


## August 4, 2020 Council Q&A

Wednesday, July 29, 2020 4:27 PM

### I. CONSENT AGENDA:

1. **20-843** Approve the regular City Council meeting minutes of July 21, 2020

Q:	<b>Please review the minutes under the \$25k SECA Art consultant, council note SECA funds pay for Police &amp; Fire Pension and other required obligations, the appropriateness of using SECA in light of the City unknown budget deficit. I do not recall if the 18M was brought up however my no vote due to budget deficit, due to lack of revenue and potential to reduce food &amp; beverage tax to aid businesses as noted in section 4 of staff finance report in Draft July 21, 2020 minutes. I do not see Rachel's Powerpoint presentation in the minutes or in July 21, 2020 meeting. Where will staff record the presentation for future reference.</b>	Gustin
A:	<p>The finance presentation, along with the Q/A and the M House presentation, were uploaded to the Granicus Calendar page on the City's website here (<a href="https://naperville.legistar.com/MeetingDetail.aspx?ID=749002&amp;GUID=CB304F7F-84E3-4FBC-B482-BC405811ED5B&amp;Options=info &amp;Search=">https://naperville.legistar.com/MeetingDetail.aspx?ID=749002&amp;GUID=CB304F7F-84E3-4FBC-B482-BC405811ED5B&amp;Options=info &amp;Search=</a>). This is also where all agenda items, minutes, and video can be found.</p> 	Gallahue

2. **20-852** Approve the City Council meeting schedule for August, September & October 2020
3. **20-847** Approval of Mayoral appointments to various Boards and Commissions
4. **20-743B** Pass the ordinance approving variances for wall signs proposed for Target (PZC 19-1-105) located at 1951 W. Jefferson Avenue
5. **20-838** Pass the ordinance granting a deviation to the 40' platted building line for the property located at 656 North Eagle Street - PZC 20-1-060.
6. **20-853** Adopt the resolution authorizing an intergovernmental agreement between the City of Naperville and DuPage County for participation in DuPage County's local government COVID-19 reimbursement program

Q:	<b>Did staff included the potential 5M from the Relief Act in reducing the 18M deficit during the July 21 Financial presentation?</b>	Gustin
A:	Staff's revision of the revenue shortfall from \$18m to \$12m did not include the dollars allocated by DuPage County through the CARES Act.	Mayer

7. **20-842** Approve the application and issue a permit for the August 15, 2020 fireworks display at Frontier Park.

<b>Q:</b>	<b>Is this just fireworks and no celebration like the normal India day activities?</b>	<b>Hinterlong</b>
<b>A:</b>	There will be a vehicle parade (no street closures will be necessary) starting at 7pm from White Eagle Country Club to Fry Elementary school and then fireworks only at Frontier Park starting at 9:15pm. No other celebration is planned.	Scheller

## L. ORDINANCES AND RESOLUTIONS:

1. **20-798B** Option A: Concur with the petitioner and the Planning and Zoning Commission and pass the ordinance approving a variance to allow a non-conforming pole sign located at 311 E. Ogden Avenue to be renovated - PZC 20-1-046; or Option B: Concur with staff and deny the request for a variance to allow a non-conforming pole sign located at 311 E. Ogden Avenue to be renovated - PZC 20-1-046

<b>Q:</b>	<b>Can you list all the other variances associated with this property to date?</b>	<b>Hinterlong</b>
<b>A:</b>	<p>A description of the prior variances is listed below. The ordinances are attached.</p> <p>Ordinance 99-139 – Ordinance granting a conditional use for a car wash with multiple variances.</p> <ul style="list-style-type: none"> <li>• A variance from Section 6-7C-7 to allow for a 9' reduction into the 12' rear yard setback to permit encroachment of a building addition</li> <li>• A variance from Section 6-2-10 to allow for construction of 2 accessory structures (cashier booths) in the required front yard</li> <li>• A variance from Section 5-10-3 to allow for installation of a fence with gravel between the building and fence in lieu of the required shade trees at 70' on center and sod or turf grass and incorporation of the 4 required parkway trees into new landscape areas onsite.</li> </ul> <p>Ordinance 19-011 – Ordinance approving a major change to a conditional use to grant a variance for the property</p> <ul style="list-style-type: none"> <li>• A variance to construct a 481 square foot (22' by 21' 10") canopy to encroach into the major arterial setback. The code requires a 40' setback from the property line, the proposed canopy is located 9' 10" from the property line.</li> </ul>	Mattingly
<b>Q:</b>	<b>Staff can you confirm this petitioner received council approval to modify the car wash drive-through entry, screens and awning structure? What is the status of that variance work completion?</b>	<b>Gustin</b>
<b>A:</b>	The petitioner received approval of a variance to allow for encroachment of a new canopy into the major arterial setback. The variance was approved by Council on January 15, 2019 (ordinance 19-011). The petitioner has since submitted the associated permits for work on the property which are under review by staff. The work proposed includes minor alterations to the site including a small building addition and construction of the new canopy.	Mattingly

2. **20-834** Waive the first reading and pass the ordinance adding a new Chapter 18 (Short-Term Residential Rentals) to Title 3 (Business and License Regulations) of the Naperville Municipal Code (requires six positive votes)

<b>Q:</b>	<ol style="list-style-type: none"> <li><b>1. What rules do we already have in place for short term rentals? I'm referring to the ordinance about the daily room rentals etc. from a few years ago that we had to deal with.</b></li> <li><b>2. Have we received any taxes to date from the property in question or from any other STR'S</b></li> <li><b>3. Are all our hotels open for business and were they since March?</b></li> </ol>	<b>Hinterlong</b>
<b>A:</b>	<ol style="list-style-type: none"> <li>The code permits up to two boarding rooms per owner occupied residential unit. The code also permits a residential structure to be rented through a single-lease to an individual or group of individuals who intend to occupy the structure as a shared home. Boarding homes are prohibited in the City of Naperville.</li> <li>The total tax dollars collected for 2019 and to date in 2020 for Naperville short-term rentals is approximately \$21k.</li> <li>Per Christine Jeffries at the Naperville Development Partnership, although some hotels have experienced single-digit occupancies, 17 of the City's 18 hotels have remained open since March 2020. The only hotel that closed was Hotel Arista for an approximately two month period.</li> </ol>	

<b>Q:</b>	<p><b>We need to clearly define what owner occupied really means and then how it will be enforced. Seems very easy for the owner to live there in name only and find loop holes to get around the intent of this part of the ordinance.</b></p> <p><b>I think the occupants formula is insignificant. 20 people is too many regardless of the size of the house.</b></p>	<b>White</b>
<b>A:</b>	<p>The proposed ordinance contains the following provision concerning owner-occupation: "The STR must be the primary residence of the STR Owner. This provision will be satisfied if the owner of the Residential Structure, or, if the Residential Structure is owned by a trust or other entity, the trustee or principal agent of said entity, resides in the Residential Structure as a non-STR residence for more than six (6) months each calendar year so that the STR use is an incidental use of the Residential Structure."</p> <p>If the majority of City Council concurs, the maximum occupancy proposed in the ordinance can be amended from the dais on August 4, 2020.</p>	<b>DiSanto / Laff</b>
<b>Q:</b>	<b>Staff how would licensing this hybrid business work? Could licensing duties be absorbed by Mayor &amp; Council staff similar but not identical to liquor licenses?</b>	<b>Gustin</b>
<b>A:</b>	Based on the prior direction provided by the City Council, staff has not proposed to license short-term residential rentals at this time. Instead, staff is proposing a one-time online registration that will identify the location, owners, and operators of any Naperville short-term residential rental. If City Council recommends use of a licensure process, staff will need to determine the structure and format of the licensing program. Based on standard licensure components, including insurance requirements, frequent updates, and notices to owners/operators, staff does anticipate that significant resources would be needed to undertake and maintain a short-term residential rental licensing program.	<b>Laff</b>

- 3. 20-784B** Conduct the first reading on an ordinance repealing Chapter 17 (Cannabis Business Establishments Prohibited) of Title 3 (Business and License Regulations) and amending various Chapters of Title 6 (Zoning Ordinance) related to Cannabis Facilities - PZC 20-1-053.

<b>Q:</b>	<b>City Manager confirmed to Council the flaws in the cannabis survey, having zero value. Did staff present and explain the lack of value during the presentation? Had any PZC members been contacted by staff prior to the meeting as there seemed to be some lack of zoning clarity?</b>	<b>Gustin</b>
<b>A:</b>	During the June 2020 cannabis workshop, City Council discussed the non-binding survey that was	<b>Laff</b>

	<p>conducted regarding cannabis. Given Council's feedback at that time, staff removed all references to the survey and its results from the staff report and presentation made to the PZC in July 2020.</p> <p>Staff had provided the PZC with a link to the staff presentation posted in advance of the City Council cannabis workshop in order to provide the PZC with background on this subject prior to the PZC public hearing. Staff also spoke to Chairman Hansen in advance of the PZC public hearing about the possibility of the PZC requesting a continuance on the case and potential dates to continue to, if so requested.</p>	
<b>Q:</b>	<b>The closing time from PZC is too restrictive. I can only imagine the mad rush after work for everyone trying to get there before it closes. It would probably be OK on the weekend but not during the work week.</b>	<b>White</b>
<b>A:</b>	Noted.	Laff
<b>Q:</b>	<b>Please explain the scope of what a transportation company will be allowed or is expected to do?</b>	<b>White</b>
<b>A:</b>	Per the CRTA, a "cannabis transporting organization" is a business licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment. In accordance with City Council direction, the proposed ordinance <i>prohibits</i> Cannabis Transporting Organizations in the City of Naperville.	Laff

## O. REPORTS AND RECOMMENDATIONS:

- 20-849** Approve the eight priority housing program recommendations of the Housing Advisory Commission and direct staff to incorporate them into department work plans as appropriate

