

ORDINANCE NO. F-1963

AN ORDINANCE AMENDING ORDINANCES E-3191, E-3328, F-1260, F-1578, F-1676 AND F-1935 "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, on November 5, 2012, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. F-1676, "AN ORDINANCE AMENDING ORDINANCES E-3191, E-3328, F-1260, AND 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" ("Amended Ordinance"); which amended 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

WHEREAS, on April 18, 2016 the City of Wheaton, Illinois ("City"), enacted City Ordinance No. F-1935, "AN ORDINANCE AMENDING ORDINANCES E-3191, E-3328, F-1260, F-1578, AND F-1676 "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"; which further amended the exterior building elevations contained in the Original Ordinance to allow the remodeling of the former Dominick's grocery store for Whole Foods and Sierra Trading Post; and

WHEREAS, following the enactment of the Original and Amended Ordinances, an application has been made to further amend the existing Planned Unit Development (PUD) for the Danada Square East Shopping Center to construct a new restaurant with a drive thru lane on the site of the former IHOP restaurant at 167 Danada Square East which will be demolished; 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 Ordinances is hereby granted to allow the construction of a new restaurant with a drive thru lane on the site of the former IHOP restaurant at 167 Danada Square East which will be demolished in substantial compliance with the plans entitled "PDQ, 167 Danada Square, Wheaton, IL" Sheets CS, C0, C0.1, C2, C3, C4 dated 8/4/16, Sheets L1 and L2 dated 7/18/16, Survey dated 7/14/16 Color Elevations; Front, Side, Side, and Rear dated 8/30/16, all prepared by Interplan, LLC, and the sign plan package prepared by Entera dated 8/22/16.

Section 2: The demolition of the existing restaurant at 167 Danada Square East shall be authorized by this Ordinance. Demolition of said structure, however, shall be carried out in conformance with Wheaton City Code Chapter 22, Article XIV, with the exception that the Developer shall not be required to wait 30 days prior to commencing demolition from the date of submitting a demolition permit application to the Building and Code Enforcement Department, and shall not be required to hold a "neighbor meeting" at least 30 days prior to submitting an application for building demolition. The Developer shall provide written notice to adjacent property owners prior to the building demolition.

Section 3: In all other respects, the terms and provisions of the Original Ordinance and Amended Ordinances are ratified and remain in full force and effect.

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

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



Mayor

ATTEST:



Shawn Bennett Hagan
City Clerk

Roll Call Vote

Ayes: Councilman Suess
Councilwoman Fitch
Councilman Prendiville
Councilman Rutledge
Mayor Gresk
Councilman Scalzo

Nays: None

Absent: Councilman Saline

Passed: September 19, 2016
Published: September 20, 2016

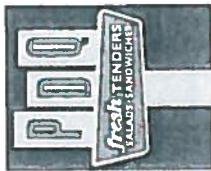
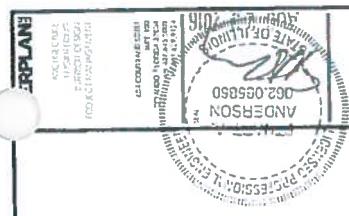
EXHIBIT "A"

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.

