

PINs: 08-07-313-001

PROPERTY ADDRESS:
20 E OGDEN AVENUE
NAPERVILLE, IL 60563

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

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

PZC Case #24-1-111/DEV-0044-2025

ORDINANCE NO. 25- ____

**AN ORDINANCE APPROVING A CONDITIONAL USE
FOR AN AUTOMOBILE SERVICE STATION AND A VARIANCE TO THE MAJOR
ARTERIAL SETBACK FOR THE PROPERTY LOCATED AT
20 E. OGDEN AVENUE (CASEY'S)**

RECITALS

1. **WHEREAS**, Casey's Retail Company, One SE Convenience Blvd., Ankeny, IA 50021 ("Owner" and "Petitioner"), owns real property located at 20 E. Ogden Avenue, Naperville, IL 60563, legally described on Exhibit A and depicted on Exhibit B ("Subject Property").
2. **WHEREAS**, the Subject Property is zoned B3 (General Commercial District) and is currently improved with a one-story convenience store and a canopy with eight (8) fuel pumps ("hereinafter referred to as the "**Existing Improvements**").
3. **WHEREAS**, the Petitioner requests approval of a conditional use for an automobile service station in the B3 District pursuant to Section 6-7C-3 (B3/Conditional Uses) in

order to demolish the Existing Improvements and develop a 3,218 square foot convenience store and 2,448 square foot canopy with eight (8) fuel pumps.

4. **WHEREAS**, the requested conditional use meets the Standards for Conditional Uses as provided in **Exhibit C** ("**Response to Standards**") attached hereto.
5. **WHEREAS**, the Petitioner requests approval of a variance to Section 6-2-14 (Major Arterial Setback Requirements) to reduce the 20-foot major arterial setback to allow three replacement light poles within one (1) foot of the west and north property lines.
6. **WHEREAS**, the Petitioner's requests meet the Standards for Granting a Zoning Variance as provided in **Exhibit C** ("**Response to Standards**") attached hereto.
7. **WHEREAS**, on May 7, 2025, the Planning and Zoning Commission conducted a public hearing to consider the requested entitlements and recommended approval of the Petitioner's requests.
8. **WHEREAS**, the City Council of the City of Naperville has determined that the Petitioner's requests 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 an automobile service station at the Subject Property pursuant to Section 6-7C-3 (B3/Conditional Uses) of the Naperville Municipal Code is hereby granted.

SECTION 3: A variance from Section 6-2-14 (Major Arterial Setback Requirements) to reduce the 20-foot major arterial setback to allow three replacement light poles within one (1) foot of the west and north property lines is hereby granted.

SECTION 4: The Site Plan for the Subject Property, attached to this Ordinance as **Exhibit D**, is hereby approved.

SECTION 5: The Final Landscape Plan for the Subject Property, attached to this Ordinance as **Exhibit E**, is hereby approved.

SECTION 6: The Building Elevations for the Subject Property, attached to this Ordinance as **Exhibit F**, are hereby approved.

SECTION 7: The Canopy Elevations for the Subject Property, attached to this Ordinance as **Exhibit G**, are hereby approved.

SECTION 8: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 9: The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

SECTION 10: 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 11: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2025.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2025.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk