

ORDINANCE NO. F-1699

**AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NO. E-3422,
"AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A SHOPPING CENTER
AND MOVIE THEATRE - DANADA FARMS EAST/RICE LAKE (WHEATON 7 JOINT
VENTURE)" AND ORDINANCE NOS. E-3433, E-3607, E-3636, E-3641, E-4141, F-0061, F-
1170, F-1296, F-1371, F-1540, F-1590 and F-1622**

**RICE LAKE SQUARE SHOPPING CENTER
BUTTERFIELD'S RESTAURANT**

WHEREAS, The City of Wheaton, Illinois, ("City"), has previously enacted City Ordinance Nos. E-3422 ("ORIGINAL ORDINANCE") recorded on March 10, 1989 as Document No. R-89-027311 in the Office of the DuPage County Recorder which granted a special use permit for a planned unit development to allow the construction and use of a shopping center, movie theatre, and outlet buildings known as the Rice Lake Square Shopping Center; Ordinance No. E-3433 recorded on March 10, 1989 as Document No. R89-027310 in the office of the DuPage County Recorder; Ordinance Nos. E-3607, E-3636, and E-3641 recorded on July 10, 1991 as Document No. R91-086754 in the Office of the DuPage County Recorder; Ordinance No. E-4141 recorded on December 11, 1995 as Document No. R95-174498 in the Office of the DuPage County Recorder; Ordinance No. F-0061 recorded on September 19, 1996 as Document No. R96-154185, in the Office of the DuPage County Recorder; Ordinance No. F-1170 recorded on July 17, 2007 as Document No. R2006-135457 in the Office of the DuPage County Recorder; Ordinance No. F-1296 recorded on August 28, 2007 as Document No. R2007-159373 in the Office of the DuPage County Recorder; Ordinance No. F-1371 recorded on September 25, 2008 as Document No. R2008-144956 in the Office of the DuPage County Recorder; Ordinance No. F-1540 recorded on March 7, 2011 as Document No. R2011-32361 in the Office of the DuPage County Recorder, Ordinance No. F-1590 recorded on November 10, 2011 as Document No. R2011-136542 in the Office of the DuPage County Recorder, and Ordinance No. F-1622 recorded on January 23, 2012 as Document No. R2012-9480 in the Office of the DuPage County Recorder, ("AMENDED ORDINANCES") which granted various amendments to the ORIGINAL ORDINANCE; and

WHEREAS, application has now been made to amend the special use permit for a planned unit development approved in the ORIGINAL ORDINANCE and AMENDED ORDINANCES in order to enclose an existing patio and add architectural elements to the existing Butterfield's Restaurant building located at 351 Rice Lake Square which match the renovations recently performed on the shopping center; 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: The following described property has been, and continues to be, zoned and classified in the C-5 Planned Unit Development District:

LOT 1 IN RICE LAKE SQUARE AT DANADA, A RESUBDIVISION OF LOTS 8, 9 AND 10 IN DANADA FARMS EAST UNIT 1, BEING A SUBDIVISION OF PART OF PIECE 28 IN THE NORTH HALF OF SECTION 33, TOWNSHIP 39 NORTH, RANGE 10, EAST

OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT HEREOF
RECORDED APRIL 28, 1989, AS DOCUMENT NO. R89-49468 IN DUPAGE COUNTY,
ILLINOIS. PIN 05-28-402-009

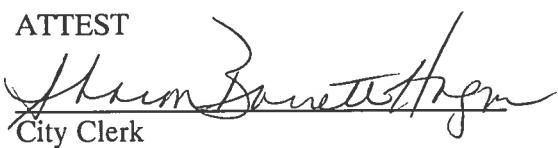
Section 2: An amendment to the ORIGINAL ORDINANCE and AMENDED ORDINANCES is granted in order to allow the enclosure of an existing patio and the addition of architectural elements to the existing Butterfield's Restaurant building located at 351 Rice Lake Square which match the renovations recently performed on the shopping center in substantial compliance with the plans entitled "Additions to Butterfield's Restaurant – New Floor Plan dated 1/30/13; View from Southeast, Southwest View – New Entry; South Elevation; East Elevation; West Elevation; North Elevation; and Northeast View", all prepared by Krupp Associates Architects, Winfield, IL, copies of which are attached hereto and incorporated herein as Exhibit A.

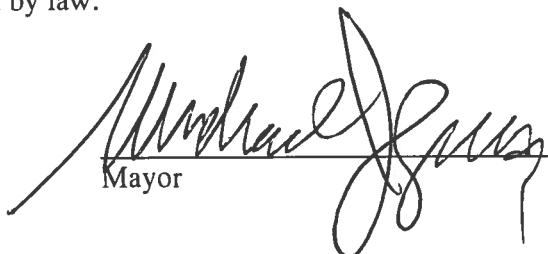
Section 3: In all other respects, the terms and conditions of the ORIGINAL ORDINANCE and AMENDED ORDINANCES are ratified and remain in full force and effect.

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.

ATTEST


Sean Sanguinetti
City Clerk


Michael Gresk
Mayor

Roll Call Vote:

Ayes:	Councilman Rutledge Councilman Saline Mayor Gresk Councilwoman Pacino Sanguinetti Councilman Scalzo
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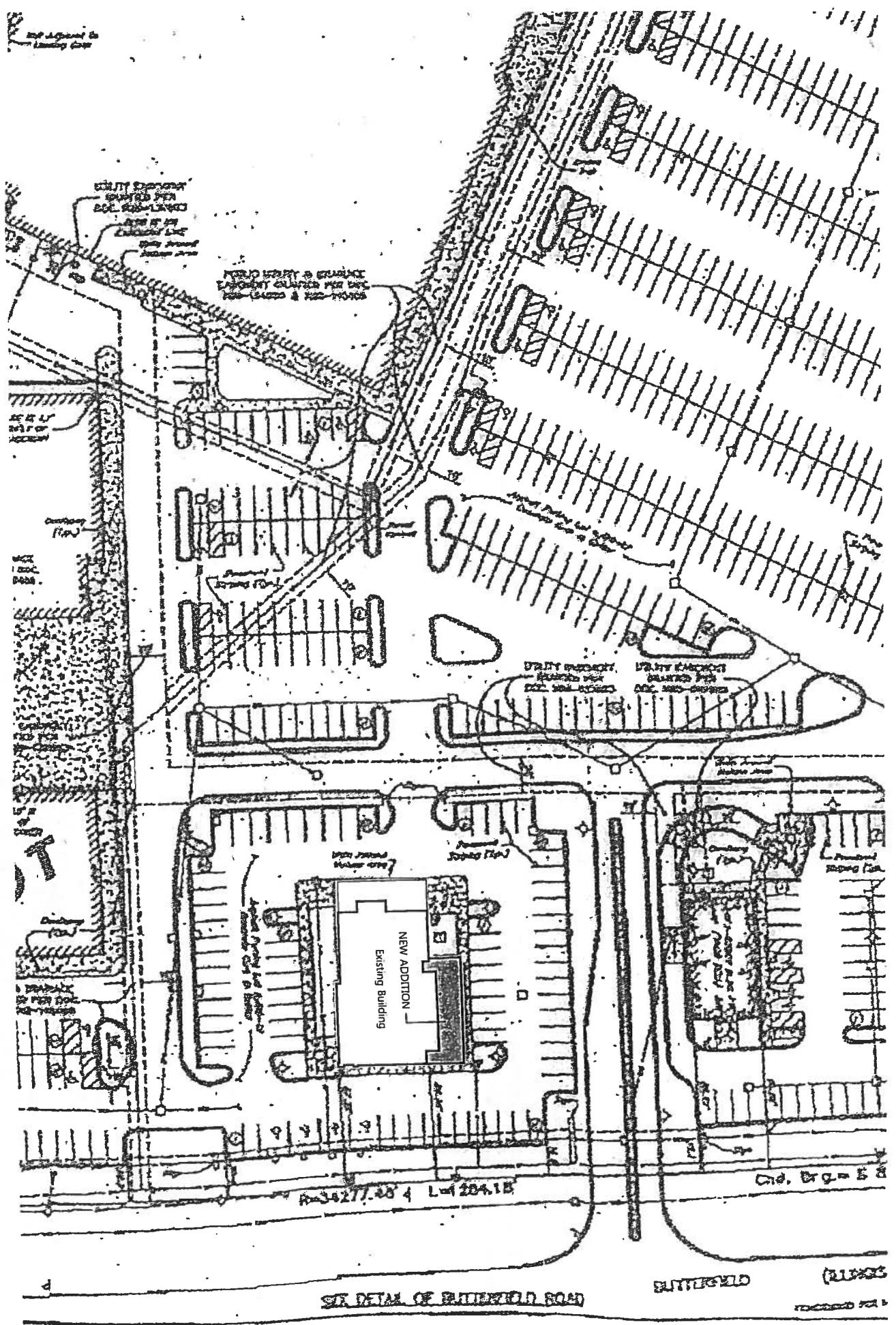
Nays: None

