

PIN: 08-29-104-025

ADDRESS:  
1095 E 75<sup>TH</sup> ST  
NAPERVILLE, IL 60565

FKA 1090 E 75H ST  
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 #19-1-079

ORDINANCE NO. 20- \_\_

**AN ORDINANCE APPROVING A MINOR CHANGE TO PLANNED UNIT  
DEVELOPMENT, A FINAL PLANNED UNIT DEVELOPMENT PLAT, AND  
REVOCATION OF ORDINANCE 14-089 FOR  
1095 E. 75<sup>TH</sup> STREET FOR DUCKY'S CAR WASH (FKA 1090 E. 75<sup>TH</sup> STREET)**

**RECTIALS**

1. **WHEREAS**, David Schaefer ("**Petitioner**"), has petitioned the City of Naperville for approval of a minor change to the Planned Unit Development (PUD) and a final PUD plat for real property located at 1095 E. 75<sup>th</sup> Street, in Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, the Subject Property is currently zoned B2 (Community Shopping Center District) with a Conditional Use for a Planned Unit Development and is improved with a car wash facility; and
3. **WHEREAS**, the owner of the Subject Property is Wash Werks Enterprises, LLC;  
and

4. **WHEREAS**, the Subject Property has historically been known as 1090 E. 75<sup>th</sup> Street, Naperville, IL; and
5. **WHEREAS**, the address has been corrected and will hereinafter be referred to as 1095 E. 75<sup>th</sup> Street; and
6. **WHEREAS**, on September 16, 1985, the City Council of the City of Naperville passed Ordinance 85-171, approving a Final Planned Unit Development to permit a car wash to operate on the Subject Property; and
7. **WHEREAS**, on June 17, 2014, the City Council of the City of Naperville passed Ordinance 14-089, approving a major change to the PUD for a conditional use to permit motor vehicle sales on the Subject Property, and
8. **WHEREAS**, motor vehicle sales will no longer occur on the Subject Property; and
9. **WHEREAS**, staff accordingly requests revocation of the conditional use to permit motor vehicle sales on the Subject Property passed by Ordinance 14-089; and
10. **WHEREAS**, on September 17, 2019, the City Council of the City of Naperville passed Ordinance 19-126, approving a major change to the PUD in order to grant a setback deviation to reduce the major arterial setback from 10' to 0' for a ground sign on the property; and
11. **WHEREAS**, this ground sign was approved and will be installed as part of the remodel for Ducky's Car Wash; and
12. **WHEREAS**, the current request is for approval of a minor change to allow for site alterations and a revision to the PUD controlling documents; and

13. **WHEREAS**, the revisions include a reduction of the building square footage from 5,465 square feet to 4,606 square feet, revised building elevations and updates to the building site plan and landscaping plan, and
14. **WHEREAS**, the requested minor change to the PUD meets the Standards for amending a PUD as provided in **Exhibit C** attached hereto; and
15. **WHEREAS**, the City Council 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:** City of Naperville Ordinance 14-089 approving a conditional use for motor vehicle sales for the Subject Property is hereby revoked.

**SECTION 3:** The minor change to the 1095 E. 75<sup>th</sup> St. Naperville, IL Planned Unit Development to allow for site alterations to the existing car wash facility located at 1095 E. 75<sup>th</sup> Street is hereby approved.

**SECTION 4:** The Final Planned Unit Development Plat for 1095 E. 75<sup>th</sup> St. Naperville, IL, attached to this Ordinance as **Exhibit B**, is hereby approved.

**SECTION 5:** The Landscape Plan attached to this Ordinance as **Exhibit D**, is hereby approved.

**SECTION 6:** The Building Elevations attached to this Ordinance as **Exhibit E**, are hereby approved.

**SECTION 7:** This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

**SECTION 8:** The City Clerk is authorized and directed to record this Ordinance and the Final Planned Unit Development Plat for 1095 E. 75<sup>th</sup> St. Naperville, IL with the DuPage County Recorder.

**SECTION 9:** 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 10:** This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Steve Chirico  
Mayor

ATTEST:

\_\_\_\_\_  
Pam Gallahue, Ph. D.  
City Clerk