<b>Q:</b>	<b>O1. Can you explain how we would fund items 5,6 and 7 under motion 1? What is the description or definition of a IZO?</b>	<b>Hinterlong</b>
<b>A:</b>	<p>Implementation of Item #5 (Housing-Specific Staff Positions) would depend on what work items and housing goals are ultimately adopted. Salary and benefits for this new, housing dedicated FTE is estimated at \$65,000-\$80,000 and would be funded from the General Fund. Item #6 (Rehabilitation Fund) could be funded with Community Development Block Grant (CDBG) funds. Last year, Council approved the allocation of \$41,750 for housing rehabilitation funding. Although implementation of this program has been delayed due to COVID-19, we hope to deploy these funds in 2021. A funding source for Item #7 (Housing Trust Fund) would have to be developed. If an Inclusionary Zoning Ordinance (IZO) is approved, any funds generated could be used to fund the Housing Trust Fund.</p> <p>An Inclusionary Zoning Ordinance (IZO) is an ordinance that requires a given share or percentage of units of new residential construction to be affordable to people with low- to moderate-incomes. Many ordinances allow developers to pay a fee in lieu of providing affordable units on site.</p>	Broder
<b>Q:</b>	<b>The report generally identifies affordable housing (catch-all), please provide more defined terms such as affordable, attainable and market housing in Naperville's real estate market to future detail specific housing needs. What steps will staff and/or report changes where made or considered in conjunction to promote the new directive from HUD? See link. <a href="https://www.hud.gov/press/press_releases_media_advisories/HUD_No_20_109">https://www.hud.gov/press/press_releases_media_advisories/HUD_No_20_109</a> Due to Covid19 foreclosures have been stayed however once they resume, potentially with an increase, will staff provide a supplemental report adjusting the report to market changes to better define future housing needs?</b>	<b>Gustin</b>
<b>A:</b>	The Introduction to the report (page 4) provides definitions of Affordable Renter-Occupied Housing, Attainable Renter/Affordable Owner-Occupied Housing and Attainable Owner-Occupied Housing. Market rate housing would include units with gross monthly costs that exceed these limits.	Broder

The report attempts to provide an independent assessment of housing-related issues and unmet housing needs and does not directly address the AFFH rule, discussed in the linked article. Although there are no plans to provide a supplemental report, an update could be considered if there is evidence of a significant long-term change in market conditions and affordability.

**ORDINANCE NO. 99- 139**

**AN ORDINANCE GRANTING A CONDITIONAL USE AND  
VARIANCES FROM SECTIONS 6-7C-7 (YARD REQUIREMENTS),  
6-2-10 (ACCESSORY BUILDINGS, STRUCTURES AND USES OF LAND), AND  
5-10-3 (LANDSCAPING AND SCREENING) FOR THE  
PROPERTY COMMONLY KNOWN AS BRIGHTON EXPRESS CAR WASH  
LOCATED AT 311 EAST OGDEN AVENUE**

WHEREAS, the real property commonly known as Brighton Express Car Wash located at 311 East Ogden Avenue (hereinafter the "Subject Property"), which is legally described on Exhibit "A," attached hereto and incorporated herein by reference, is situated within the corporate limits of the City of Naperville, Illinois, in the B3 (General Commercial Center) District; and

WHEREAS, the owners of the Subject Property have petitioned the City to grant a conditional use for a car wash and the following variances:

- 1) From the requirements of Section 6-7C-7 to allow for a 9' reduction into the required 12' rear yard setback to permit encroachment of a building addition;
- 2) From the requirements of Section 6-2-10 to allow for construction of two accessory structures (cashier booths) in the required front yard; and
- 3) From the requirements of Section 5-10-3 to allow for:
  - a) Installation of a fence with gravel between the building and fence in lieu of the required shade trees at 70' on center and sod or turf grass; and
  - b) Incorporation of the four (4) required parkway trees into new landscape areas on-site; and

WHEREAS, the Plan Commission of the City of Naperville held a public hearing to consider said petition, said hearing being held pursuant to public notice and conforming in all

respects, in both manner and form, with the requirements of the statutes of the State of Illinois and the ordinances of the City of Naperville; and

WHEREAS, the Plan Commission has recommended that a conditional use for the Subject Property be granted pursuant to the provisions of Section 6-7C-3 of said Title 6, and that variances be granted pursuant to the provisions of Sections 5-10-7 and 6-3-9 to allow construction of an addition in accordance with the site plan depicted on Exhibits "B-1" and "B2" and the preliminary elevations depicted on Exhibit "C-1," and landscaping improvements in accordance with the landscape plan depicted on Exhibit "D-1" and "D-2" attached hereto and incorporated herein by reference; and

WHEREAS, the City Council of the City of Naperville is of the opinion that said conditional use and variances should be granted to the extent hereinafter set forth under the provisions of said Title 6;

**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: That a conditional use is hereby granted for the Subject Property, as legally described in Exhibit "A," in the B3 (General Commercial Center) District under the provisions of Section 6-7C-3 of Title 6 (Zoning) of the Naperville Municipal Code to allow the operation of a car wash.