Absent: Councilman Suess
Councilman Mouhelis

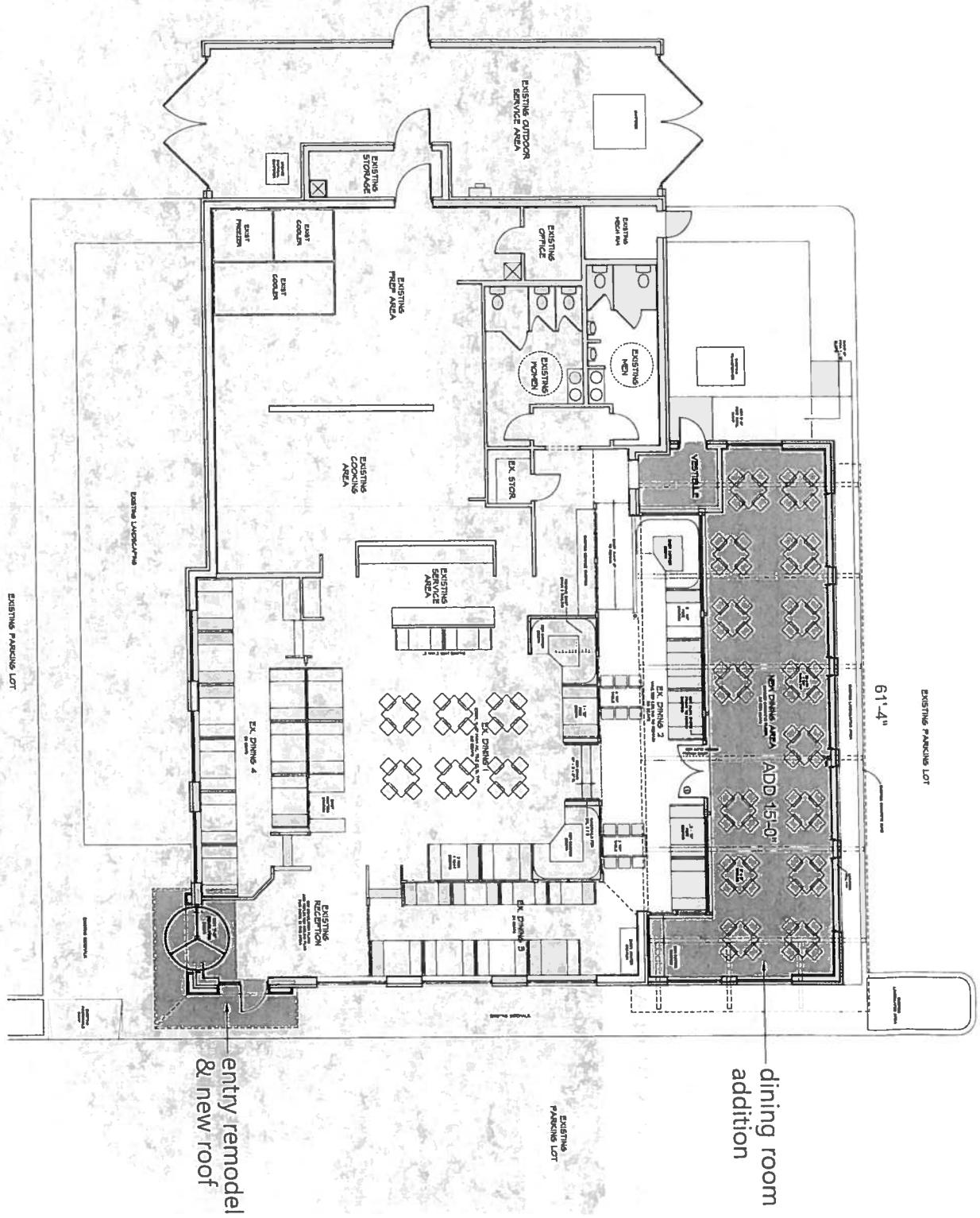
Motion Carried Unanimously

