

ORDINANCE NO. F-1676

AN ORDINANCE AMENDING ORDINANCES E-3191, E-3328, F-1260 AND F-1578, "AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR PLANNED UNIT DEVELOPMENT ON A CERTAIN PIECE OF PROPERTY COMMONLY LOCATED AT THE NORTHEAST CORNER OF NAPERVILLE AND BUTTERFIELD ROADS - S & W ASSOCIATES/ DANADA FARMS EAST C-3 GENERAL BUSINESS DISTRICT"

WHEREAS, on March 2, 1987, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. E-3191, "AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR PLANNED UNIT DEVELOPMENT ON A CERTAIN PIECE OF PROPERTY COMMONLY LOCATED AT THE NORTHEAST CORNER OF NAPERVILLE AND BUTTERFIELD ROADS - S & W ASSOCIATES/ DANADA FARMS EAST C-3 GENERAL BUSINESS DISTRICT" ("Original Ordinance"), authorizing the issuance of a special use permit for a planned unit development for the construction and use of commercial improvements on the property legally described herein within the City limits of Wheaton, Illinois, consisting of approximately 21.7 acres and commonly located at the northeast corner of Naperville and Butterfield Roads; and

WHEREAS, on June 6, 1988, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. E-3328, "AN ORDINANCE AMENDING ORDINANCE NO. E-3191 - AN ORDINANCE AMENDING THE WHEATON ZONING MAP AND GRANTING A SPECIAL USE PERMIT FOR A KENTUCKY FRIED CHICKEN RESTAURANT WITH DRIVE-THROUGH FACILITY ON OUTLOT "D" OF DANADA FARMS EAST (C-3 SUP)" ("Amended Ordinance"), which amended the plans referred to in Ordinance NO. E-3191 to accommodate a new 2,500 square foot Kentucky Fried Chicken Restaurant with a drive-through lane on Outlot "D"; and

WHEREAS, on March 5, 2007, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. F-1260, "AN ORDINANCE AMENDING ORDINANCE NO. E-3328 - AN ORDINANCE AMENDING THE WHEATON ZONING MAP AND GRANTING A SPECIAL USE PERMIT FOR A KENTUCKY FRIED CHICKEN RESTAURANT WITH DRIVE-THROUGH FACILITY ON OUTLOT "D" OF DANADA FARMS EAST (C-3 SUP)" ("Amended Ordinance"); which amended the plans referred to in Ordinance No. E-3328 to accommodate a remodeling of the existing Kentucky Fried Chicken Restaurant; and

WHEREAS, on August 1, 2011, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. F-1578, "AN ORDINANCE AMENDING ORDINANCES E-3191, E-3328 AND F-1260, "AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR PLANNED UNIT DEVELOPMENT ON A CERTAIN PIECE OF PROPERTY COMMONLY LOCATED AT THE NORTHEAST CORNER OF NAPERVILLE AND BUTTERFIELD ROADS - S & W ASSOCIATES/ DANADA FARMS EAST C-3 GENERAL BUSINESS DISTRICT" ("Amended Ordinance"); which amended the plans referred to in Ordinance No. F-1260 to relocate signage, remove existing landscaping and install new landscaping along Naperville Road and at the intersection of Naperville and Butterfield Roads all as a result of the Illinois Department of Transportation's taking of property along the Naperville Road right-of-way to facilitate the reconstruction of the Naperville and Butterfield Roads intersection; and

WHEREAS, following the enactment of the Original and Amended Ordinances, an application has been made to further amend the exterior building elevations contained in the Original Ordinance to allow the remodeling of the property located at 141 -147 Danada Square East for Verizon Wireless; and the City has determined that the requested amendment is a minor amendment and may be implemented without public hearing, pursuant to the provisions of Section 5.10.6 of the Wheaton Zoning Ordinance.

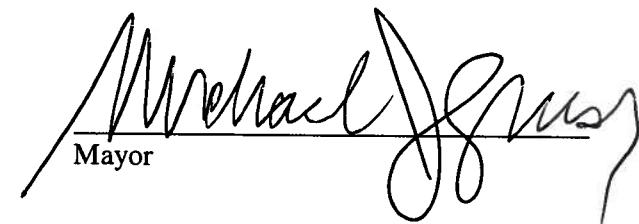
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, as follows:

Section 1: An amendment to the Original and Amended Ordinance is hereby granted to allow the exterior remodeling of 141 Danada Square East for Verizon Wireless in substantial compliance with the plans and letters entitled "Verizon Wireless, 141 Danada Square East - Elevations" prepared by Excel Engineering, Fond Du Lac, WI, dated April 12, 2012.

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

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

Section 4: This ordinance shall become effective after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Michael Gresk
Mayor

ATTEST:



Mary Bennett Hagan
City Clerk

Roll Call Vote

Ayes:	Councilwoman Ives Councilman Mouhelis Councilman Rutledge Mayor Gresk Councilwoman Pacino Sanguinetti Councilman Scalzo Councilman Suess
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Nays: None

Absent: None

Motion Carried Unanimously

Passed: November 5, 2012
Published: November 6, 2012

EXHIBIT "A"

Legal description:

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 DU PAGE 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. R83-17365; 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.



EXISTING BUILDING

SCALE: N.T.S.



FRONT ELEVATION

SCALE: N.T.S.



SIDE ELEVATION

SCALE: N.T.S.

**PRELIMINARY
PLAN DATE:**



100 CAMELOT DRIVE
FOND DU LAC, WI 54935
PHONE: (920) 926-9800
FAX: (920) 926-9801

PROJECT:

VERIZON WIRELESS - WHEATON
141 DANADA SQUARE E.
WHEATON, IL 60189

OWNER:

VERIZON WIRELESS
1515 WOODFIELD RD, SUITE 1400
SCHAUMBURG, IL 60173

DATE:
April 12, 2012

DESIGN NO.:
1205310

SHEET

Elev 2