PIN # 05-28-309-001



PDQ
167 DANADA SQUARE
WHEATON, ILLINOIS

LEGAL DESCRIPTION



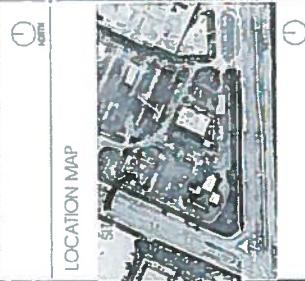
CS

SHEET INDEX

REVISION ISSUE LOG

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LEGAL DESCRIPTION



OWNER & CONSULTANTS



ENTERPRISE

MOSES

PDA FRESH FRITTERS
C2

EMERGENCY UTILITIES NOTE

Sunshine81.com

C2

187

1471-1472

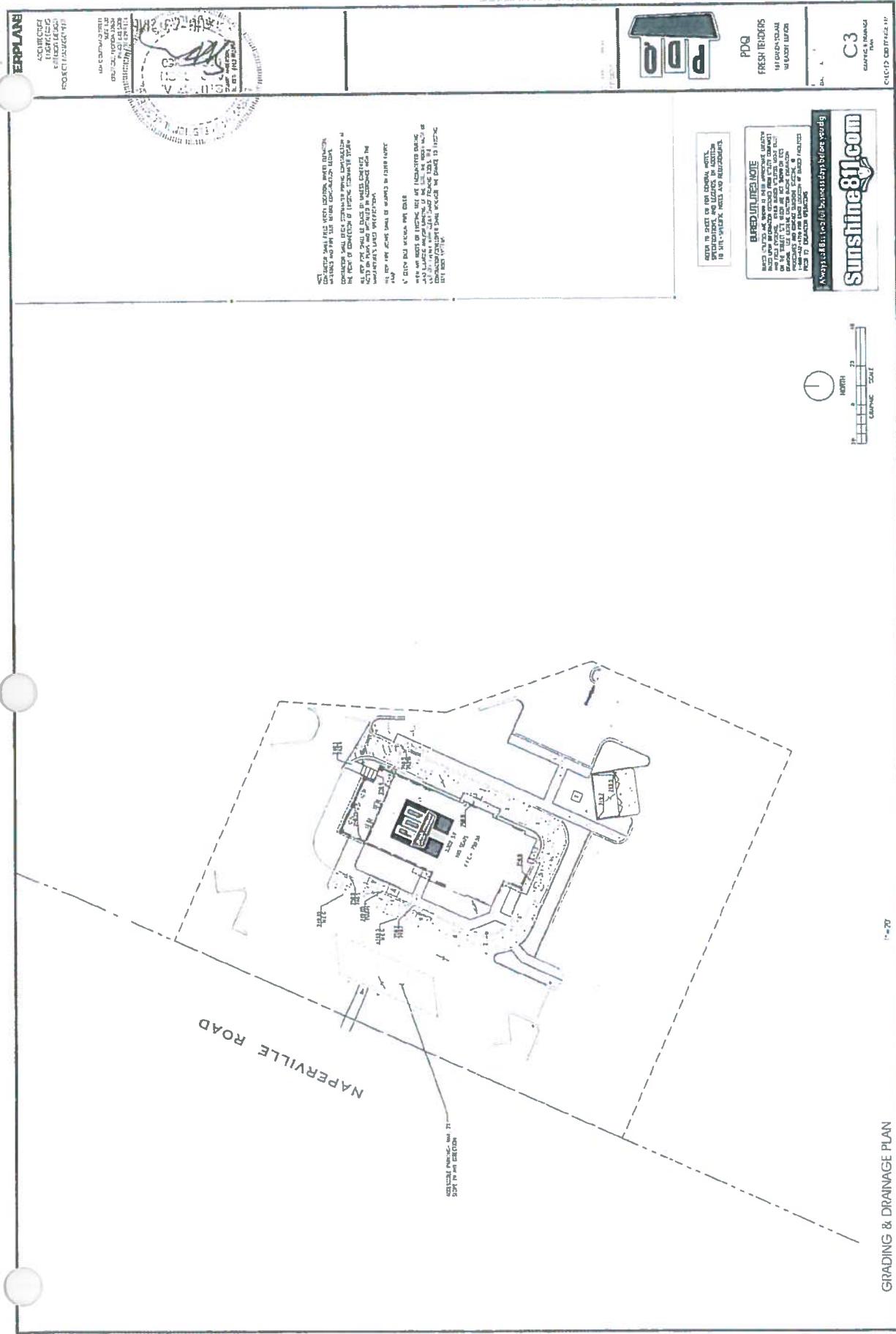
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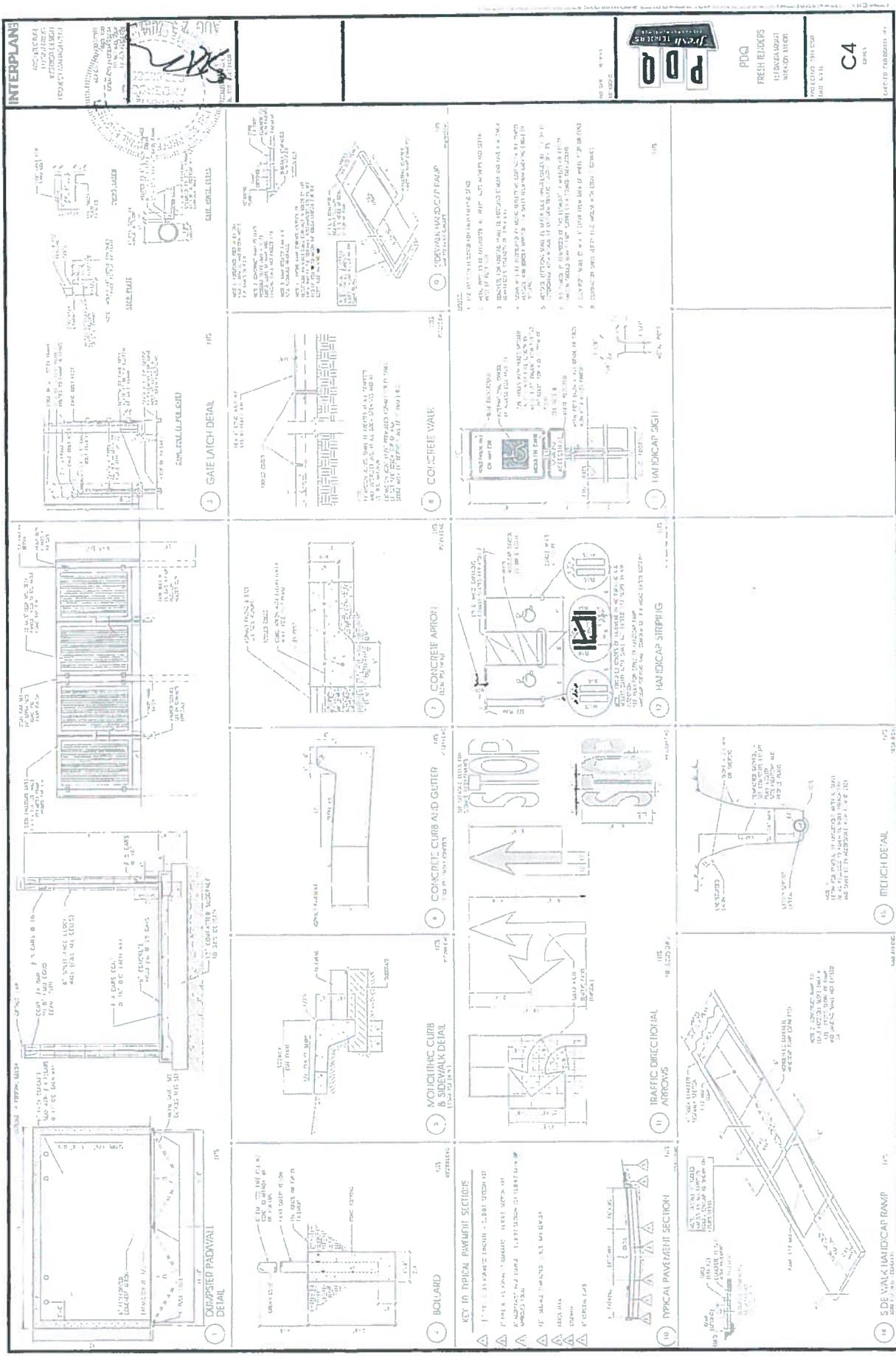
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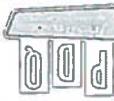
SHUT EZ ANV