Passed: February 19, 2013
Published: February 20, 2013

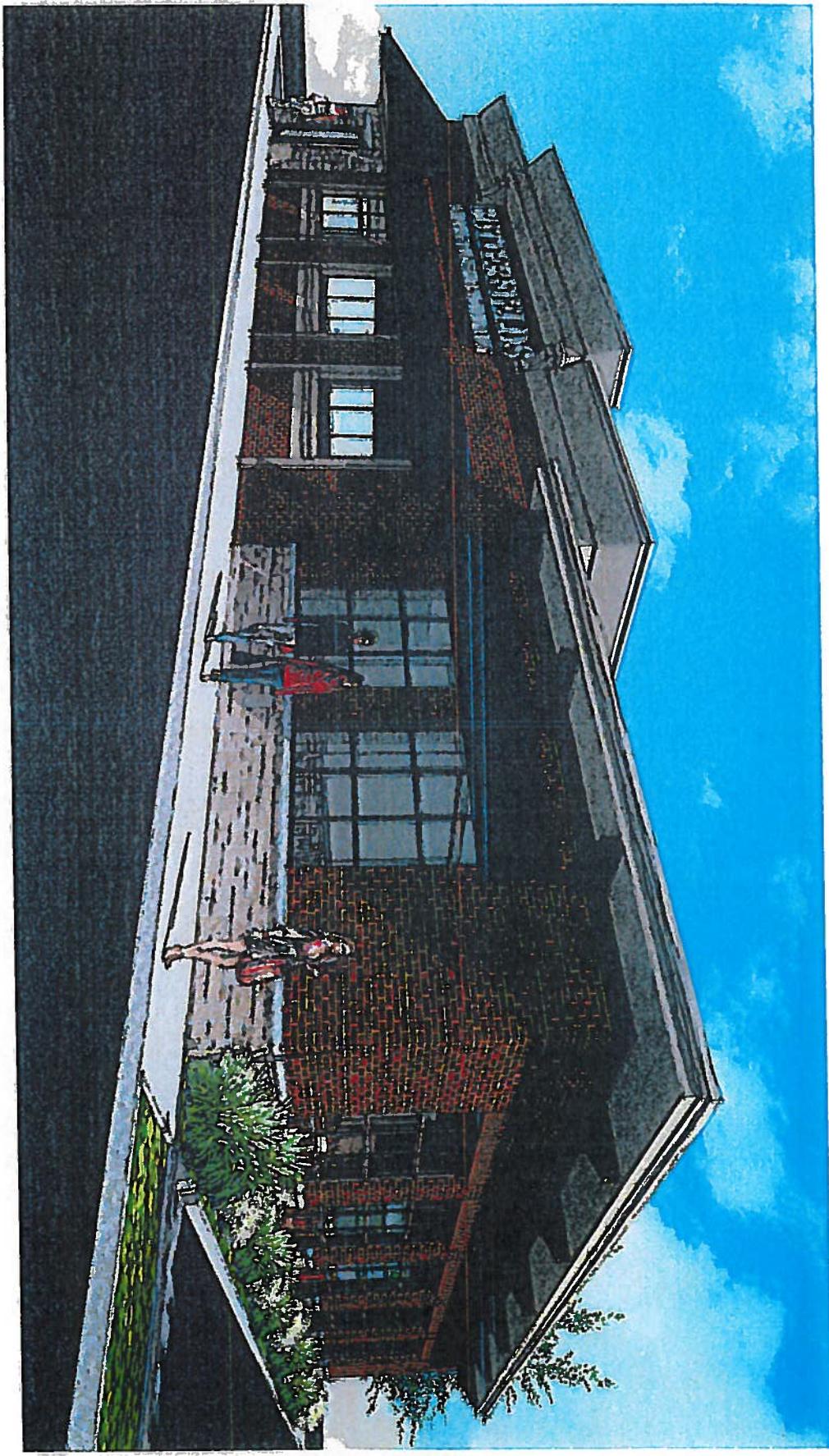
EXHIBIT "A"

