

ORDINANCE NO. F- 1066

AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCES NUMBERS E-3191 AND E-3398 BOTH PERTAINING TO THE PROPERTY COMMONLY LOCATED AT THE NORTHEAST CORNER OF NAPERVILLE AND BUTTERFIELD ROADS-DANADA FARMS EAST C-5 PLANNED COMMERCIAL DISTRICT

WHEREAS, on March 2, 1987, the City of Wheaton, Illinois ("City"), enacted Ordinance No. E-3191 ("original ordinance") and on July 5, 1998 the City enacted Ordinance No.-3348 which amended the original ordinance ("amending ordinance"); both ordinances pertain to the construction and use of the commercial uses and improvements on the property legally described in the attached exhibit "A" and commonly located on the Northeast corner of Naperville and Butterfield Roads, Danada East, Wheaton; and

WHEREAS, application has been made to amend the original ordinance in order to: (i) increase the sign area of three existing tenant identification signs; (ii) relocate the Butterfield Road tenant sign 16 feet closer to Butterfield Road; and (iii) construct a larger shopping center identification sign and relocate that sign 10 feet forward from its current location at the corner of Naperville Road and Butterfield Road. The City has determined that the amendment to the original ordinance is a minor amendment and may be implemented without public hearing, pursuant to the provisions 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 original ordinance and the Special Use Permit granted therein are amended as follows:

- A. The Butterfield Road tenant sign may be relocated 16 feet closer to Butterfield Road;
- B. A larger shopping center identification sign, not to exceed 93.5 square feet in size is permitted and may be relocated 10 feet forward from its current location at the corner of Naperville Road and Butterfield Road.
- C. The size of each of the three tenant signs that currently have sign areas of 72 square feet each may each be increased to have a sign area not to exceed 93.5 feet; all three (3) tenant signs may include multiple tenant signages.
- D. All of the signs and their locations shall be consistent with the plans prepared by Q.T Signs, Schaumburg, IL, entitled:
 - a. "Site Plan", revised April 9, 2005; and
 - b. "Monument Sign: Naperville Road South Entrance", revised April 9, 2005; and

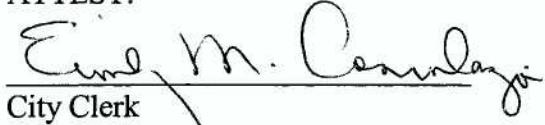
- c. "Monument Sign: Butterfield Road Entrance", revised April 9, 2005; and
- d. "Monument Sign: Naperville Road North Entrance", revised April 9, 2005; and
- e. "Monument Sign: Naperville Rd. & Butterfield Rd. Intersection", revised May 4, 2005; and
- f. "Monument Sign: South Elevation, East Elevation, & West Elevation", revised May 4, 2005; and

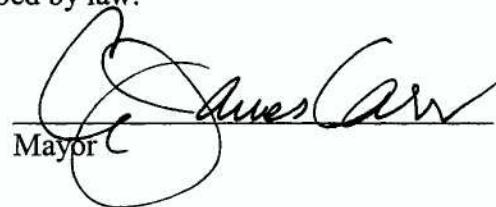
Section 2: In all other respects, the terms and provisions of the original ordinance and the amending ordinance are ratified and remain in full force and effect.

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. Cerny
City Clerk



Mayor Carr

Roll Call Vote

Ayes: Councilman Mouhelis
Councilman Seuss
Councilman Bolds
Councilwoman Corry
Councilman Johnson
Mayor Carr
Councilman Levine

Nays: None

Absent: None

Motion Carried Unanimously

Passed: August 1, 2005
Published: August 2, 2005

EXHIBIT "A"

PART OF THE SOUTH HALF OF SECTION 28 AND THE NORTH HALF OF SECTION 33, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 28; THENCE SOUTH 0 DEGREES 30 FEET, 40 INCHES WEST ALONG THE EAST LINE THEREOF 2,666.24 FEET TO A POINT ON THE NORTH LINE OF BUTTERFIELD ROAD (F.A. ROUTE 131); THENCE SOUTH 85 DEGREES, 4 FEET, 16 INCHES WEST ALONG SAID NORTH LINE, 1,311.51 FEET TO THE NORTHEAST CORNER OF THE PREMISES CONDEMNED FOR HIGHWAY PURPOSES BY COUNTY COURT CASE NO. 26046, SAID LINE BEING THE NORTH LINE OF BUTTERFIELD ROAD; THENCE WESTERLY ALONG THE NORTH LINE OF SAID CONDEMNATION ON AN ARC TO THE RIGHT HAVING A RADIUS OF 34,277.48 FEET AND LENGTH OF 1,284.32 FEET TO A POINT OF BEGINNING; THENCE CONTINUING WESTERLY ALONG THE NORTH LINE OF SAID CONDEMNATION ON AN ARC TO THE RIGHT HAVING A RADIUS OF 34,277.48 FEET AND LENGTH OF 778.91 FEET; THENCE SOUTH 89 DEGREES, 48 FEET, 49 INCHES WEST ALONG THE NORTH LINE OF SAID CONDEMNATION, 178.66 FEET TO THE EASTERN LINE OF NAPERVILLE-PLAINFIELD ROAD AS DEDICATED ACCORDING TO THE PLAT RECORDED AS DOCUMENT NO. R-83-17365; THENCE NORTH 24 DEGREES, 44 FEET, 6 INCHES EAST ALONG THE EASTERLY LINE OF SAID NAPERVILLE-PLAINFIELD ROAD, 1,250.00 FEET; THENCE SOUTH 65 DEGREES, 15 FEET, 54 INCHES EAST, 864.62 FEET; THENCE SOUTH 24 DEGREES, 44 FEET, 6 INCHES WEST, 838.51 FEET TO THE NORTH LINE OF THE AFORESAID CONDEMNATION AND ALSO BEING THE NORTH LINE OF BUTTERFIELD ROAD; SAID POINT BEING THE POINT OF BEGINNING AND ALL IN DU PAGE COUNTY, ILLINOIS.