GRAPHITE-C

○ EXISTING TREE TO REMOVE (TYP)



1470



58
SERIALS

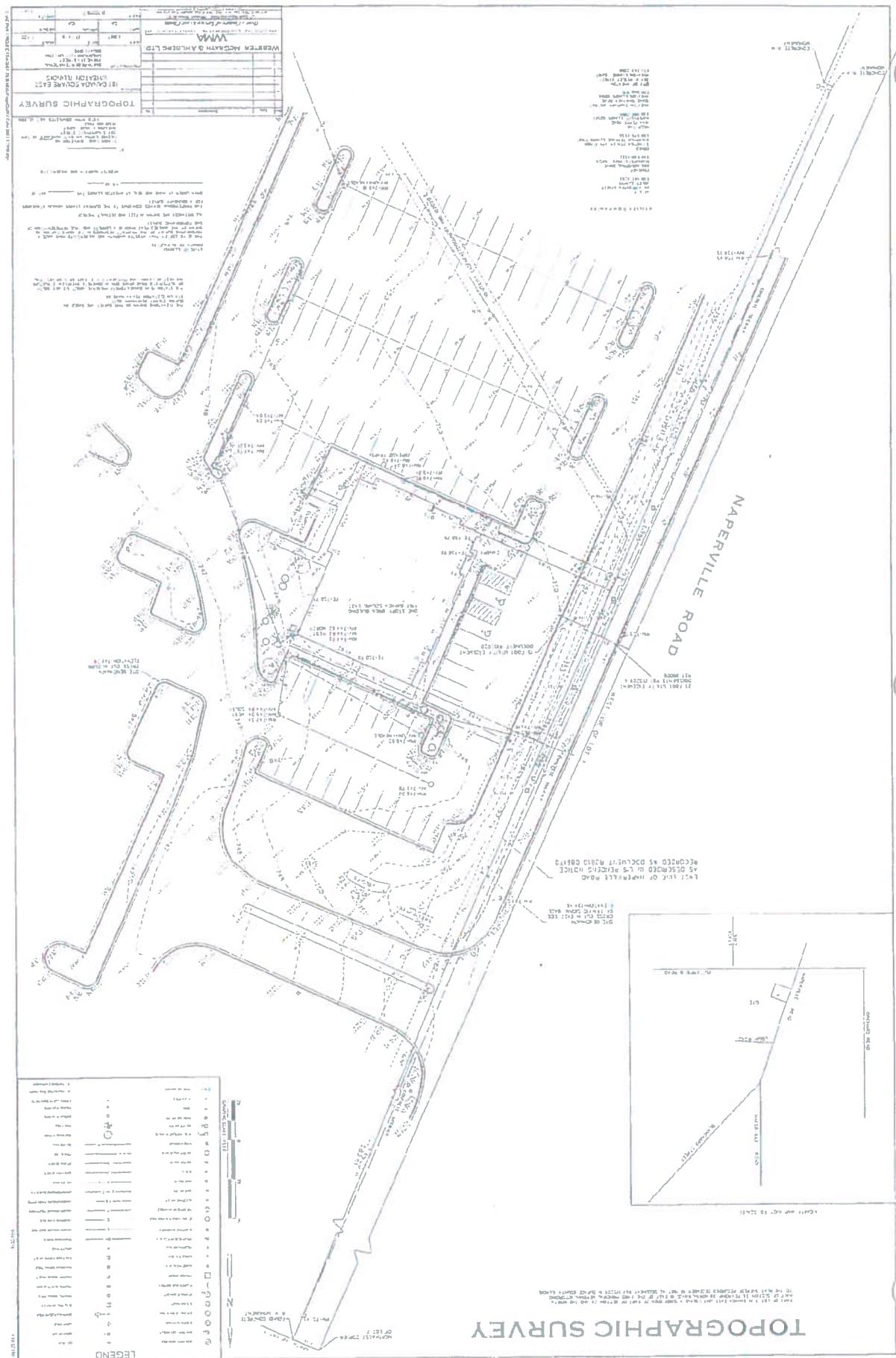
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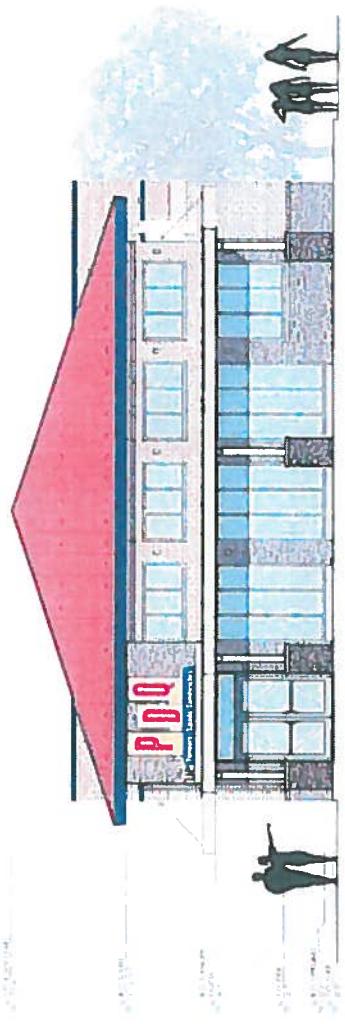
Algebraic Topology