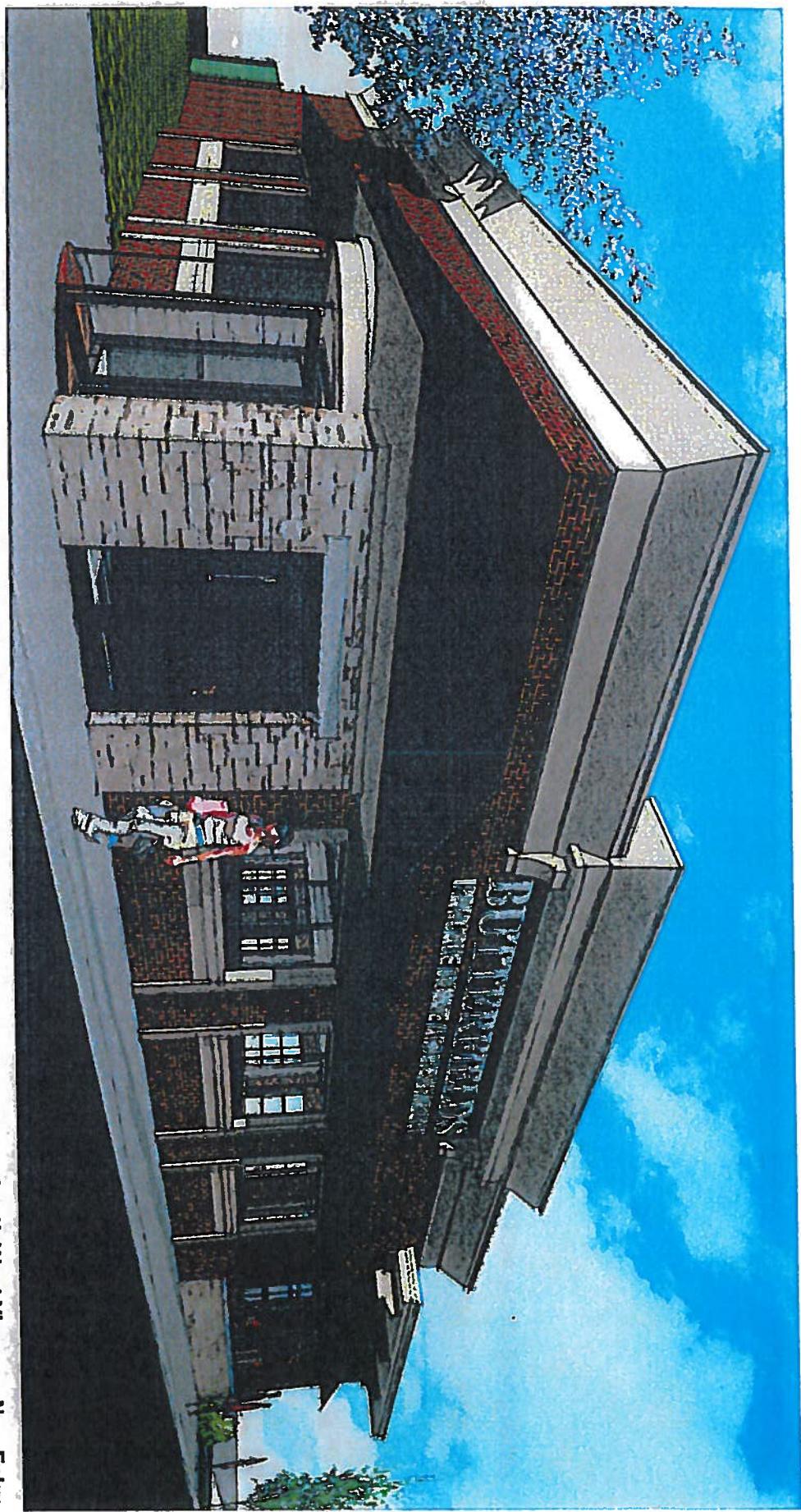


BUTTERFIELD'S RESTAURANT ADDITION

