

06-40

ORDINANCE NO. F-1220

**AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NUMBER F-0532
PERTAINING TO A CERTAIN PIECE OF PROPERTY COMMONLY LOCATED AT
THE NORTHWEST CORNER OF LEASK LANE AND BUTTERFIELD ROAD -
811 EAST BUTTERFIELD ROAD/GUINNESS DEVELOPMENT LLC**

WHEREAS, on November 6, 2000, the City of Wheaton, Illinois, ("City") enacted City Ordinance No. F-0532, ("original ordinance") which allowed a planned unit development for the construction and use of a free standing restaurant and a separate multi-tenant retail building on the property legally described in this ordinance and the original ordinance and commonly known as 811 East Butterfield Road, Wheaton, Illinois ("subject property"); and

WHEREAS, the restaurant authorized in the original ordinance was never constructed and application has now been made to amend the original ordinance and existing planned unit development to allow for the construction of a 9,908 square foot multi-tenant retail building with a drive through bank facility at the existing Danada Creek Center; 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 Planning and Zoning Board on September 12, 2006, to consider the requested amendment to the original ordinance and existing special use permit; and the Board has recommended approval of the requests.

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 has been and continues to be zoned and classified in the C-5 Planned Commercial District/PUD:

LOT 1 AND LOT 2 IN GUINNESS RESUBDIVISION, BEING A RESUBDIVISION OF
LOT 2 IN BRIGHTON GARDENS SUBDIVISION, BEING A RESUBDIVISION OF
LOT 12 IN DANADA FARMS EAST UNIT 1, BEING A SUBDIVISION OF PART OF
SECTION 28 AND THE NORTH HALF OF SECTION 33, TOWNSHIP 39 NORTH,
RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE
PLAT THEREOF RECORDED JANUARY 2, 2001, AS DOCUMENT R2001-
000741, IN DUPAGE COUNTY, ILLINOIS
P.I.N. 05-28-403-032, 05-28-403-033

The subject property is commonly known as 811 E. Butterfield Road, Wheaton, IL 60187

Section 2: Pursuant to the Findings of Fact made and determined by the Wheaton Planning and Zoning Board, the original ordinance and special use permit for planned unit development are amended, and a special use permit is hereby issued, to allow for the construction and use of a 9,908 square foot multi-tenant retail building with a drive through bank

R 2006-237034

facility at the existing Danada Creek Center on the subject property in full compliance with the site plan prepared by Benedetto Reitan Architects, LLC, Schaumburg, IL, entitled "Site Plan" dated July 24, 2006 and revised September 21, 2006; the preliminary engineering plan prepared by Northwestern Engineering Consultants, P.C., Buffalo Grove, IL, dated July 24, 2006 and revised November 1, 2006; the building elevations prepared by Benedetto Reitan Architects, LLC, Schaumburg, IL, entitled "Elevations" dated July 24, 2006 and revised September 21, 2006; and the landscape plan prepared by Kinsella Landscape, Inc., Chicago, IL, dated July 25, 2006 and revised September 29, 2006, and in further compliance with the following conditions, restrictions and requirements:

- A. All landscaping on the subject property shall comply with the ordinances of the City and the ordinances specifically applicable to the subject property, prior to issuance of a final occupancy permit;
- B. The existing detention basin on the subject property shall comply with the ordinances of the City and the ordinances specifically applicable to the subject property, prior to issuance of a final occupancy permit.
- C. Compliance by the owner with all of the conditions and requirements recited in this ordinance shall be subject to the reasonable determination of the City.

Section 3: In all other respects, the terms, conditions and provisions of 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.



Mayor

ATTEST:



City Clerk

Roll Call Vote:

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

Nays: None

Absent: None

Motion Carried Unanimously

Passed: November 6, 2006
Published: November 7, 2006

~ PROPOSED PLANT MATERIALS ~

| Key | Qty. | Common Name | Botanic Name | Size | Comments |
|--------------------|------|-----------------------|--|----------|----------|
| TREES | | | | | |
| MP | 5 | Red Maple | Acer rubrum | 3" cal. | |
| AS | 1 | Marshall Seedless Ash | Fraxinus pennsylvanica 'Marshall' | 3" cal. | |
| AB | 7 | Techny Arborvitae | Thuja occidentalis 'Techny' | 5' | |
| SHRUBS | | | | | |
| BB | 21 | Burning Bush | Euonymus alatus 'Compactus' | 30" | |
| MK | 3 | Miss Kim Lilac | Syringa patula 'Miss Kim' | 36" gal. | |
| CH | - | Chokeberry | Aronia melanocarpa | 3 gal. | |
| VI | 9 | Minuet Veigela | Veigela florida 'Minuet' | 3 gal. | |
| DY | 34 | Dense Yew | Taxus media 'Bensformis' | 3 gal. | |
| GL | 72 | Gro-low Sumac | Rhus aromatica 'Gro-low' | 3 gal. | |
| KR | 24 | Knockout Rose | Rosa x 'Knockout' | 24" B.B. | |
| HD | 12 | Afterglow Holly | Ilex verticillata 'Afterglow' | 3 gal. | |
| ORNAMENTAL GRASSES | | | | | |
| BG | 58 | Blue Oat Grass | Helictotrichon sempervirens | 1 gal. | 18" o.c. |
| KF | 107 | Feather Reed Grass | Calamagrostis acutiflora 'Karl Foerster' | 1 gal. | 18" o.c. |
| PERENNIALS | | | | | |
| DD | 117 | Stella D'Oro Daylily | Hemerocallis 'Stella D'Oro' | 1 gal. | |
| BE | 35 | Black-eyed Susan | Rudbeckia fulgida 'Goldstrum' | 1 gal. | |
| RU | 25 | Russian Sage | Perovskia 'atriplicifolia' | 1 gal. | |