SECTION 2: That the following variances are hereby granted for the Subject Property:

- 1) From the requirements of Section 6-7C-7 to allow for a 9' reduction into the required 12' rear yard setback to allow for the encroachment of a building addition;
- 2) From the requirements of Section 6-2-10 to allow for the construction of two accessory structures (cashier booths) in the required front yard; and
- 3) From the requirements of Section 5-10-3 to allow for:
  - a) Installation of a fence with gravel between the building and fence in lieu of the required shade trees and seed or turf grass; and
  - b) Incorporation of the four (4) required parkway trees into new landscape areas on-site.

Said building addition and accessory structures shall be constructed in accordance with the Site Plan depicted as Exhibits "B-1" and "B-2" and the preliminary elevations depicted as Exhibit "C-1," attached hereto and incorporated herein by reference. Said landscaping improvements shall be constructed in accordance with the landscape plan depicted as Exhibits "D-1" and "D-2," attached hereto and incorporated herein by reference.

**SECTION 3:** That such conditional use and variances are further subject to all of the conditions and requirements set forth in Title 6 (Zoning) of the Naperville Municipal Code, as amended, and to all supporting documents and exhibits contained as a part of the record of the public hearings before the Plan Commission.

**SECTION 4:** That the petitioners have proven to the satisfaction of the City Council that the standards set forth in said zoning ordinance would involve practical difficulties and impose exceptional hardships unless varied as provided herein.



SECTION 5: That the Zoning Map of the City of Naperville being a part of said Title 6,  
be and the same is hereby amended in accordance with the provisions of this Ordinance.

SECTION 6: That this Ordinance shall be in full force and effect from and after its passage  
and approval.

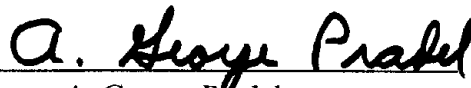
PASSED this 17th day of August, 1999.

AYES: GALLAHER, KRAUSE, MACRANE, ROSANOVA, VON BEHREN,  
PRADEL, ELLINGSON, FIORE

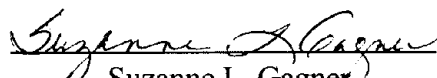
NAYS: FURSTENAU

ABSENT: NONE

APPROVED this 18th day of August, 1999.

  
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A. George Pradel  
Mayor

ATTEST:

  
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Suzanne L. Gagner  
City Clerk

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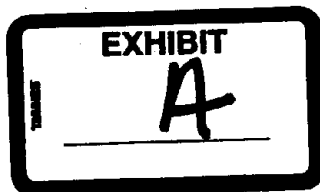
Legal Description

LOTS 10, 11 AND 12 IN ZAININGER'S ADDITION, BEING A  
SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 7,  
TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD  
PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF  
RECORDED NOVEMBER 5, 1925 AS DOCUMENT 202640, IN  
DUPAGE COUNTY, ILLINOIS.

PIN's:

08-07-310-  
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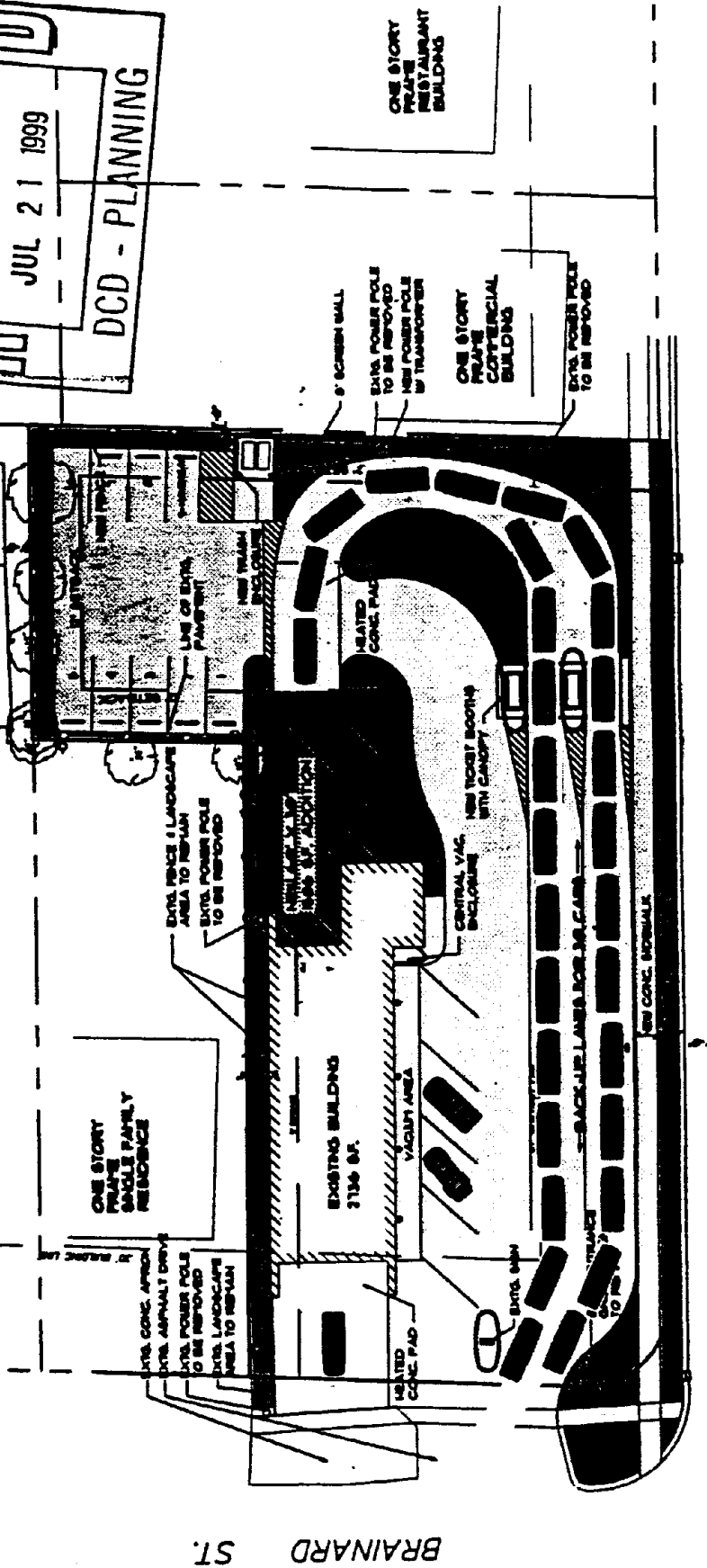
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# ON-SITE SPACE PROVIDED FOR STACKING 30 CARS

