

ORDINANCE NO. F-0061

**AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NO. E-3422,
"AN ORDINANCE GRANTING A SPECIAL USE PERMIT
FOR A SHOPPING CENTER AND MOVIE THEATRE -
DANADA FARMS EAST/RICE LAKE (WHEATON 7 JOINT VENTURE)"
(‘ORIGINAL ORDINANCE’) AND ORDINANCE NOS. E-4146, E-3433, E-3607,
E-3636 AND E-3641 WHICH AMENDED THE ORIGINAL ORDINANCE -
RICE LAKE SQUARE SHOPPING CENTER**

WHEREAS, the City of Wheaton, Illinois ("City"), has previously enacted City Ordinance Nos. E-3422 ("**ORIGINAL ORDINANCE**") recorded on March 10, 1989 as Document No. R-89-027311 in the Office of the DuPage County Recorder; E-4141 recorded on December 11, 1995 as Document No. R95-174498 in the Office of the DuPage County Recorder; E-3433 recorded on March 10, 1989 as Document No. R89-027310 in the Office of the DuPage County Recorder; E-3607, E-3636, and E-3641 recorded on July 10, 1991 as Document No. R91-086754 in the Office of the DuPage County Recorder, which granted a special use permit for a planned unit development to allow the construction and use of a shopping center, movie theatre, and outlot buildings on the subject property described in the original ordinance; and

WHEREAS, application has been now been made to amend the special use permit for planned unit development approved in the **ORIGINAL ORDINANCE** in order to allow a reconfiguration of two existing pylon signs, one of which is located off Butterfield Road at the main entrance into Rice Lake Square, the other located on a main entrance off East Loop Road opposite Jahns Drive; and the City has determined that the requested amendment is a minor amendment and may be implemented without public hearing, pursuant to the provisions of Section 5.10.6 of the Wheaton Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, Du Page County, Illinois, pursuant to its home rule powers, as follows:

Section 1: The following-described property ("subject property" has been, and continues to be, zoned and classified in the C-5 Planned Unit Development District:

LOT 1 IN RICE LAKE SQUARE AT DANADA, A RESUBDIVISION OF LOTS 8, 9 AND 10 IN DANADA FARMS EAST UNIT 1, BEING A SUBDIVISION OF PART OF SECTION 28 IN THE NORTH HALF OF SECTION 33, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT HEREOF RECORDED APRIL 28, 1989, AS DOCUMENT NO. R89-49468 IN DUPAGE COUNTY, ILLINOIS.

PIN 05-28-402-009

Section 2: An amendment to the **ORIGINAL ORDINANCE** is granted in order to allow reconfiguration of two existing pylon signs, one of which is located off Butterfield Road at the

main entrance into Rice Lake Square, the other located on a main entrance off East Loop Road opposite Jahns Drive, in full compliance with the "Pylon Sign Details and Elevations, Sheet A1 dated April 29, 1996, file name 2407SGN1, and Sheet A1 dated July 22, 1996, prepared by Jensen & Fore Architects, 2000 Spring Road, Suite 620, Oak Brook, IL 60521 ; the following subsection is hereby deleted and replaced in its entirety in Section V of the **ORIGINAL ORDINANCE**:

- "(1) Four (4) shopping center and/or tenant identification signs shall be allowed on the subject property at the locations illustrated on the site plan. Said signs shall be as illustrated on "Sign Plan B, D and E, dated January 17, 1989, and Pylon Sign Details and Elevations, Sheet A1, dated April 29, 1996, all by Jensen & Fore Architects, hereby incorporated into and made a part of this ordinance. The specific signs identified in each sign plan shall be located in accordance with the corresponding locations identified on the site plan."

Section 3: In all other respects, the terms and provisions of, and the variation granted in, the original ordinance are ratified and remain in full force and effect.

Section 4: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 5: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

ATTEST:

Emily M. Connelley
City Clerk

Ayes:

Nays:

Absent:

James Carr
Mayor

Roll Call Vote:

Councilwoman Culler

Councilwoman Davenport

Councilman Eckhoff

Mayor Carr

Councilman Gresk

Councilman Mork

None

Councilwoman Johnson

Motion Carried Unanimously

Passed: September 16, 1996

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