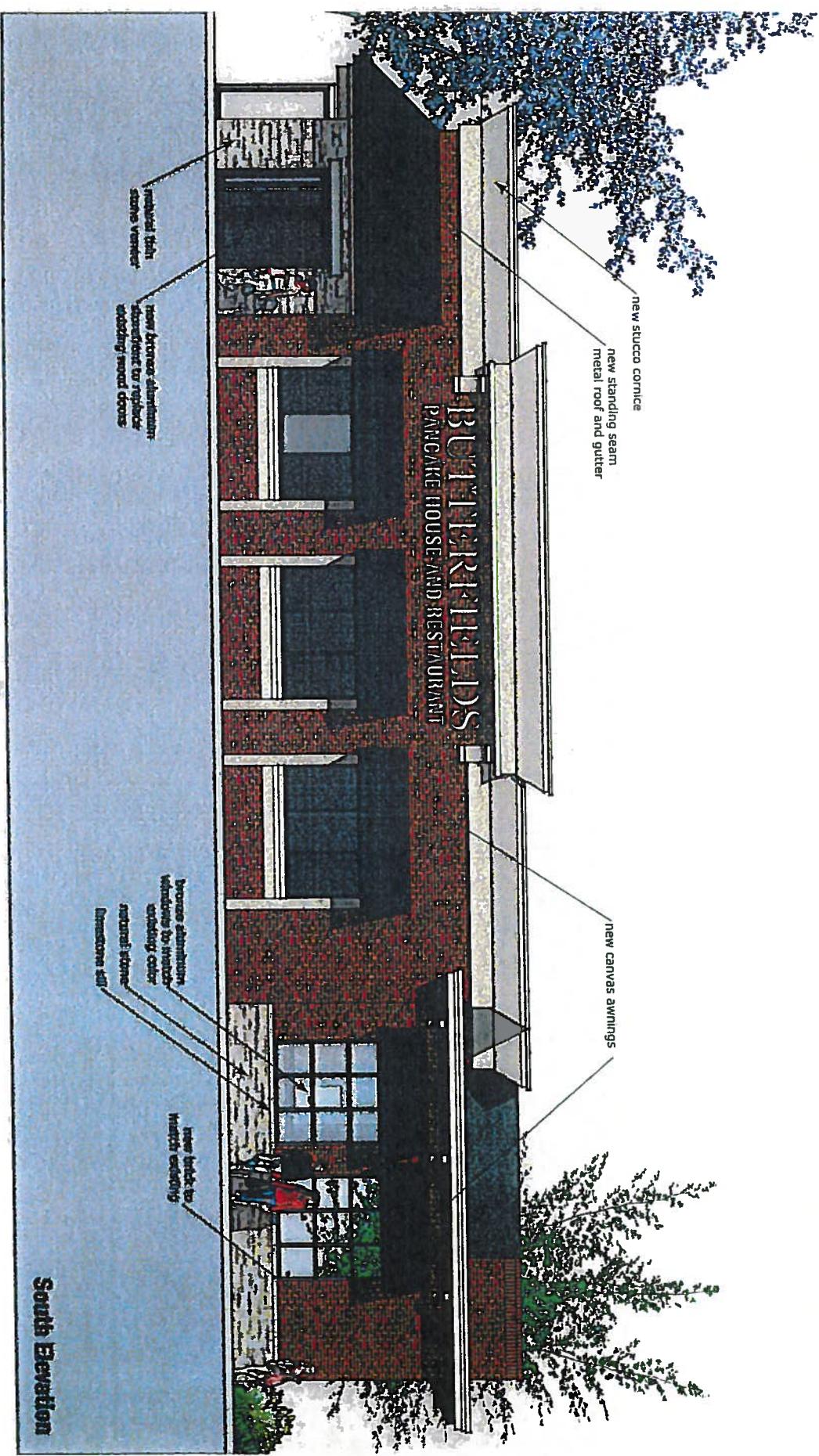


View from Southeast

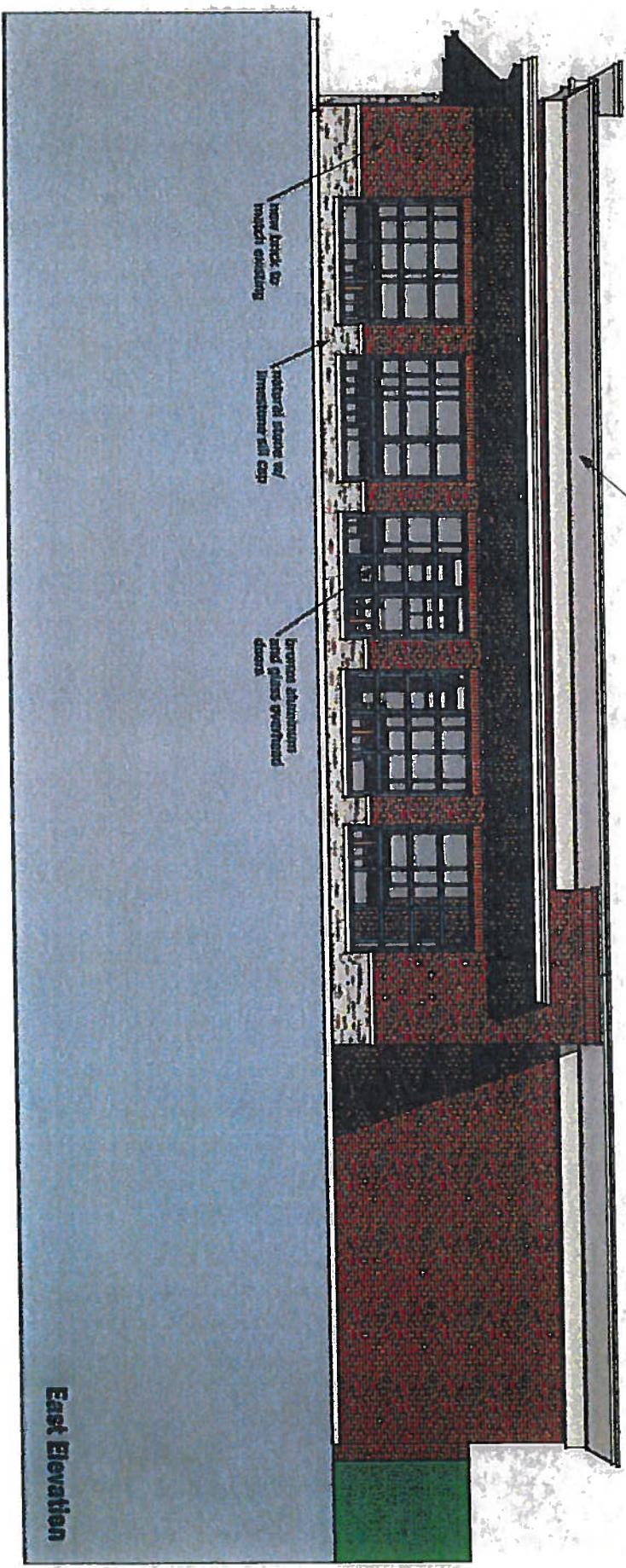


