

ORDINANCE NO. F-1802

AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NO. F-1735, "AN ORDINANCE GRANTING APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT TO CONSTRUCT AND OPERATE A CONVENIENCE FILLING STATION AND CARWASH – 1000 EAST ROOSEVELT ROAD/ BUCHANAN ENERGY LLC" ("ORIGINAL ORDINANCE") - BUCHANAN ENERGY

WHEREAS, the City of Wheaton, Illinois ("CITY"), has previously enacted City Ordinance No. F-1735 ("ORIGINAL ORDINANCE") recorded on October 24, 2013 as Document Number R2013-148099 in the Office of the Du Page County Recorder of Deeds; authorizing the construction and use of a convenience filling station and carwash on the subject property legally described on Exhibit A, attached hereto, and commonly known as 1000 and 1100 East Roosevelt Road, Wheaton, Illinois; and

WHEREAS, application has now been made to amend the special use permit for a planned unit development approved by the ORIGINAL ORDINANCE in order to allow various revisions to the approved site plan; and the City has determined that the requested amendment is a major amendment that is in substantial conformity with the approved planned unit development and may be implemented without public hearing, pursuant to the provisions of Section 5.11F of the Wheaton Zoning Ordinance.

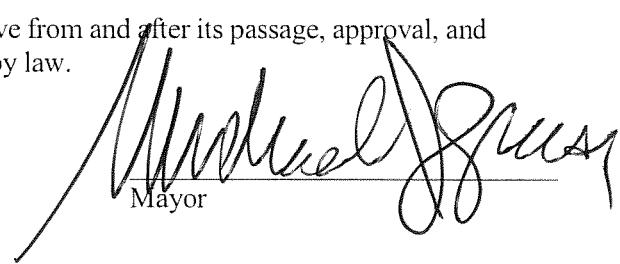
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, Du Page County, Illinois, pursuant to its home rule powers, as follows:

Section 1: The special use permit for the planned unit development granted by the ORIGINAL ORDINANCE is amended to allow various revisions to the approved site plan, in full compliance with the revised site plan dated June 25, 2014, prepared by ARC Design Resources, Loves Park, IL.

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Section 3: All ordinances or parts of ordinances in conflict with these provisions are repealed.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



Michael Gresk
Mayor

ATTEST:



Aaron Bennett
City Clerk

Roll Call Vote

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

Motion Carried Unanimously

Passed: July 21, 2014
Published: July 22, 2014

EXHIBIT A

PARCEL 1: LOTS 1, 2, 3, 4, 5, 6, 7 AND 8 (EXCEPT THE NORTH 10 FEET OF SAID LOTS) AND LOTS 15, 16, 17, 18, 19, 20, 21, AND 22 IN BLOCK 2 IN WHEATON ESTATES, BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 1, 1924, AS DOCUMENT 177383, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: THE WEST HALF OF THE NORTH 93 FEET (EXCEPT THE NORTH 6 FEET OF THE WEST HALF, AS MEASURED ON THE EAST AND WEST LINES THEREOF) OF THAT PART OF WILLISTON STREET LYING SOUTH OF THE NORTH LINE OF BLOCK 1 AND EXCEPT THAT PART OF THE WEST HALF OF THE NORTH 93 FEET (AS MEASURED ON THE EAST AND WEST LINES THEREOF) (EXCEPT THE NORTH 6 FEET THEREOF) OF THAT PART OF VACATED WILLISTON STREET LYING SOUTH OF THE NORTH LINE OF BLOCK 1, EXTENDED WEST AND DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EXISTING SOUTHERLY RIGHT OF WAY LINE OF ROOSEVELT ROAD (ILLINOIS ROUTE 38) AND THE EAST LINE OF LOT 1 IN BLOCK 2 AS MONUMENTAL AND OCCUPIED; THENCE ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 03 MINUTES 09 SECONDS EAST, 4.00 FEET ALONG SAID EAST LINE OF LOT 1, SAID POINT BEING MONUMENTED BY AN ILLINOIS DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS SURVEY MARKER; THENCE SOUTH 89 DEGREES 35 MINUTES 45 SECONDS EAST, 32.89 FEET TO A POINT ON THE EAST LINE OF SAID WEST HALF OF THE VACATED WILLISTON STREET; THENCE NORTH 00 DEGREES 03 MINUTES 09 SECONDS WEST, 5.08 FEET ALONG THE EAST LINE OF AFORESAID WEST HALF OF VACATED WILLISTON STREET TO THE EXISTING SOUTHERLY RIGHT OF WAY LINE OF ROOSEVELT ROAD (ILLINOIS ROUTE 38); THENCE SOUTH 88 DEGREES 31 MINUTES 32 SECONDS WEST, 32.90 FEET, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF ROOSEVELT ROAD TO THE POINT OF BEGINNING, ALL IN WHEATON ESTATES BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1924, AS DOCUMENT 177383, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3: LOTS 10 AND 11 (EXCEPTING THE NORTH 12 FEET OF SAID LOTS) IN BLOCK 1 IN WHEATON ESTATES, BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1924, AS DOCUMENT 177383, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 4: THE EAST HALF OF THE NORTH 93.0 FEET (EXCEPT THE NORTH 6 FEET OF THE WEST HALF, AS MEASURED ON THE EAST AND WEST LINES THEREOF) OF THAT PART OF WILLISTON STREET LYING SOUTH OF THE NORTH LINE OF BLOCK 1 OF WHEATON ESTATES EXTENDED WEST, IN SECTION 22, TOWNSHIP 39 NORTH RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1924, AS DOCUMENT 177383, IN DUPAGE COUNTY, ILLINOIS, (EXCEPT THAT PART THEREOF DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 11 IN AFORESAID BLOCK 1 (FOUND THREE-QUARTER INCH IRON PIPE, 0.13 NORTH, 0.19 EAST) THENCE ON AN ASSUMED BEARING OF SOUTH 88 DEGREES 31 MINUTES 32 SECONDS WEST, 56.00 FEET ALONG THE NORTH LINE OF SAID LOT 11 TO THE NORTHWEST CORNER OF SAID LOT 11, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE SAME