JULY 21, 1999

**RECEIVED**  
JUL 21 1999  
DCD - PLANNING



OGDEN AVENUE

EXHIBIT  
**B-1**

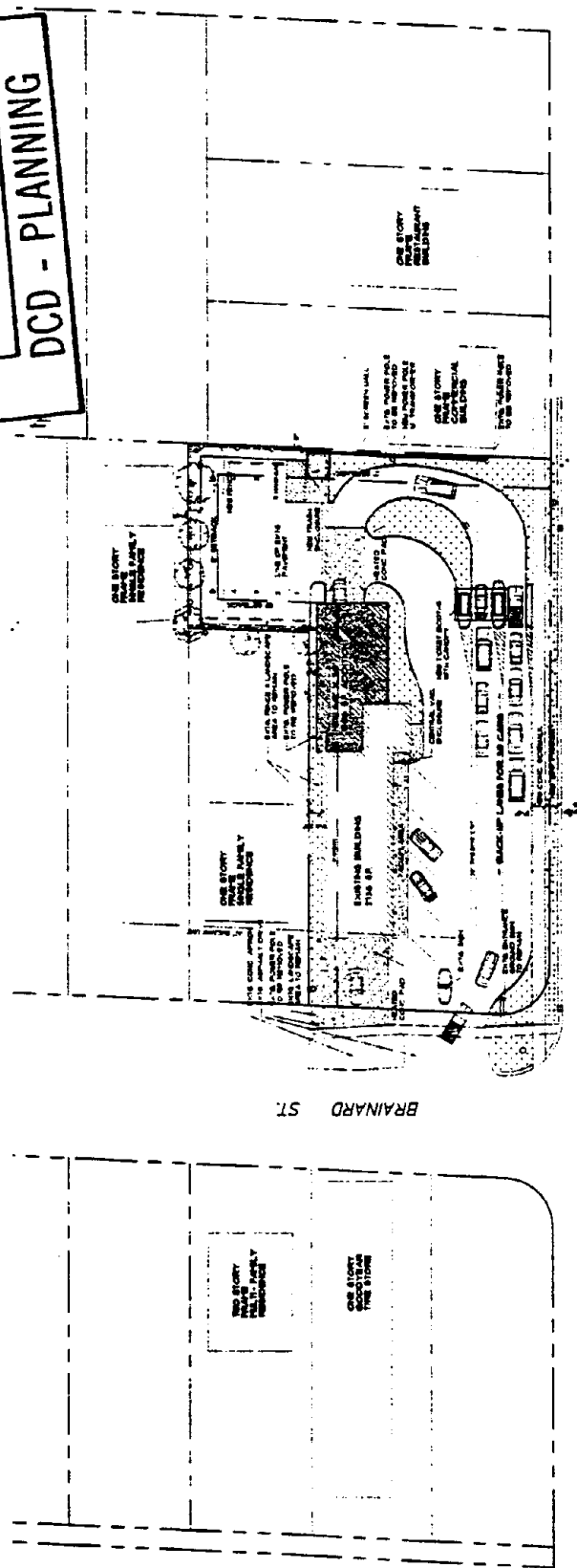
**SITE PLAN - (STACKING PLAN)**

**Charles Vincent George**  
Design Group, Inc.

**Brighton Express Car Wash**  
Naperville, Illinois 1999



**RECEIVED**  
MAY 10 1999  
DCD - PLANNING



OGDEN AVENUE

SITE PLAN

**EXHIBIT**  
**B-2**

**SITE DATA**

BLDG USE	BLDG AREA	BLDG AREA	PARKING	PROVIDED	REQUIRED	REMARKS
		ACTUAL	ALLOWABLE			
RESIDENTIAL						
COMMERCIAL						
TOTAL	4,200	0,000	0,000	50	50	

