

7281

ORDINANCE NO. F-0467

**AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NO. E-3508 AND
ORDINANCE NO. F-0196, "AN ORDINANCE GRANTING A
SPECIAL USE PERMIT FOR A SHOPPING CENTER AND OTHER USES
- ON LOT 4 IN DANADA FARMS EAST/UNIT 1
CARPENTER & COMPANY" - WHEATON TOWN SQUARE**

WHEREAS, on September 5, 1989, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. E-3508, recorded on October 3, 1989 as document No. R89-123940 and re-recorded on October 27, 1989 as document No. R89-135232 in the Office of the DuPage County Recorder, "AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A SHOPPING CENTER AND OTHER USES - ON LOT 4 IN DANADA FARMS EAST/UNIT 1 CARPENTER & COMPANY" ("original ordinance"), authorizing the issuance of a special use permit for a shopping center and certain other property adjacent thereto described in the original ordinance; and

WHEREAS, on December 15, 1997, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. F-0196, recorded on January 6, 1998 as document No. R98-001764 in the Office of the DuPage County Recorder, "AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NO. E-3508, 'AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A SHOPPING CENTER AND OTHER USES - ON LOT 4 IN DANADA FARMS EAST/UNIT 1 CARPENTER & COMPANY' - WHEATON TOWN SQUARE" (Amended Ordinance); and

WHEREAS, application has been made to amend the original and amended ordinance and special use permit to provide for the relocation of Building G north of its previously approved location and specify the use of this proposed building as a three-story retail/office use; and the City has determined that the amendment to the original ordinance 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, DuPage County, Illinois, pursuant to its home rule powers, as follows:

Section 1: The real estate has been, and continues to be, zoned and classified under the C-5 General Business District zoning classification of the Wheaton Zoning Ordinance, pursuant to the terms and provisions of the original ordinance:

LOTS 1 AND 2 IN WHEATON TOWN SQUARE, BEING A SUBDIVISION OF PART OF LOTS 3 AND 4 IN DANADA FARMS EAST UNIT 1 AND PART OF VACATED BLANCHARD STREET, ALL IN THE SOUTH HALF OF SECTION 28, TOWNSHIP 39NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF WHEATON TOWN SQUARE RECORDED APRIL 27, 1993 AS DOCUMENT R93-081379, IN DUPAGE COUNTY, ILLINOIS.

PIN 05-28-200-007 AND 05-28-311-001 ("subject property").

Section 2: Section 3 of the original ordinance is amended by deleting all reference to Building G.

Section 3: Section 8, and all subparagraphs A through F, of the original ordinance are amended by deleting this section and all subparagraphs thereof and adding and including, in lieu thereof, the following:

"SECTION 8. BUILDING G:

- A. Building G shall be developed and used for retail/office use in substantial conformance with the plans entitled, "3 Story Office Building, prepared by Kenneth Lindberg, 26732 N. Oak Drive, Wauconda, IL, dated October 18, 1999 and bearing a latest revision date of February 9, 2000, Sheets A1 and A5.
- B. The location of Building G shall be in substantial conformity with the site plan prepared by Kenneth Lindberg, 26732 N. Oak Drive, Wauconda, IL, bearing a latest revision date of February 8, 2000, entitled, "3 Story Office Building, Sheet A1.
- C. Prior to the issuance of any building permit for Building G, Owner shall submit a revised site plan to the Director of Engineering which incorporates the recommendations of the developers traffic engineer, Cemcon, Ltd., in the traffic engineer's memorandum dated March 20, 2000. The revised site plan shall also indicate that the existing parking aisle opening at the southeast access drive with East Loop Road shall be closed in order to improve the safety and function of the southeast access drive.

Section 4: In all other respects, the terms and provisions of the original ordinance are ratified and remain in full force and effect.

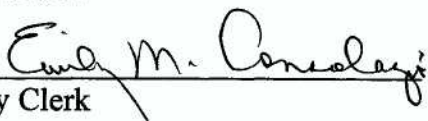
Section 5: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 6: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Mayor

ATTEST:



City Clerk

Ordinance No. F-0476

Ayes: Roll Call Vote:
 Councilman Mork
 Councilman Eckhoff
 Councilman Gresk
 Mayor Carr
 Councilman Johnson

Nays: None

Absent: Councilwoman Davenport
 Councilwoman Johnson

Motion Carried Unanimously

Passed: June 5, 2000

Published: June 6, 2000