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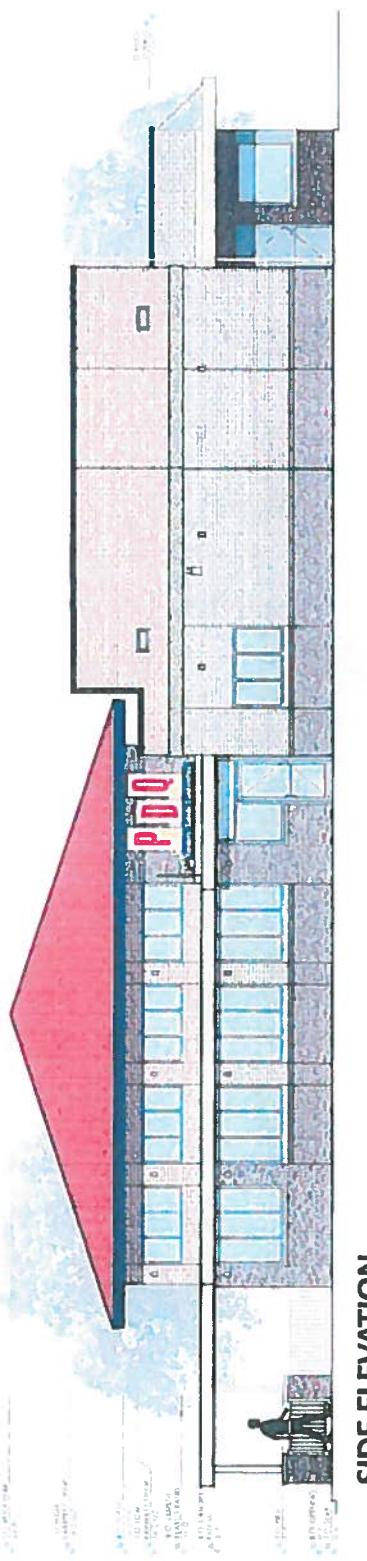
5

TREE MITIGATION
3 TREES TO REMOVE TOTALLING 14" DBH = 14" DBH TREE MITIGATION REQUIRED
5 GTS AT 3" CALIPER = 15' CALIPER PROVIDED ON LANDSCAPE PLAN SEE SHEET L-2