SITE PLAN (LOCATION MAP)

BRIGHTON EXPRESS CARWASH

SITE PLAN

4/23/99



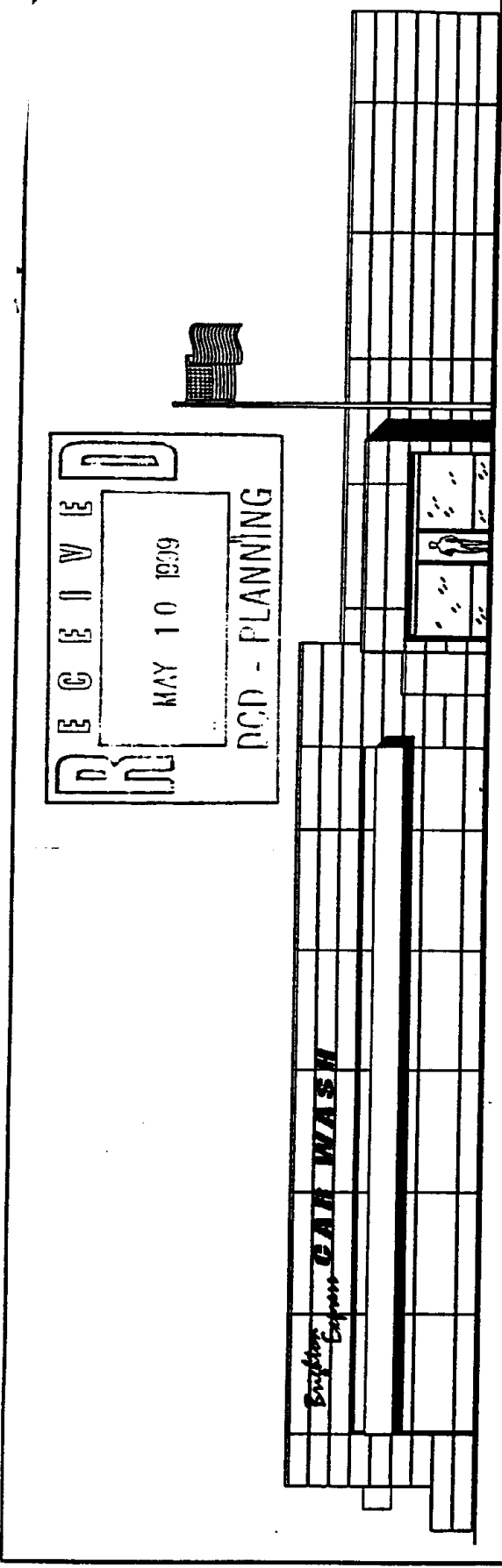
EXHIBIT  
C-1

10001  
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A1

PRELIMINARY ELEVATIONS

BRIGHTON EXPRESS CARWASH  
JAMES C. BENCENON

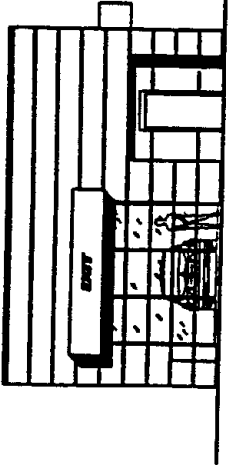
BRIGGS ENGINEERING



SOUTH ELEVATION  
SCALE 1/4" = 1'-0"



SOUTH ELEVATION  
SCALE 1/4" = 1'-0"



EAST ELEVATION  
SCALE 1/4" = 1'-0"

[illegible]Hitchcock  
Design Group

(Youth)ing Honor March  
221 W. Jefferson Avenue  
Naperville, Illinois 60540  
Phone 630 961.1787  
Fax 630 961.9925

RECEIVED  
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PCD - PLANNING

Prepared For:  
**Charles Vincent  
George Design  
Group**  
101 N. Washington St.

**Brighton  
Express  
Carwash**  
Naperville, IL

Entered for Filing: 04-18-08

Receiving No	Date	Description	Per City Product
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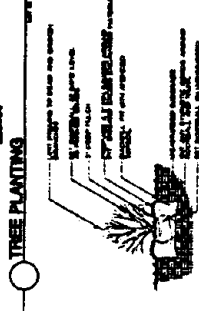
Locals in Feet: 1'-1.67'

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OGDEN AVENUE

**EXHIBIT**

1A



## SHIPPING PLANTING

## **ANNUAL AND PERENNIAL PLANTING**



## SPECIFICATIONS

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## SPECIFICATIONS

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## GENERAL NOTES

- [illegible]

## Details & Specifications

Providers	Mr. Date	Description
1	7-4-68	No Change This Page

**20.**

**EXHIBIT**

2A

 **Hilchcock  
Design Group**

Creating Better Places  
221 W. Jefferson Avenue  
Naperville, Illinois 60563  
Phone 630.961.1267  
Fax 630.961.9905

**Prepared For:**  
**Charles Vincent  
George Design  
Group**  
604 N. Washington St.  
Naperville, IL 60563

**Project:**  
**Brighton**  
**Express**  
**Carwash**  
**Naperville, IL**

Revised by Department 04-10-00

BRIGHTON EXPRESS/311 E. OGDEN

PT. G.L.

**BLUE GRASS**

AVE

PT. G.L. 2

**B2**

**B2**

**B3**

U.S. 34

OGDEN AVENUE

U.S. 34

**RZ\***

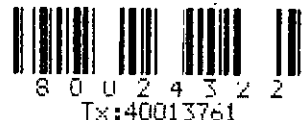
010-113

**B-18A**

HEREBY ZONED  
B3 WITH A  
CONDITIONAL USE  
FOR A CAR WASH







**PIN: 08-07-310-035**

**ADDRESS:  
311 E. OGDEN AVENUE  
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**

FRED BUCHOLZ, RECORDER  
DUPAGE COUNTY ILLINOIS  
02/06/2019 09:28 AM

DOCUMENT # R2019-008790

**PZC Case #18-1-102**

**ORDINANCE NO. 19 - 011**

**AN ORDINANCE APPROVING A MAJOR CHANGE TO A  
CONDITIONAL USE TO GRANT A VARIANCE FOR THE PROPERTY  
LOCATED AT 311 E. OGDEN (BILL'S CAR WASH)**

**WHEREAS**, Christian Kalischefski ("Petitioner"), has petitioned the City of Naperville for approval of a major change to a conditional use to grant a variance for the property located at 311 E. Ogden, Naperville, Illinois, legally described on Exhibit A and depicted on Exhibit B ("Subject Property"); and

**WHEREAS**, the owner of the Subject Property is William Christensen; and

**WHEREAS**, the Subject Property is currently zoned B3 (General Commercial District) and is improved with a car wash; and

**WHEREAS**, a conditional use was approved to allow for a car wash in the B3 zoning district on the subject property in accordance with Ordinance 99-139; and

**WHEREAS**, in accordance with Section 6-3-8 (Conditional Uses) of the Naperville Municipal Code, any variance requested on property for which a conditional use was approved must be processed as a major change to said conditional use; and

**WHEREAS**, the Petitioner is requesting approval of a major change to the conditional use to grant a variance in order to construct a 481 square-foot (22' by 21' 10") canopy setback 9' 10" from the property line on the Subject Property, which encroaches into the major arterial setback; and

**WHEREAS**, Section 6-2-14 (Major Arterial Setback) of the Naperville Municipal Code requires a minimum setback of 70' from the centerline or 20' from the edge of the right-of-way, whichever is greater. The centerline of the right-of-way at the subject property is located approximately 30' from the property line, therefore the 70' setback requirement applies and the canopy must be located 40' from the property line; and

**WHEREAS**, on December 5, 2018, the Planning and Zoning Commission conducted a public hearing to consider the requested major change to a conditional use to grant a variance and recommended denial of the Petitioner's request; and

**WHEREAS**, the City Council of the City of Naperville has determined that the Petitioner's request meets the variance standards as provided in Exhibit C attached hereto and 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 here. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

**SECTION 2:** A major change to a conditional use for a car wash to allow the construction of a 481 square-foot canopy to encroach into the major arterial setback on the

Subject Property pursuant to Section 6-2-14 (Major Arterial Setback) of the Municipal Code is hereby granted as depicted on Exhibit D.

**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 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.

**SECTION 6:** This Ordinance shall be in full force and effect upon its passage and approval.


PASSED this 15<sup>th</sup> day of January, 2019.

AYES: CHIRICO, ANDERSON, BRODHEAD, GUSTIN, HINTERLONG,  
KRUMMEN, WHITE

NAYS: COYNE

APPROVED this 16<sup>th</sup> day of January, 2019.

  
Steve Chirico  
Mayor

ATTEST:  
  
Pam Gallahue, Ph. D.  
City Clerk



**311 E. Ogden, Naperville, IL**

**Permanent Index Number**

**08-07-310-035**

**Legal Description**

**LOT 1 IN FINAL PLAT OF SUBDIVISION OF BRIGHTON EXPRESS SUBDIVISION, IN THE  
SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD  
PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 5, 1999 AS  
DOCUMENT R1999-211332, IN DUPAGE COUNTY, ILLINOIS.**

**EXHIBIT A**

IN FINAL "A" OF SUBDIVISION OF BRINGTON EXPRESS SUBD. ALSO, IN THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 38 NORTH RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 5, 1918 AS DOCUMENT NUMBER 27111 IN SUIPER COUNTY BLK. 106.

