

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

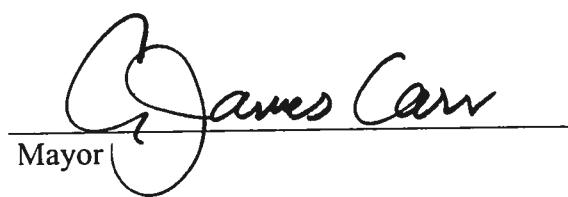
facility at the existing Danada Creek Center on the subject property in full compliance with the site plan prepared by Benedetto Reitan Architects, LLC, Schaumburg, IL, entitled "Site Plan" dated July 24, 2006 and revised September 21, 2006; the preliminary engineering plan prepared by Northwestern Engineering 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.

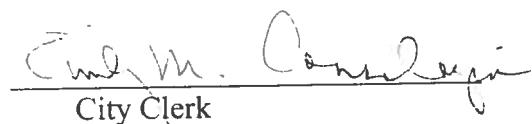
Section 4: All ordinances or parts of ordinances in conflict with these provisions are repealed.

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



James Carr
Mayor

ATTEST:



Cindy M. Consalvo
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	<i>Acer rubrum</i>	3" cal.	
AS	1	Marshall Seedless Ash	<i>Fraxinus pennsylvanica 'Marshall'</i>	3" cal.	
AB	7	Techny Arborvitae	<i>Thuja occidentalis 'Techny'</i>	5'	
SHRUBS					
BB	21	Burning Bush	<i>Euonymus alatus 'Compactus'</i>	30"	
MK	3	Miss Kim Lilac	<i>Syringa patula 'Miss Kim'</i>	36" gal	
CH	-	Chokeberry	<i>Aronia melanocarpa</i>	3 gal	
WI	9	Minuet Weigela	<i>Weigela florida 'Minuet'</i>	3 gal	
DY	34	Dense Yew	<i>Taxus media 'Densiformis'</i>	3 gal	
GL	72	Gro-low Sumac	<i>Rhus aromatica 'Gro-low'</i>	3 gal	
KR	24	Knockout Rose	<i>Rosa x 'Knockout'</i>	24" B.B.	
HO	12	Afterglow Holly	<i>Ilex verticillata 'Afterglow'</i>	3 gal	
ORNAMENTAL GRASSES					
BG	58	Blue Oat Grass	<i>Helictotrichon sempervirens</i>	1 gal	18" o.c.
KF	107	Feather Reed Grass	<i>Calamagrostis acutiflora 'Karl Foerster'</i>	1 gal	18" o.c.
PERENNIALS					
DD	117	Stella D'Oro Daylily	<i>Hemerocallis 'Stella D'Oro'</i>	1 gal	
BE	35	Black-eyed Susan	<i>Rudbeckia fulgida 'Goldstrum'</i>	1 gal	
RU	25	Russian Sage	<i>Perovskia 'atripllicifolia'</i>	1 gal	

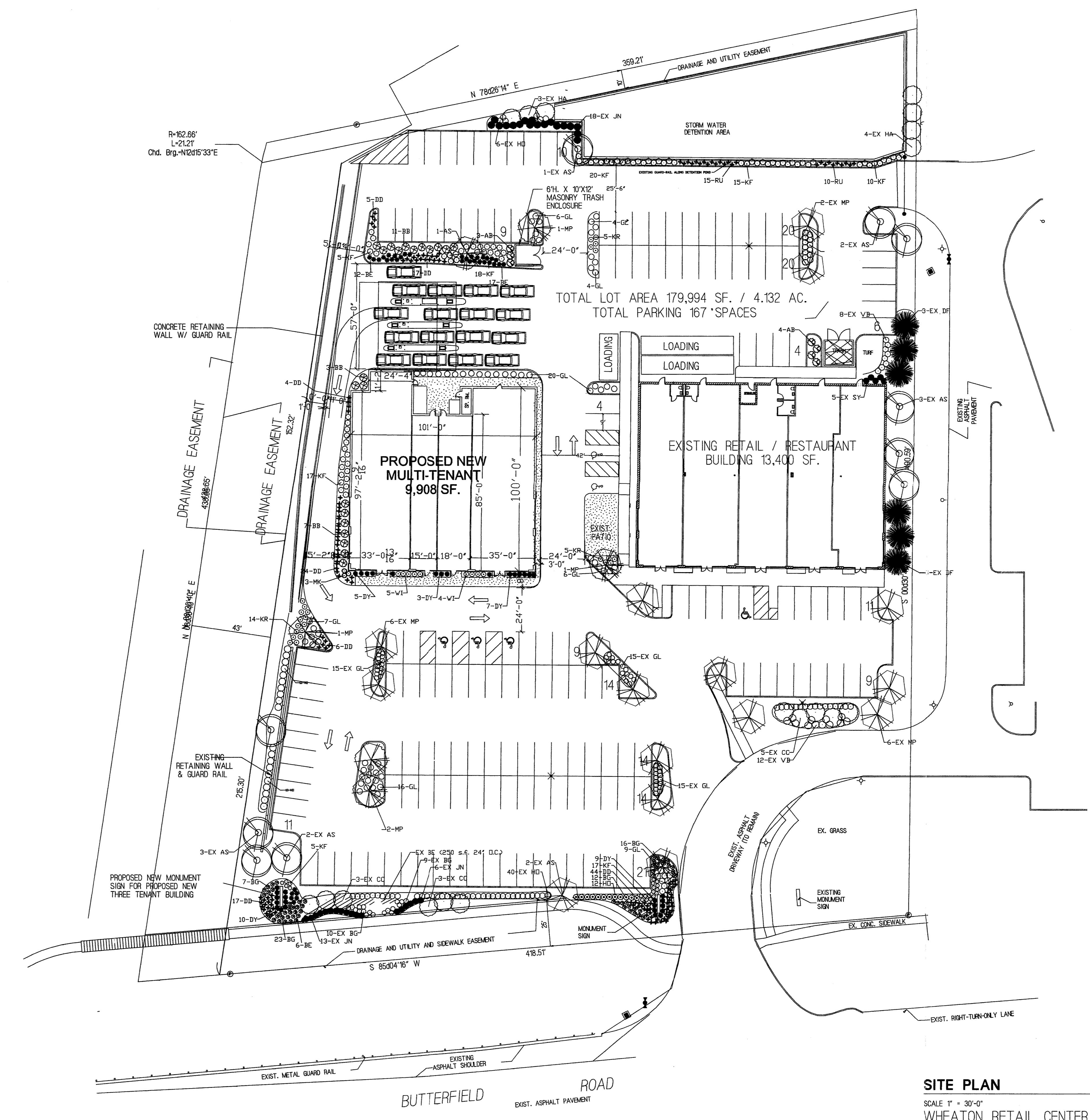
~ EXISTING PLANT MATERIALS ~

Key	Qty.	Common Name	Botanic Name	Size	Comments
TREES					
EX MP	14	Red Maple	<i>Acer rubrum</i>	3" cal.	
EX AS	12	Marshall Seedless Ash	<i>Fraxinus pennsylvanica</i> 'Marshall'	3" cal.	
EX HA	7	Washington Hawthorn	<i>Crataegus phaenopyrum</i>	2.5" cal.	Single-stemmed
EX CC	14	Donald Wyman Crabapple	<i>Malus</i> 'Donald Wyman'	2.5" cal.	Single-stemmed
EX DF	11	Douglas Fir	<i>Pseudotsuga menziesii</i>	8'	
SHRUBS					
EX BB	11	Burning Bush	<i>Euonymus alatus</i> 'Compactus'	3 gal	
EX JN	37	Buffalo Juniper	<i>Juniperus sabina</i> 'Buffalo'	3 gal	
EX HD	83	Afterglow Winterberry Holly	<i>Ilex verticillata</i> 'Afterglow'	3 gal	Pollinate with 'Jim Dandy'
EX GL	60	Gro-low Sumac	<i>Rhus aromatica</i> 'Gro-low'	2 gal	
EX SP	21	Anthony Waterer Spirea	<i>Spirea japonica</i> 'Anthony Waterer'	2 gal	
EX SY	5	Klehm's Spreading Yew	<i>Taxus cuspidata</i> 'Klehm's Spreader'	3 gal	
EX VB	20	Arrowwood Viburnum	<i>Viburnum dentatum</i>	3 gal	
PERENNIALS/GROUNDCOVER					
EX BG	19	Blue Oat Grass	<i>Helictotrichon sempervirens</i>	1 gal	18" o.c.
EX BE	476s.f.	Black-eyed Susan	<i>Rudbeckia fulgida</i> '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



Proposed Retail Development

Butterfield Road
&
Leaski Lane
Wheaton, Illinois
Guiness-Wheaton
LLC.
321 N. Clark,
Suite 2440
Chicago, IL

Chicago, IL.

Corporate Office: 21 S. Harrison Ave. Island, IL 60406 Phone: (708) 371-0830 (708) 371-9576	Downtown Office: 4335 Western Ave. Chicago, IL 60609 Phone: (312) 567-9913 Fax: (312) 567-9927
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Landscape, Inc. shall be made.

revision:	Date:
<u>Building/Landscape Revision</u>	11-21-05
<u>Building/Landscape Revision</u>	03-22-06
<u>Building/Landscape Revision</u>	07-25-06
<u>Building/Landscape Revision</u>	09-29-06
Copies issued to:	Date:
<u>Medetto Reitan Architects</u>	07-25-06
<u>Medetto Reitan Architects</u>	09-29-06

Date: 09-29-06
Drawn By: RN/DS
Project Manager: GS
Sheet Number: 1 of 1
Project Number: GS 9856