FRONT ELEVATION



SIDE ELEVATION

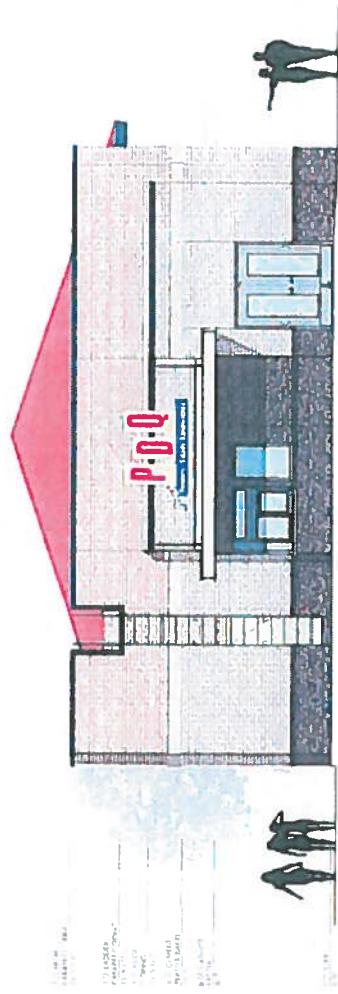


167 Danada Square
Wheaton, IL

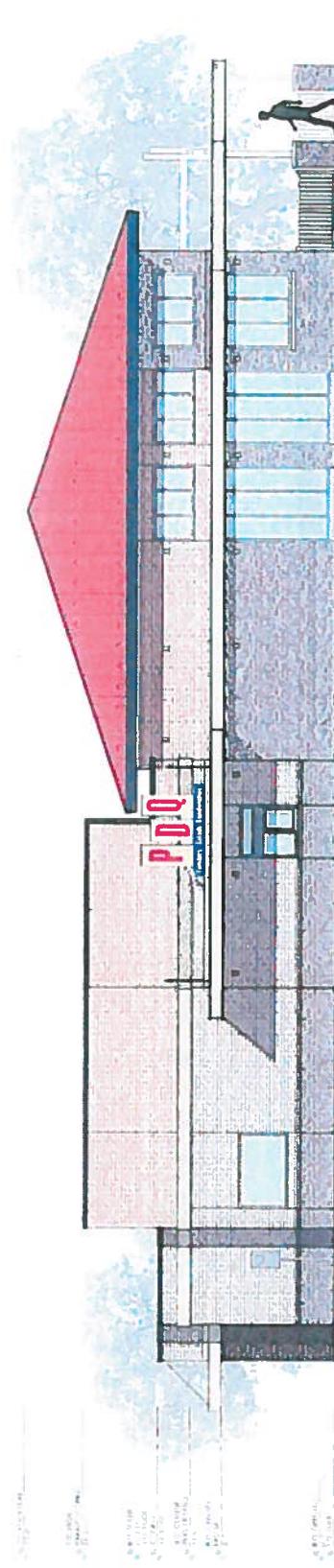
INTERPLAN²

ARCHITECTURE • ENGINEERING • PROJECT MANAGEMENT • INTERIOR DESIGN

2016 02 00 08:30:16



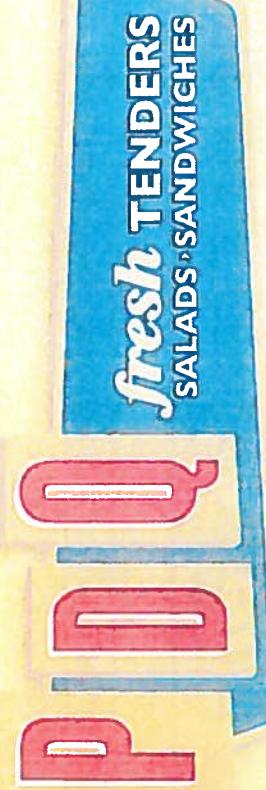
REAR ELEVATION



SIDE ELEVATION



167 Danada Square
Wheaton, IL



PDQ
167 W. DANADA SQ.
WHEATON, IL

ENTERA
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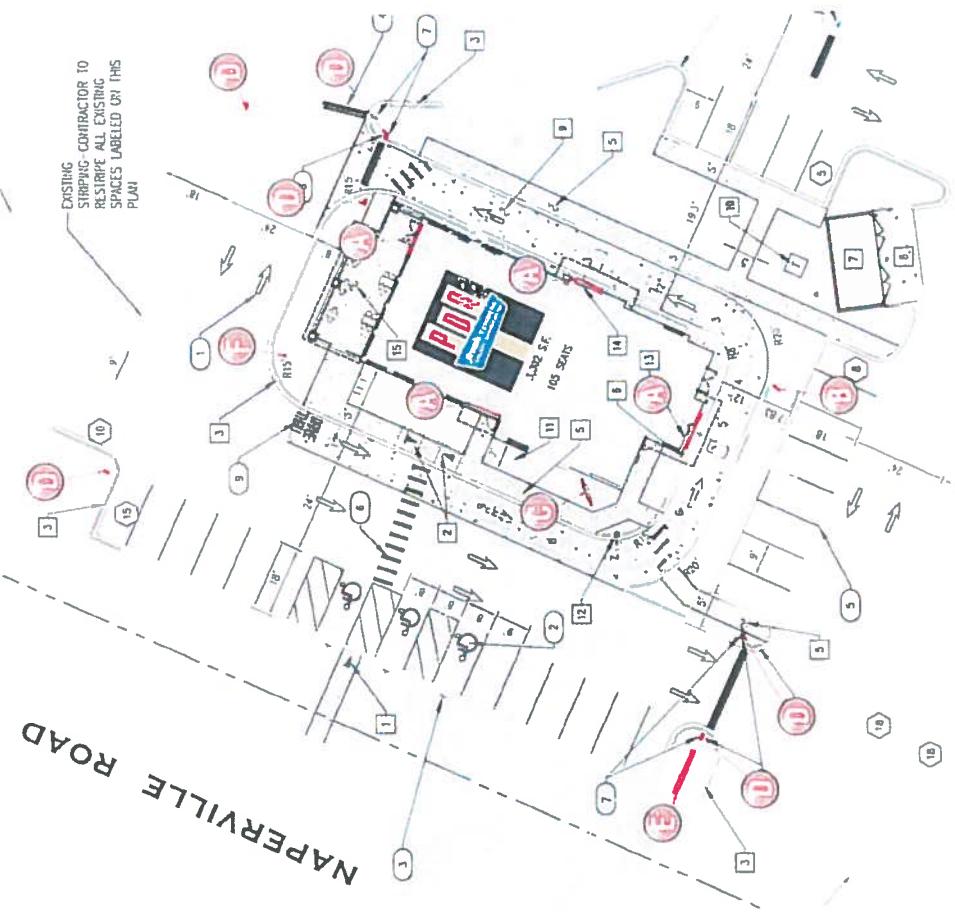