20

LOT 1

ARC=30.90'  
RAD=19.12'  
CB=N43.50 29"W  
CD=27.85'

ILLINOIS ROUTE 34

1. DOCUMENT NO. 104871, FILE NO. 2-27-73, P. 233
2. THE LOCATION OF INVESTIGATIVE FILE NO. 104871 WAS DISCLOSED BY THE FBI TO THE NEW YORK TIMES BY A "SOURCE WITHIN THE FBI."
3. INVESTIGATIVE FILE NO. 104871 FILED 7/25/73, AGCS.
4. FILE NO. 104871 ON SERIAL 162/80
5. SOURCE INFORMED THAT THE FBI, AT THE NEW YORK, NEW YORK OFFICE, HAS A SOURCE WHO HAS BEEN ADVISED THAT AN INDIVIDUAL KNOWN AS "ALAN" IS CURRENTLY WORKING FOR THE NEW YORK TIMES.
6. SOURCE REQUESTED FOR BELL COUNTY.
7. ANALYSIS OF BELL COUNTY SHOWS NO CONNECTION WITH THE SOURCE FILE NO. 104871.
8. SOURCE OF BELLSVILLE OF THE SOURCE, BASED ON ANALYSIS OF A PLANE COORDINATE SYSTEM, BELLSVILLE, NEW YORK.
9. SOURCE OF BELLSVILLE OF THE SOURCE, BASED ON ANALYSIS OF A PLANE COORDINATE SYSTEM, BELLSVILLE, NEW YORK.
10. SOURCE OF BELLSVILLE OF THE SOURCE, BASED ON ANALYSIS OF A PLANE COORDINATE SYSTEM, BELLSVILLE, NEW YORK.

## LEGEND

[illegible]

**LOCATION MAP**

SAT or ILLINOIS ) 98

[illegible]

**SUR-1**

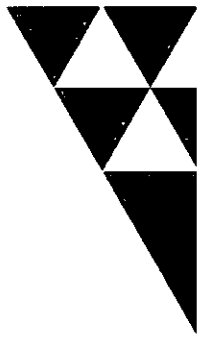
TOPOGRAPHIC SURVEY

ACQUAINTANCE & CIVIL	MECHANICAL	ELECTRICAL	PLUMBING	TELECOMMUNICATIONS	STRUCTURAL	ACCESSIBILITY CONSULTING	DESIGN & PROGRAM MANAGEMENT	LAND SURVEY
<p><b>WT GROUP</b></p> <p>Engineering and Construction Firm and Architectural Firm</p> <p>2015 Market Avenue, Suite 1000, Naperville, IL 60563</p> <p>Phone: 630.355.1000 Fax: 630.355.1001</p> <p>www.wtgroup.com</p>								

[illegible]



Engineering • Design • Consulting



**October 31, 2018**

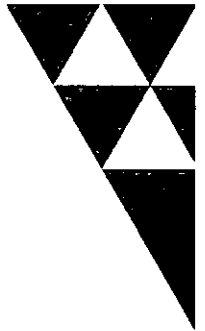
**Bill's Car Wash  
311 E. Ogden  
Naperville, IL**

**Re: Naperville Variance Application Exhibit 7**

**To Development Review Team:**

Bill's Car Wash is requesting a major arterial setback variance to accommodate the replacement of a new canopy over two existing pay stations. As originally constructed, the car wash pay points were serviced by two 5' x 10' kiosks. The present owner, Bill Christensen, introduced two self serve pay points outside and to the east of these kiosks with a 23' x 30' shade area. Solar glare on the screens of the pay points has proven to be a problem and Bill would like to introduce a new canopy to address this dilemma.

- a. The variance is in harmony with the general purpose and intent of this Title and the adapted comprehensive master plan; and is in harmony with the surrounding general commercial district and its roadside commercial uses. Bill's Car Wash is simply looking the replace a collection of 2 existing "low" canopies, an existing "high" canopy, and 2 existing unused payment kiosks with a single contemporary customer canopy over the existing self service pay points. The new canopy will be entirely on car wash property and will not overhang the public sidewalk.
- b. Strict enforcement of this Title would result in practical difficulties or impose exceptional hardships due to special and usual conditions which are not generally found on other properties in the same zoning district; and as currently configured, there are times of the year where drivers are unable to operate the pay touch screen due to the sun/glare. The new canopy would be designed to address this unique problem. It should be noted that this situation has been brought about by a continuing updating of the car wash equipment to better serve the car wash clients. Where access to the car wash once required staffed pay kiosks, drivers can now access the car wash through self service pay points. A point to note; the existing obsolete kiosks and the canopy above them will be removed as a part of this work.
- c. The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property. The majority of the site (car wash building, etc.) will remain as is. The replacement of the canopy will, in fact, upgrade the Ogden Ave. frontage by replacing a



collection of 2 existing "low" canopies, an existing "high" canopy and 2 existing kiosks, with a single new customer canopy. Customer canopies, of various sizes and configurations, are a common occurrence along Ogden Ave., servicing gas stations, banks, food service locations to name a few.

Regards,

**Christian Kalischefski**

**WT Group** | Design & Program Management | Partner, Practice Leader



