibit D** (Site Plan) for an automobile service station/car wash facility at the Subject Property pursuant to Section 6-7C-3 (B3 District: Conditional Uses) of the Municipal Code is hereby granted.

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 the Preliminary/Final Plat of Subdivision and Plat of Easement for Delta Sonic Second

Resubdivision and this Ordinance and its exhibits with the DuPage County Recorder upon completed execution thereof in the following order: (1) Preliminary/Final Plat of Subdivision and Plat of Easement for Delta Sonic Second Resubdivision; and (2) Conditional Use Ordinance.

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.

SECTION 6: 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