

Ordinance

DC-O-0036-22

WHEREAS, a public hearing was held on April 28, 2022 in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 6:00 P.M. before the DuPage County Zoning Board of Appeals and notice of said hearing was duly given; and

WHEREAS, a petition was presented at this hearing requesting the following zoning relief:

Conditional Use for a Planned Development for the proposed remodeling and addition to existing car wash, including exceptions for the following:

1. Rear building setback from 20' to approximately 0';
2. North (side) setback from 30' to approximately 16.9' for buildings; and
3. North (side) setback from 30' to approximately 0' for pavement and drive aisles, on the property hereinafter described:

THAT PART OF LOT 3 IN RAMLIN ROSE SOUTH ASSESSMENT PLAT OF PART OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 8, 1968 AS DOCUMENT R68-8754, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 3 AND RUNNING THENCE 89 DEGREES 37 MINUTES 00 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 3, 263.49 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 13 DEGREES 12 MINUTES 10 SECONDS WEST, 161.90 FEET, THENCE SOUTH 76 DEGREES 47 MINUTES 50 SECONDS EAST, 175 FEET TO THE EAST LINE OF LOT 3, THENCE NORTHERLY ALONG THE EAST LINE OF LOT 3 BEING A CURVE TO THE LEFT HAVING A RADIUS 2,915.71 FEET FOR AN ARC DISTANCE OF 204.21 FEET TO THE NORTHEAST CORNER OF LOT 3; THENCE SOUTH 89 DEGREES 37 MINUTES 00 SECONDS WEST ALONG THE NORTH LINE OF LOT 3, 180.03 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

ALSO DESCRIBED AS: LOT 2 IN KAREN'S ASSESSMENT PLAT OF LOT 3 IN RAMBLIN ROSE SOUTH ASSESSMENT PLAT BEING A SUBDIVISION OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 8, 1968 AS DOCUMENT R68-8754, IN DUPAGE COUNTY, ILLINOIS; and

WHEREAS, the Zoning Board of Appeals, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on June 2, 2022 does find as follows:

FINDINGS OF FACT:

1. That petitioner testified that he seeks the subject zoning relief to add approximately 1,400 sq. ft. to an existing 1,700 sq. ft. carwash, which will include a prep tunnel at the start of the wash and a drying tunnel at the end of the wash, a chemical storage area, and a retail space for carwash customers.
 - a. Furthermore, that petitioner testified that the proposed addition will assist to quiet the existing operations and will act as weather shelters for employees to load cars into the wash and dry them before they exit.

Ordinance

DC-O-0036-22

2. That petitioner testified that the existing carwash is known as “Suds on 83,” which has existed for approximately 30 years.
3. That petitioner testified that they are located in the parking lot of an existing strip shopping center, and that commercial land uses are located to the west and south, Honeysuckle Rose Lane to the north, and Route 83 to the east.
4. That petitioner testified with additional landscaping and landscape islands on the subject property, technically no new impervious area will be added.
5. That petitioner testified that the current carwash has two (2) means of ingress onto the subject property and they the propose to close off the existing ingress that is a shared drive between the current carwash and adjacent commercial restaurant.
 - a. That petitioner testified that the purpose for closing off the subject ingress is to ease maneuverability inside the subject property, as the existing site is confusing for vehicles.
 - b. That petitioner testing that new pay stations will be located on the east side of the subject property (Route 83), therefore the best egress is located off of Honeysuckle Rose Lane.
6. That petitioner testified that they will restripe the existing parking lot and drive aisles, which will enhance ingress and egress into the subject property.
7. That petitioner testified that at least sixteen (16) cars will be permitted to stack on the subject property at the pay stations before they pull into the carwash.
8. That petitioner testified that no equipment in the car wash will be updated, indicating that they will not have the ability to service any more cars in the future than the current carwash tunnel.
 - a. That petitioner testified that the current carwash can process approximately thirty (30) cars an hour and that stacking covers more than half of that.
9. That petitioner testified that they are not changing the existing tunnel or equipment, as many of the equipment is already updated, and that the proposed addition will assist wintertime operations.
10. That petitioner testified that currently, the carwash does not have adequate storage for carwash chemicals and that the proposed addition will allow the petitioner to safely store carwash chemicals indoors.
11. That petitioner testified that the existing carwash was built too close to the property lines and that in order to create an addition for a prep area and drying area, the addition would need to align with the existing track running through the tunnel, therefore requiring the requested exceptions to reduce the required setbacks.
 - a. Furthermore, that petitioner testified that the only other option to create a prep and drying area in the tunnel would be to demolish the existing carwash.

