

## ORDINANCE NO. F-0140

AN ORDINANCE AMENDING ORDINANCE NOS. E-2045 AND E-3264  
TO ALLOW SERVING OF PUBLIC BRUNCHES IN THE FIRST FLOOR BREAKFAST  
DINING FACILITY OF THE WHEATON INN-301 WEST ROOSEVELT ROAD

WHEREAS, on October 1, 1984, the City of Wheaton ("City") enacted City Ordinance No. E-2045, "AN ORDINANCE AMENDING THE WHEATON ZONING ORDINANCE MAP AND GRANTING A SPECIAL USE PERMIT ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS 622 SOUTH WHEATON AVENUE-WHEATON INN" ("Original Ordinance") attached hereto as Exhibit "A"; and

WHEREAS, on September 21, 1987, the City enacted City Ordinance No. E-3264, attached hereto as Exhibit "B" ("Ordinance of Amendment") which amended the special use permit granted in the Original Ordinance to allow for the use and operation of meeting rooms in the lower level of the Wheaton Inn by non-guests of the Wheaton Inn and to further allow the serving of food in the meeting rooms subject to certain conditions and restrictions, as provided in Ordinance No. E-3264; and

WHEREAS, written application has been made to further amend the Original Ordinance and Ordinance No. E-3264 to allow The Wheaton Inn to serve public brunches on Sundays in the breakfast dining facility located on the first floor of the Inn; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, a public hearing was conducted by the Wheaton Board of Zoning Appeals on January 14, 1997, to consider the amendment to the special use permit.

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

Section 1: That Section 2 of the Original Ordinance is amended by adding and including the following subsections therein:

- "L. The first floor dining area may be used for serving food and beverage as brunch to non-overnight guest patrons, subject to the conditions, restrictions and requirements recited in this ordinance.
- M. Brunch may be served during the hours of 10 a.m. and 2 p.m. to those non-overnight guest patrons who have previously made reservations to be served brunch.

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- N. Brunch may be served as provided for in this ordinance on the following days only: New Year's Day, Easter Sunday, Mother's Day, Father's Day, Thanksgiving Day and Christmas Day.
- O. When brunch is being served as provided for in this ordinance, the lower level meeting rooms shall not be used by any non-overnight guests of the Inn.
- P. There shall be no amendments to any of the ordinances pertaining to the serving of brunch at The Wheaton Inn prior to May 19, 1999."

Section 2: In all other respects, the terms, conditions and provisions of the Original Ordinance and Ordinance of Amendment are ratified and remain in full force and effect.

Section 3: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 4: 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. Consalvo  
City Clerk

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Mayor

James Carr

Roll Call Vote:

Councilman Mork  
Councilman Eckhoff  
Councilman Johnson  
Councilwoman Johnson

Nays:

Councilwoman Davenport  
Councilman Gresk  
Mayor Carr

Absent:

None

Motion Carried

Passed: June 2, 1997

Published: June 3, 1997