1200 Entera Drive Panama City, FL 32401
www.enterabranding.com
800-568-0281

SITE PLAN



EXISTING
STRIPPING: CONTRACTOR TO
RESERVE ALL EXISTING
SPACES LABELED OR THIS
PLAN



SIGN SCHEDULE

CHANNEL LETTERS (4)
SINGLE PANEL MENU BOARD (1)
3-PANEL MENU BOARD (1)
D/F DIRECTIONALS (6)
MONUMENT (1)
FLAG POLE (1)

CUSTOMER APPROVAL



DATE

FILE LOCATION:

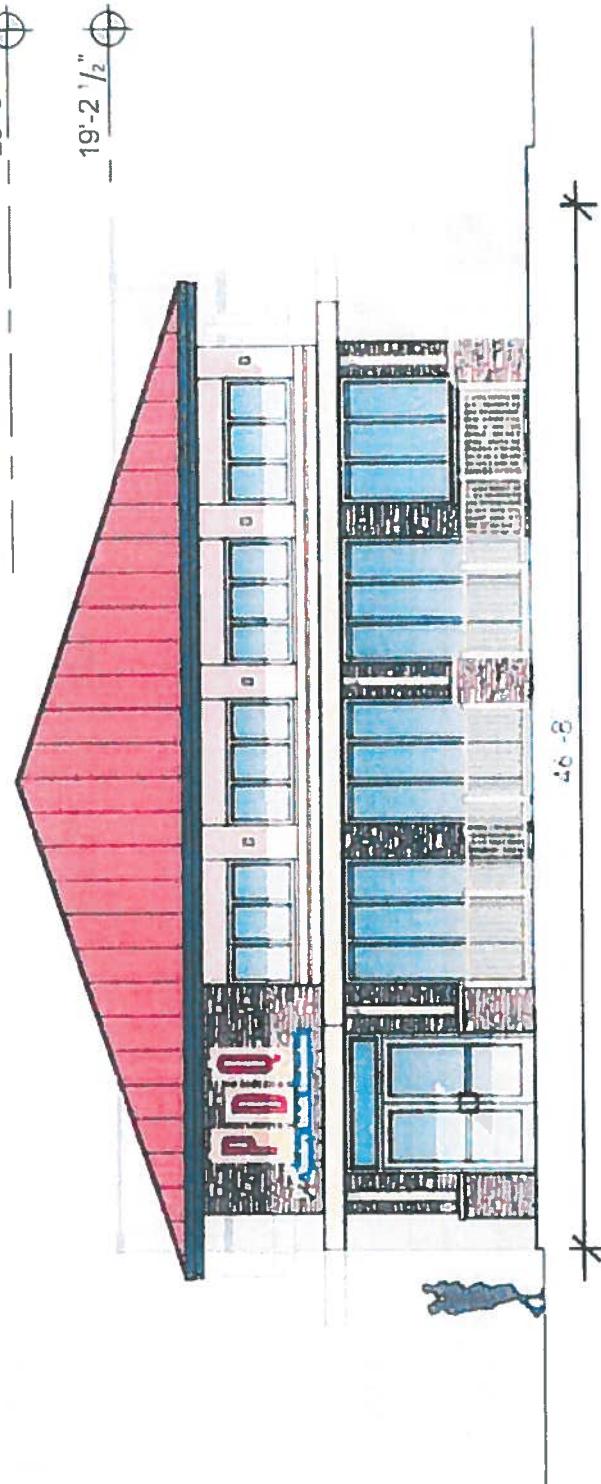
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DRAWN BY	ZAH	DIVG. NO	WHEATON, IL 167 W DARIAD SA - R1