BEARING OF SOUTH 88 DEGREES 31 MINUTES 32 SECONDS WEST, 32.90 ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF ROOSEVELT ROAD (ILLINOIS ROUTE 38), BEING THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID BLOCK 11, TO A POINT ON THE WEST LINE OF SAID EAST HALF OF THE VACATED WILLISTON STREET; THENCE SOUTH 00 DEGREES 03 MINUTES 09 SECONDS EAST, 10.93 FEET ALONG THE SAID WEST LINE OF THE EAST HALF OF THE VACATED) WILLISTON STREET TO A POINT; THENCE SOUTH 89 DEGREES 35 MINUTES 45 SECONDS EAST, 32.89 FEET TO A POINT ON THE WEST LINE OF SAID LOT 11, SAID POINT BEING MONUMENTED BY AN ILLINOIS DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS SURVEY MARKER; THENCE NORTH 00 DEGREES 03 MINUTES 09 SECONDS WEST, 12.00 FEET ALONG SAID WEST LINE OF LOT 11, TO THE POINT OF BEGINNING, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1924, AS DOCUMENT 177383, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 5: ALL THAT PART OF LOTS 9, 10 AND 11 IN BLOCK 2 1N WHEATON ESTATES, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 22 TOWNSHIP 39 NORTH RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, AS RECORDED MAY 7, 1924, AS DOCUMENT 177383 DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF LOT 9; THENCE SOUTH 00 DEGREES 16 MINUTES 00 SECONDS WEST 10.00 FEET ALONG THE EAST LINE OF SAID LOT 9 TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 00 DEGREES 16 MINUTES 00 SECONDS WEST 122.00 FEET ALONG THE EAST LINE OF LOT 9 TO THE SOUTHEAST CORNER OF LOT 9; THENCE SOUTH 88 DEGREES 56 MINUTES 05 SECONDS WEST 160.00 ALONG THE SOUTH LINES OF LOTS 9, 10, AND 11 TO THE EAST RIGHT-OF-WAY LINE OF SOUTH PRESIDENT STREET PER DOCUMENT NO. R89-132806; THENCE NORTH 00 DEGREES 16 MINUTES 00 SECONDS EAST 111.00 FEET ALONG SAID LINE; THENCE NORTH 44 DEGREES 36 MINUTES 03 SECONDS EAST 15.73 FEET TO THE SOUTH LINE OF EAST ROOSEVELT ROAD; THENCE NORTH 88 DEGREES 56 MINUTES 05 SECONDS EAST 149.00 FEET ALONG SAID LINE TO THE PLACE OF BEGINNING.

P.I.N. 05-22-100-024; -028;
05-22-101-025; -026; -027

The subject property is commonly known as 1000 and 1100 East Roosevelt Road, Wheaton, IL 60187.