Ordinance

DC-O-0036-22

12. That petitioner testified that they will update the existing lighting to modernized LED light poles.

STANDARDS FOR CONDITIONAL USES:

1. That the Zoning Board of Appeals finds that petitioner **has not demonstrated** that the granting of the Conditional Use is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's comprehensive plan for development; and specifically that the granting of the Conditional Use will not:
 - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has demonstrated** that the majority of the carwash building will be existing and that a chemical storage, customer retail, and prep tunnel at the start of the wash and a drying tunnel at the end of the wash will be added (approximately 1,400 sq. ft.), which will quiet the existing carwash operations and improve customer operations.
 - b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that they will receive a building permit from the County for the proposed carwash addition and that it will be built pursuant to the current building codes.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed carwash addition will be an added benefit to the surrounding area, updating the current carwash, and improving the value of land at the southwest corner of Route 83 and Honeysuckle Rose Lane.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has not demonstrated** that the proposed upgrades will not unduly increase traffic congestion in the public streets. Furthermore, that the proposed upgrades, including new site design and drive aisles, may cause vehicle stacking and congestion onto Honeysuckle Rose Lane.
 - e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the DuPage County Stormwater Department has no objections to the proposed carwash addition and that the petitioner will receive a building permit from the County for the proposed development, which will be built pursuant to the current building codes.
 - f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the DuPage County Stormwater Department has no objections to the proposed carwash addition and that the petitioner will receive a building permit from the County for the proposed development, which will be built pursuant to the current building codes.
 - g. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County as petitioner **has not demonstrated** that the proposed carwash addition will be an added benefit to the area, as petitioner indicated that the proposed upgrades will benefit existing customers and will reduce noise from dryer blowers, but did not indicate or provide evidence how it will impact surrounding land uses and roadways.

Ordinance

DC-O-0036-22

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-22-000014 New Wave Carwash	
ZONING REQUEST	Conditional Use for a Planned Development for the proposed remodeling and addition to existing car wash, including exceptions for the following: 1. Rear building setback from 20' to approximately 0'; 2. North (side) setback from 30' to approximately 16.9' for buildings; and 3. North (side) setback from 30' to approximately 0' for pavement and drive aisles.	
OWNER	RIZQ ENTERPRISE LLC., 16W135 HONEYSUCKLE ROSE STREET, HINSDALE, IL 60521/ AGENT: STEVE FRANCIS, LINDEN GROUP ARCHITECTS, 10100 ORLAND PARKWAY, SUITE 110, ORLAND PARK, IL 60467/ MOHAMMED KHAN, 12162 LEDGEWOOD CIRCLE, FORT MYERS, FL 33913	
ADDRESS/LOCATION	16W135 HONEYSUCKLE ROSE STREET, HINSDALE, IL 60521	
PIN	10-02-303-006	
TWSP./CTY. BD. DIST.	Downers Grove	District 3
ZONING/LUP	B-1 Local Business	Local Commercial
AREA	0.75 acres (32,670 sq. ft.)	
UTILITIES	Water and Sewer	
PUBLICATION DATE	Daily Herald: April 13, 2022	
PUBLIC HEARING	Thursday, April 28, 2022, Continued to May 12, 2022	
<u>ADDITIONAL INFORMATION:</u>		
Building:	No Objections.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	Our office has no jurisdiction in this matter.	
Stormwater:	No Objections.	
Public Works:	No Objections with the concept of the petition. Additional information may be required at time of permit application. "We are the sanitary and water supplier for this area."	
EXTERNAL:		
Village of Burr Ridge:	"Yesterday, the Burr Ridge Plan Commission preliminarily reviewed the proposal for a Conditional Use for a PUD and	

Ordinance

DC-O-0036-22

	variations for the New Wave Carwash located at 16W135 Honeysuckle Rose St., Hinsdale. The Commission will formally review and submit comments after their May 2 meeting. At this time, the Commission expressed concern with the new/additional point of ingress and the potential congestion that it may cause on Honeysuckle Rose St. and Route 83. With three points of egress/ingress all in close proximity to one another, the Commission would like to see the directional signage that is being proposed (if available).” “The Plan Commission reviewed the proposal at their May 2 meeting and reiterated the concern about the traffic congestion with the three points of access to Honeysuckle Rose St. in close proximity to one another. “
City of Darien:	No Objections.
Downers Grove Township:	<i>No Comments Received.</i>
Township Highway:	No Objections with the concept of the petition. Additional information may be required at time of permit application.
Tri-State Fire Dist.:	No Objections.
Sch. Dist. 180:	No Objections.
Forest Preserve:	“The Forest Preserve District of DuPage County staff has reviewed the information provided in this notice and due to the sizable distance between the subject property and District property, we do not have any specific comments. Thank you.”

GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Front Yard:	40 FT	146.72 FT	45 FT
Int. Side Yard:	20 FT	35 FT	33.6 FT
Corner Side Yard:	30 FT	47.45 FT	16.9 FT
Rear Yard:	20 FT	0 FT	0 FT

LAND USE

Location	Zoning	Existing Use	LUP
Subject	B-1 Local Business	Carwash	Local Commercial
North	Honeysuckle Rose Street and beyond R-6 General Residential	Apartments	Multi Family/ 15+ DU AC

Ordinance

DC-O-0036-22

South	B-1 Local Business	Shopping Center	Local Commercial
East	Route 83 and beyond Village of Burr Ridge	House	Village of Burr Ridge
West	B-1 Local Business	Shopping Center	Local Commercial

WHEREAS, the Zoning Board of Appeals, having considered in relation to the above and at the recommendation meeting held on June 2, 2022, recommends to deny the following zoning relief:

Conditional Use for a Planned Development for the proposed remodeling and addition to existing car wash, including exceptions for the following:

1. Rear building setback from 20' to approximately 0';
2. North (side) setback from 30' to approximately 16.9' for buildings; and
3. North (side) setback from 30' to approximately 0' for pavement and drive aisles.

ZBA VOTE (to Deny): 5 Ayes, 0 Nays, 1 Absent

WHEREAS, the County Board Development Committee on June 7, 2022, considered the above findings and recommendations of the Zoning Board of Appeals and recommends to not concur with the findings and recommends to approve the following zoning relief:

Conditional Use for a Planned Development for the proposed remodeling and addition to existing car wash, including exceptions for the following:

1. Rear building setback from 20' to approximately 0';
2. North (side) setback from 30' to approximately 16.9' for buildings; and
3. North (side) setback from 30' to approximately 0' for pavement and drive aisles.

Development Committee VOTE (to Approve): 5 Ayes, 0 Nays, 1 Absent

Ordinance

DC-O-0036-22

FINDINGS OF FACT:

The DuPage County Development Committee finds that concerns over noise (decibel levels) from the carwash blowers/dryers originally raised by the Zoning Board of Appeals would be addressed at time of permitting.

NOW, THEREFORE, BE IT ORDAINED by the County Board of DuPage County, Illinois that the following zoning relief be granted:

Conditional Use for a Planned Development for the proposed remodeling and addition to existing car wash, including exceptions for the following:

1. Rear building setback from 20' to approximately 0';
2. North (side) setback from 30' to approximately 16.9' for buildings; and
3. North (side) setback from 30' to approximately 0' for pavement and drive aisles, on the property hereinafter described:

THAT PART OF LOT 3 IN RAMBLIN ROSE SOUTH ASSESSMENT PLAT OF PART OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING OT THE PLAT THEREOF RECORDED MARCH 8, 1968 AS DOCUMENT R68-8754, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 3 AND RUNNING THENCE 89 DEGREES 37 MINUTES 00 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 3, 263.49 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 13 DEGREES 12 MINUTES 10 SECONDS WEST, 161.90 FEET, THENCE SOUTH 76 DEGREES 47 MINUTES 50 SECONDS EAST, 175 FEET TO THE EAST LINE OF LOT 3, THENCE NORTHERLY ALONG THE EAST LINE OF LOT 3 BEING A CURVE TO THE LEFT HAVING A RADIUS 2,915.71 FEET FOR AN ARC DISTANCE OF 204.21 FEET TO THE NORTHEAST CORNER OF LOT 3; THENCE SOUTH 89 DEGREES 37 MINUTES 00 SECONDS WEST ALONG THE NORTH LINE OF LOT 3, 180.03 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

ALSO DESCRIBED AS: LOT 2 IN KAREN'S ASSESSMENT PLAT OF LOT 3 IN RAMBLIN ROSE SOUTH ASSESSMENT PLAT BEING A SUBDIVISION OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 8, 1968 AS DOCUMENT R68-8754, IN DUPAGE COUNTY, ILLINOIS.; and

Ordinance

DC-O-0036-22

BE IT FURTHER ORDAINED by the County Board of DuPage County, Illinois that should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid; and

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; DuPage County Division of Transportation; RIZQ ENTERPRISE LLC., 16W135 HONEYSUCKLE ROSE STREET, HINSDALE, IL 60521/ AGENT: STEVE FRANCIS, LINDEN GROUP ARCHITECTS, 10100 ORLAND PARKWAY, SUITE 110, ORLAND PARK, IL 60467/ MOHAMMED KHAN, 12162 LEDGEWOOD CIRCLE, FORT MYERS, FL 33913; and Township Assessor, Downers Grove Township, 4340 Prince Street, Downers Grove, IL 60515.

Enacted and approved this 14th day of June, 2022 at Wheaton, Illinois.



DANIEL J. CRONIN, CHAIRMAN
DU PAGE COUNTY BOARD

Attest:



JEAN KACZMAREK, COUNTY CLERK

AYES 14
NAYS 0
ABSENT 4