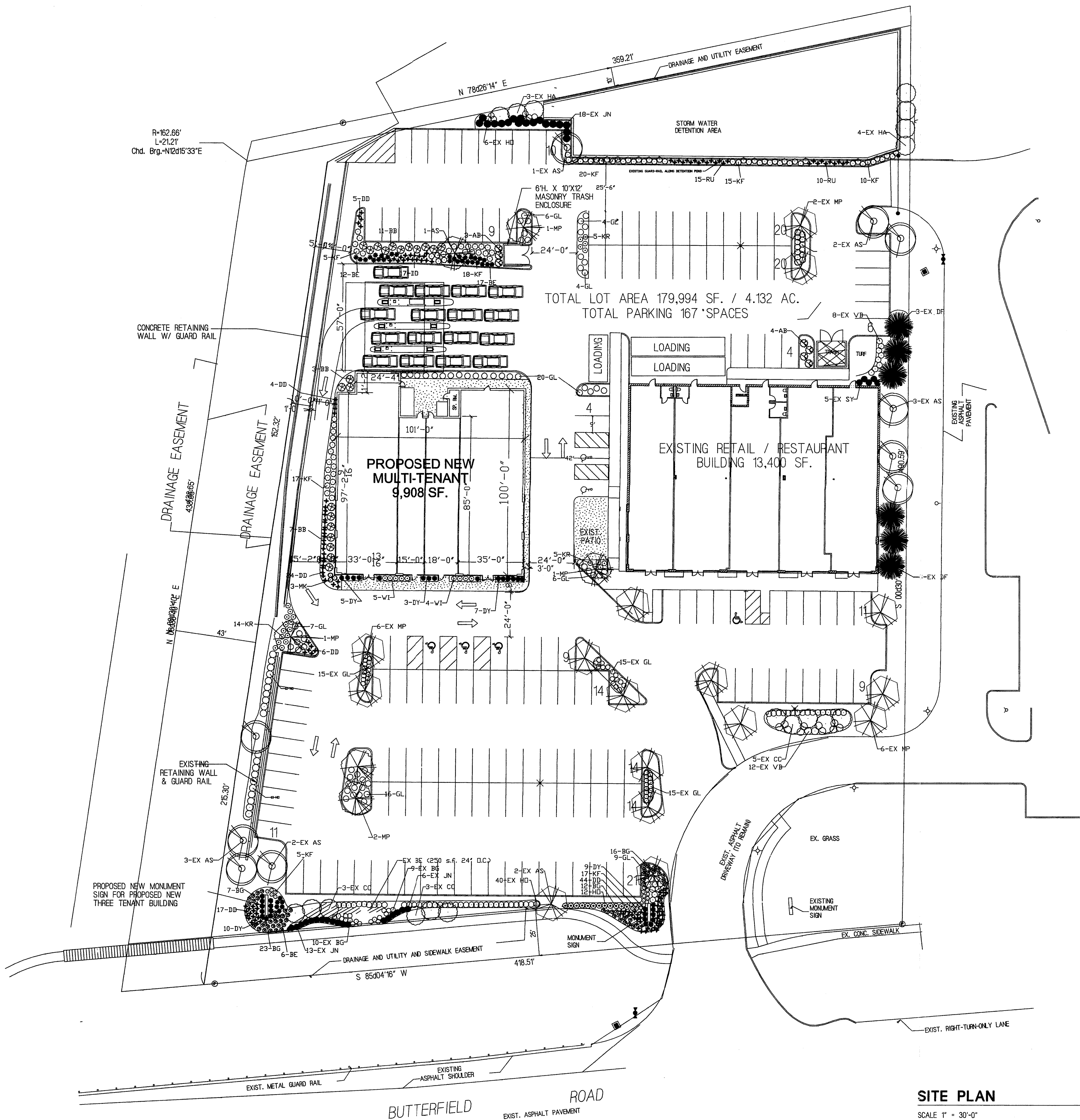
~ EXISTING PLANT MATERIALS ~

| Key | Qty. | Common Name | Botanic Name | Size | Comments |
|------------------------|------|-----------------------------|------------------------------------|----------|--------------------------|
| TREES | | | | | |
| EX MP | 14 | Red Maple | Acer rubrum | 3" cal. | |
| EX AS | 12 | Marshall Seedless Ash | Fraxinus pennsylvanica 'Marshall' | 3" cal. | |
| EX HA | 7 | Washington Hawthorn | Crataegus phaenopyrum | 25" cal. | Single-stemmed |
| EX CC | 14 | Donald Wymon Crabapple | Malus 'Donald Wymon' | 25" cal. | Single-stemmed |
| EX DF | 11 | Douglas Fir | Pseudotsuga menziesii | 8" | |
| SHRUBS | | | | | |
| EX BB | 11 | Burning Bush | Euonymus alatus 'Compactus' | 3 gal. | |
| EX JN | 37 | Buffalo Juniper | Juniperus sabina 'Buffalo' | 3 gal. | |
| EX HD | 83 | Afterglow Winterberry Holly | Ilex verticillata 'Afterglow' | 3 gal. | Palisade with 'In Bandy' |
| EX GL | 60 | Gro-low Sumac | Rhus aromatica 'Gro-low' | 2 gal. | |
| EX SP | 21 | Anthony Waterer Spirea | Spirea japonica 'Anthony Waterer' | 2 gal. | |
| EX SY | 5 | Kiehl's Spreading Yew | Taxus cuspidata 'Kiehl's Spreader' | 3 gal. | |
| EX VB | 20 | Arrowwood Viburnum | Viburnum dentatum | 3 gal. | |
| PERENNIALS/GROUNDCOVER | | | | | |
| EX BG | 19 | Blue Oat Grass | Helictotrichon sempervirens | 1 gal. | 18" o.c. |
| EX BE | 47 | Black-eyed Susan | Rudbeckia fulgida 'Goldstrum' | 1 gal. | 24" o.c. |

NOTE: Existing Plant Materials in Gray

NOTE: Contractor responsible for all plant quantities.

NOTE: All areas outside bedlines to be seeded unless otherwise specified.



SITE PLAN
SCALE 1" = 30'-0"
WHEATON RETAIL CENTER

Proposed Retail Development
Butterfield Road & Leask Lane
Wheaton, Illinois
Guinness-Wheaton LLC.
321 N. Clark,
Suite 2440
Chicago, IL.



Scale: 1"=30'-0"

Kinsella Landscape, Inc.

Corporate Office: 13821 S. Harrison Ave.
Blue Island, IL 60406
Phone: (708) 371-0830
Fax: (708) 371-9576
Downtown Office: 4335 Western Ave.
Chicago, IL 60609
Phone: (312) 667-6913
Fax: (312) 667-6927

This plan and all concepts therein are the sole property of Kinsella Landscape, Inc. and no reproduction or use, in whole or in part, without the written consent of Kinsella Landscape, Inc. shall be made.

| Revision: | Date: |
|-----------------------------|----------|
| Building/Landscape Revision | 11-21-05 |
| Site/Landscape Revision | 03-22-06 |
| Site/Landscape Revision | 07-25-06 |
| Site/Landscape Revision | 09-29-06 |
| Copies issued to: | Date: |
| Benedetto Reitan Architects | 07-25-06 |
| Benedetto Reitan Architects | 09-29-06 |

Date: 09-29-06

Drawn By: RN/DS

Project Manager: GS

Sheet Number: 1 of 1

Project Number: GS 9856

THE ENGINEER HAS EXAMINED THE RECORD DRAWINGS AND FIELD SURVEY DATA AND HAS FOUND THEM TO BE CORRECT AND SUFFICIENT FOR THE PURPOSES OF THIS PROJECT. THE ENGINEER MAKES NO WARRANTY, EXPRESS OR IMPLIED, AS TO THE ACCURACY OF THE RECORD DRAWINGS OR FIELD SURVEY DATA. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE SANITARY SEWER SYSTEM AND THE DRAINAGE SYSTEM. THE ENGINEER DOES NOT GUARANTEE THE ACCURACY OF THE RECORD DRAWINGS OR FIELD SURVEY DATA. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE SANITARY SEWER SYSTEM AND THE DRAINAGE SYSTEM. THE ENGINEER DOES NOT GUARANTEE THE ACCURACY OF THE RECORD DRAWINGS OR FIELD SURVEY DATA.

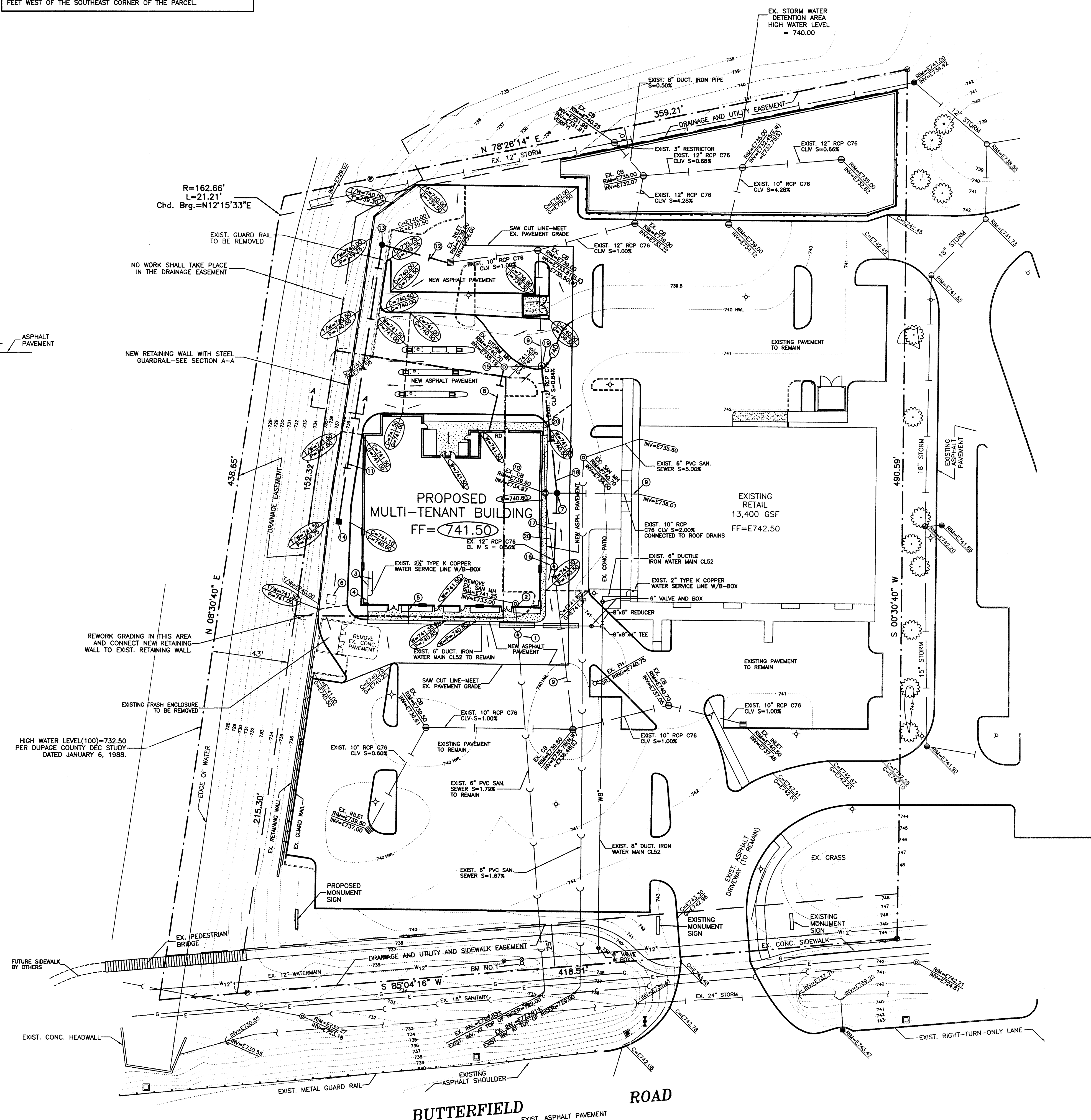
OPERATES
24 HOURS
365 DAYS
CALL JULIE 1-800-892-0123
WITH THE FOLLOWING:
COUNTY: WHEELING
CITY-TOWNSHIP: WHEELING
SEC. & 1/4 SEC. NO.: 33-28-38-10
48 HOURS BEFORE YOU DIG
EXCLUDING SAT., SUN. & HOLIDAYS

SPECIAL NOTE:
Existing grades and improvements are shown from the best information available and must be verified in the field by the contractor prior to the start of construction. Any discrepancy with the plan shall be immediately reported to the engineer.

BENCHMARK:
BM NO. 14738.20=HEAD BOLT BETWEEN THE LETTERS "WUE" AND "LIER"
ON THE FIRE HYDRANT ON THE NORTH SIDE OF BUTTERFIELD ROAD 212
FEET WEST OF THE SOUTHEAST CORNER OF THE PARCEL.

SCALE: 1"=30'

SECTION A-A
N.T.S.



| EXISTING | LEGEND | PROPOSED |
|----------|---------------------------------------|----------|
| E743.83 | GRADE | C741.35 |
| C742.45 | CURB GRADE | C742.50 |
| G742.01 | GUTTER GRADE | G742.00 |
| W742.05 | WALK GRADE | W743.10 |
| P740.71 | PAVEMENT GRADE | P740.85 |
| | TOP OF WALL GRADE | T740.00 |
| | CONTOUR | |
| | CONC. CURB AND GUTTER (TO BE REMOVED) | |
| | RETAINING WALL | |
| | SANITARY SEWER | |
| | STORM SEWER | |
| | WATERMAIN | |
| | GAS MAIN | |
| | UNDERGROUND ELECTRIC | |
| | DITCH FLOWLINE | |
| | MANHOLE | |
| | CATCH BASIN | |
| | INLET BASIN | |
| | VALVE VAULT | |
| | VALVE BOX | |
| | LIGHT POLE | |
| | WOOD POLE | |
| | FIRE HYDRANT | |
| | FLARED END SECTION | |
| | TREE | |
| | HANDHOLE | |
| | CONCRETE WALK/PAVEMENT | |
| | DIRECTION OF DRAINAGE | |

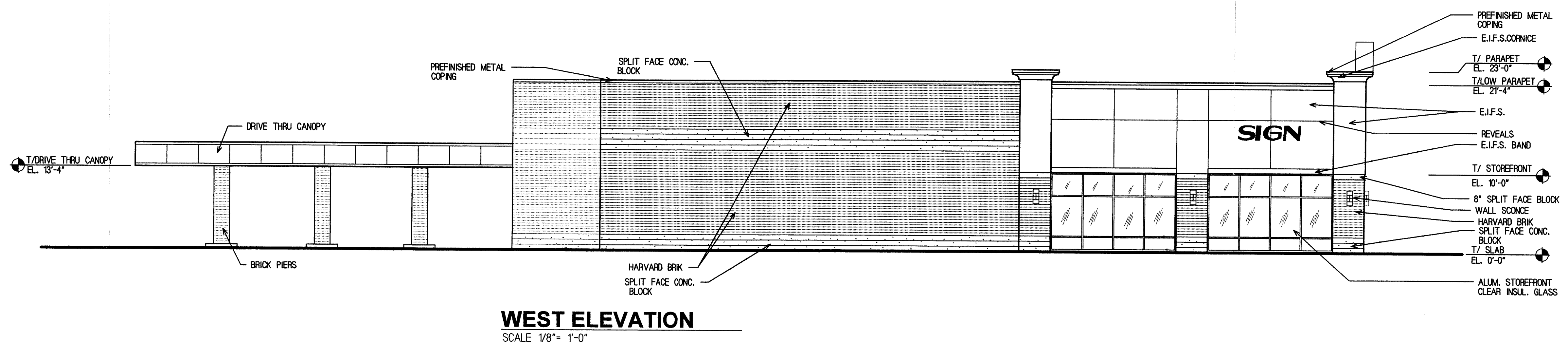
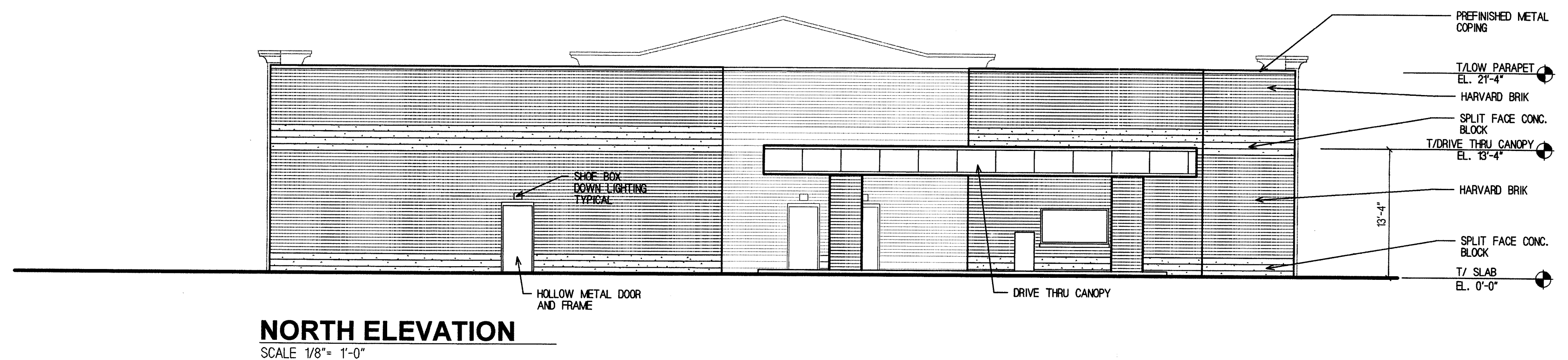
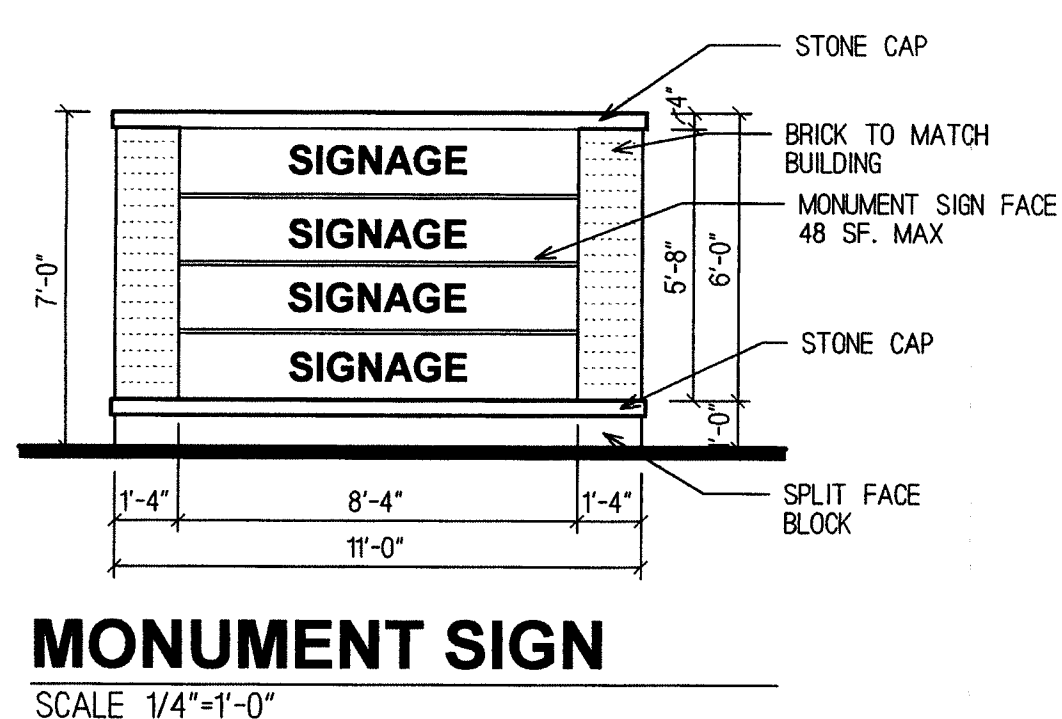
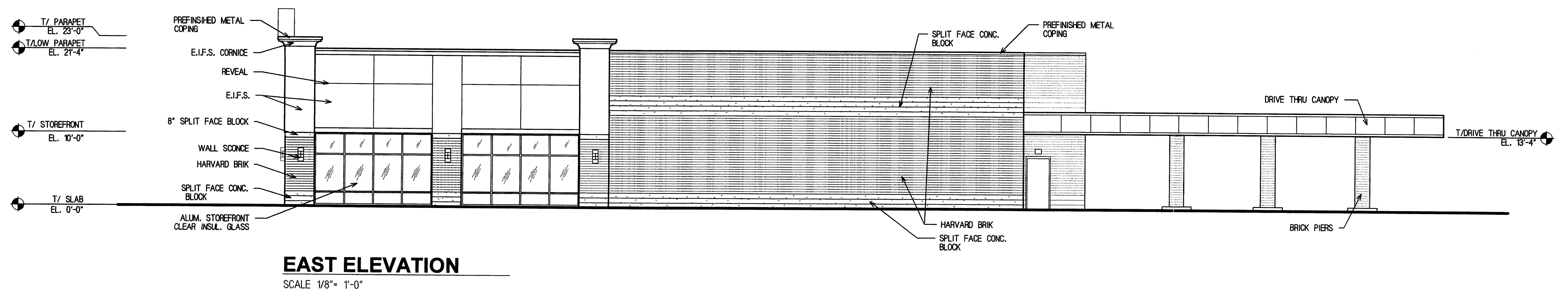
- UTILITY NOTES
- CONSTRUCT NEW SANITARY INSPECTION MANHOLE ON EXIST. 6" SAN. SEWER. RIM=740.70 INV=734.68
 - REMOVE EXISTING SANITARY MANHOLE FROM UNDER PROPOSED BUILDING AND CONNECT SANITARY SERVICE LINE FOR NEW BUILDING TO EXISTING 6" PVC SAN. SERVICE LINE.
 - REMOVE EXISTING WATER SERVICE LINES FROM UNDER NEW BUILDING.
 - CONNECT WATER SPRINKLER MAIN FOR NEW BUILDING TO EXISTING 6" WATER SERVICE LINE.
 - 10 LF 2" TYPE K COPPER WATER SERVICE LINE W/B-BOX.
 - COM ED TRANSFORMER TO BE RELOCATED BY OTHERS.
 - PROP. CATCH BASIN RIM=739.90 INV=735.13(E) INV=734.97(N.S)
 - 37 LF 10" PVC STORM SEWER FROM ROOF DRAINS S=2.00%
 - EXISTING STORM SEWER TO REMAIN
 - EXISTING CATCH BASIN TO BE REMOVED
 - 160 LF 10" RCP C76 CL V STORM SEWER S=0.98%
 - 39 LF 10" RCP C76 CL V STORM SEWER S=1.10%
 - PROP. CATCH BASIN RIM=740.50 INV=736.43
 - PROP. INLET BASIN RIM=740.50 INV=738.00
 - EXISTING RIM SHALL BE LOWERED TO 740.10
 - CONSTRUCT NEW STORM MANHOLE ON EXIST. 12" STORM SEWER. RIM=740.50 INV=734.36
 - 42 LF 12" RCP C76 CL V STORM SEWER S=0.69%
 - 72 LF 12" RCP C76 CL V STORM SEWER S=0.84%
 - CONSTRUCT NEW STORM MANHOLE ON EXIST. 12" STORM SEWER. RIM=740.50 INV=734.36
 - EXISTING STORM SEWER TO BE REMOVED.