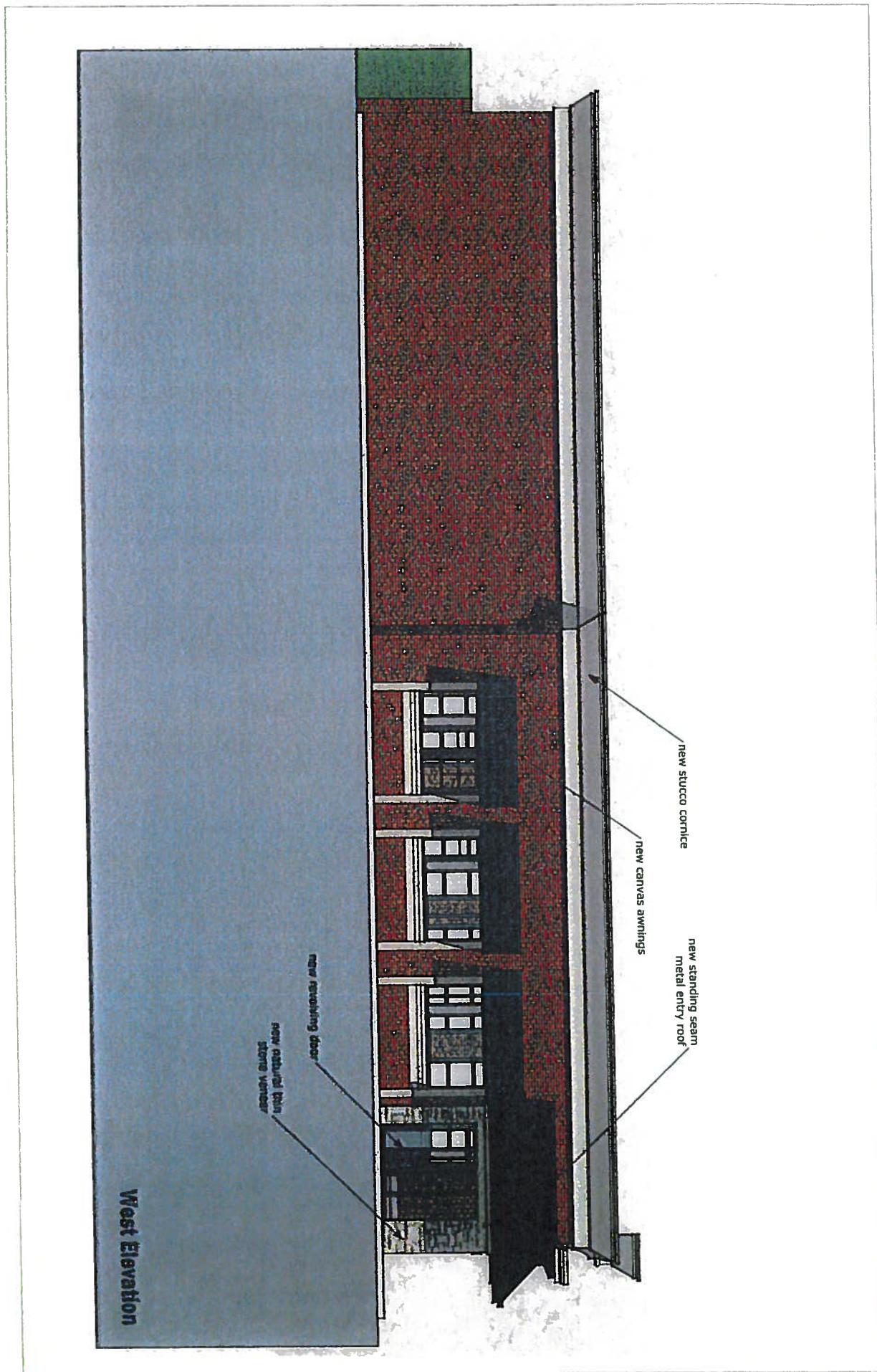


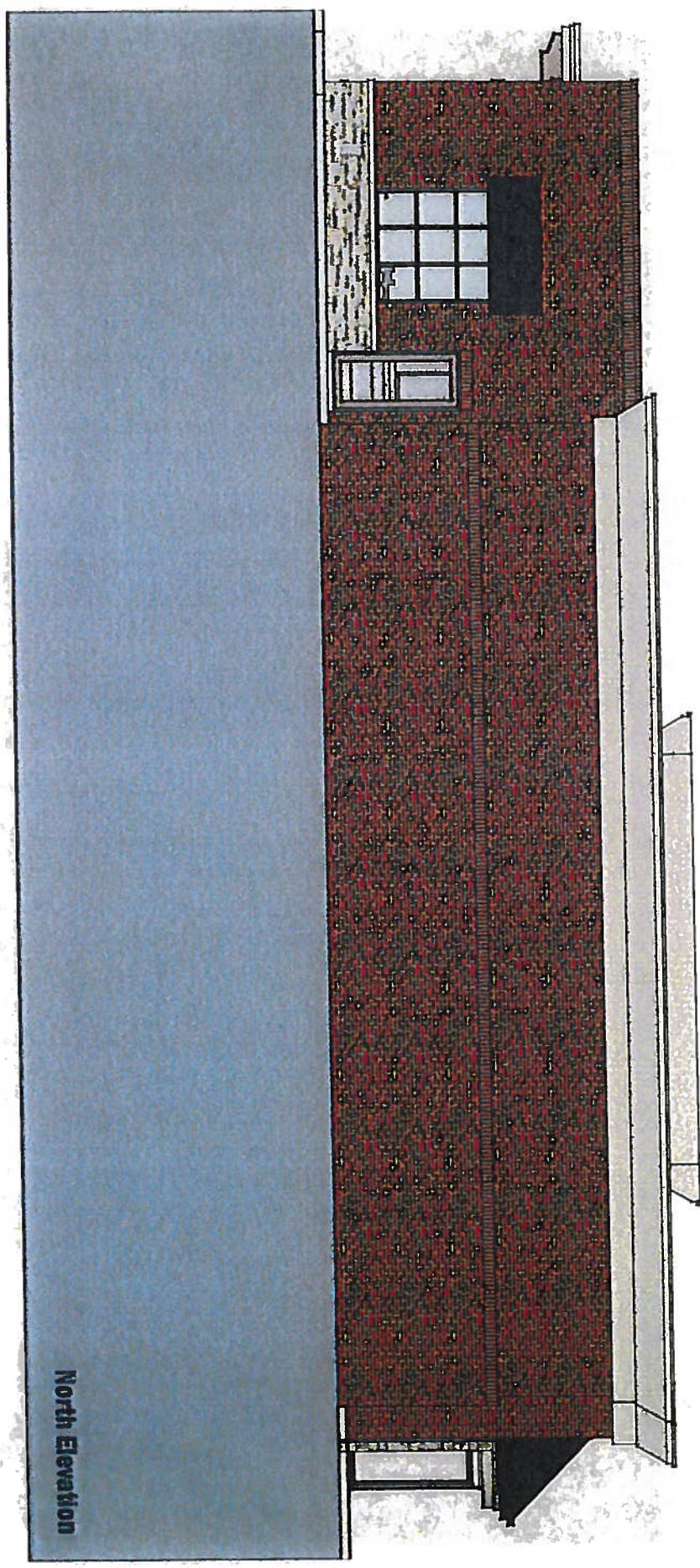
South West View . New Entry



South Elevation







North Elevation



North East View