STORM WATER MANAGEMENT
STORM WATER DETENTION FOR THIS PARCEL HAS ALREADY BEEN PROVIDED IN A DETENTION BASIN ON THE NORTH PART OF THE PROPERTY AND ALSO ON THE PARKING LOT TO A HIGH WATER ELEVATION OF 740.00. THIS STORM WATER DETENTION SYSTEM WILL BE RETAINED AND MADE USE OF AS PART OF THIS NEW PROJECT. CALCULATIONS WILL BE PREPARED WITH THE FINAL ENGINEERING DRAWINGS SHOWING THE TOTAL STORAGE VOLUME AVAILABLE ON THE PARKING LOT BELOW ELEVATION 740 HAS NOT BEEN DECREASED BY THIS PROJECT.

CIVIL ENGINEERS SITE PLANNERS LAND SURVEYORS
NORTHWESTERN ENGINEERING CONSULTANTS, P.C.
1110 LAKE COOK ROAD
BUFFALO GROVE, ILLINOIS 60089
(847) 520-8410

PRELIMINARY ENGINEERING PLAN
PROPOSED MULTI-TENANT BUILDING
BUTTERFIELD ROAD & LEASK LANE
WHEATON, ILLINOIS

| REVISIONS | NO. | DATE | DESCRIPTION |
|-----------|-----|---------|----------------------------------|
| | 1 | 7-24-06 | REVISED PER NEW SITE LAYOUT |
| | 2 | 11-1-06 | REVISED PER MODIFIED SITE LAYOUT |
| | 3 | 3-8-06 | DATE: 3-8-06 |
| | 4 | 1-1-06 | SCALE: 1"=30' |
| | 5 | 1-1-06 | DRAWN BY: KRL |
| | 6 | 1-1-06 | CHECKED BY: DMH |
| | 7 | 1-1-06 | SCALE: 1"=30' |
| | 8 | 1-1-06 | DRAWING NO. PE-1 |
| | 9 | 1-1-06 | JOB NO. 05-64 |



DATE
JULY 24, 2006

REVISIONS
AUGUST 21, 2006
SEPTEMBER 21, 2006

PROPOSED RETAIL DEVELOPMENT
BUTTERFIELD ROAD & LEASKI LANE
WHEATON, ILLINOIS

ELEVATIONS
PREPARED FOR:
V-LAND CORPORATION

BENEDETTO REITAN ARCHITECTS, LLC.
1325 Wiley Road - Suite 166 - Schaumburg, Illinois 60173
PH. 847-519-1227 - FAX 847-519-0347
Assumed Name No. 164-004083

SHEET
A2
OF 3
PROJECT NO.
0502

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| WI | 9 | Minuet Weigela | Weigela florida 'Minuet' | 3 gal | |
| DY | 34 | Dense Yew | Taxus media 'Densifolia' | 3 gal | |
| GL | 71 | Gro-low Sumac | Rhus aromatica 'Gro-low' | 3 gal | |
| KR | 21 | Knockout Rose | Rosa x 'Knockout' | 24" H.B. | |
| HO | 12 | Afterglow Holly | Ilex verticillata 'Afterglow' | 3 gal | |
| ORNAMENTAL GRASSES | | | | | |
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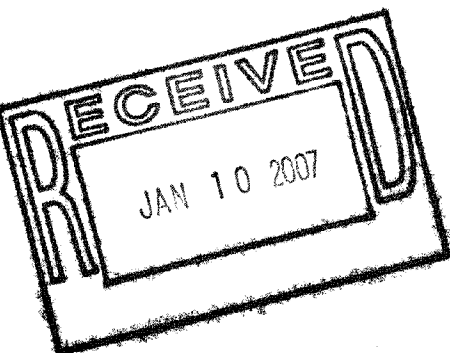
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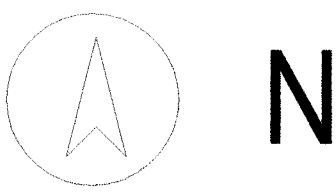
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Guinness-Wheaton LLC.
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| Benedetto Reitan Architects | 09-29-06 |
| Benedetto Reitan Architects | 01-08-07 |

Date: 01-08-07

Drawn By: RN/DS

Project Manager: GS

Sheet Number: 1 of 1

Project Number: GS 9856