REV. 1 8/22/16
REV. 2 XXX
REV. 3 XXX
REV. 4 XXX

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Underwriters Laboratories Inc. <small>UL</small>	ENTERA

FRONT ELEVATION (NO. /W/ PROPOSED SIGNAGE

TOTAL: 36 26 SQ FT



FRONT ELEVATION



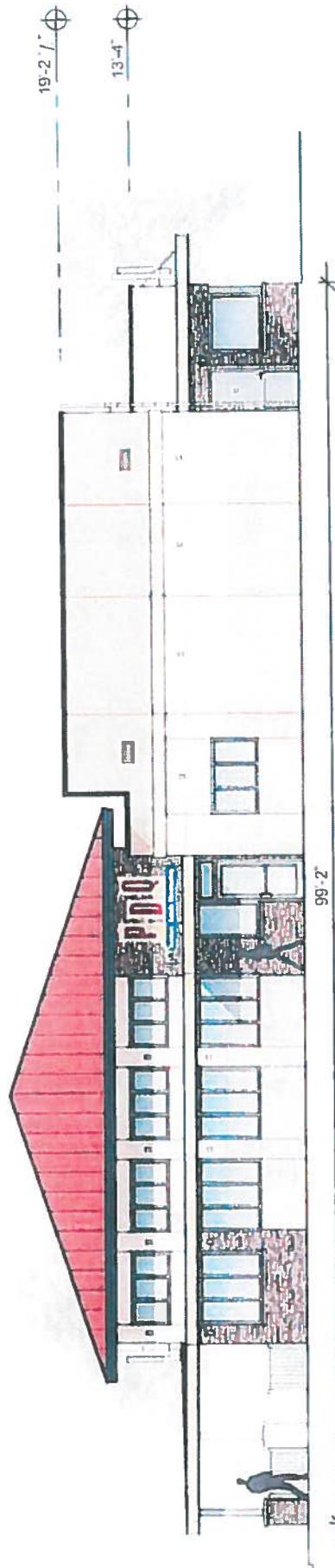
CUSTOMER APPROVAL: X



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	DRAWN BY: ZA	EXPIRED DATE: 08/15/16	REV 4 / X/OK

SIDE ELEVATION (WEST) W/ PROPOSED SIGNAGE

TOTAL: 36 26 SQ FT



SIDE ELEVATION

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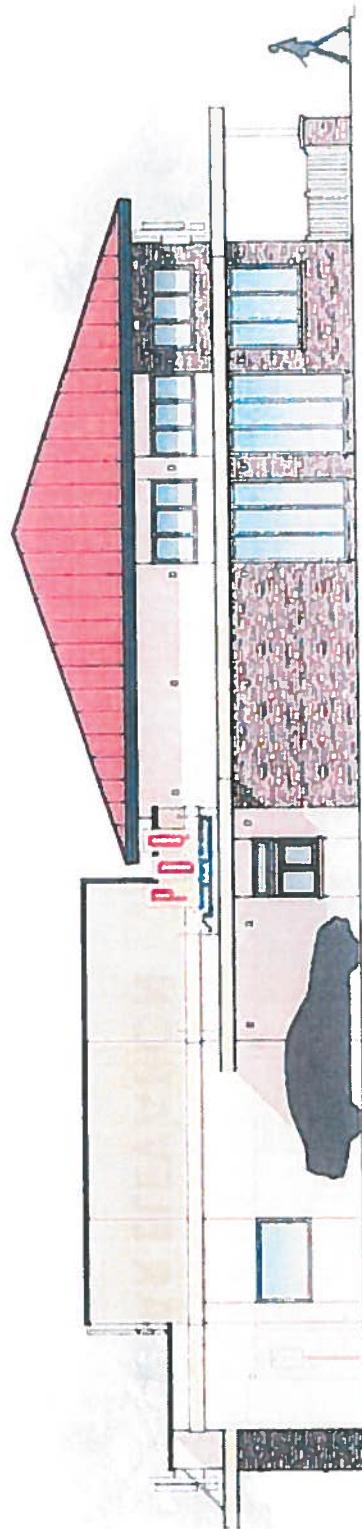
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W

CUSTOMER APPROVAL X

SIDE ELEV. ON (EAST)

TOTAL: 3626 SQ FT



SIDE ELEVATION

CUSTOMER APPROVAL: X



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		REV1 0/22/16 REV2 XXXX REV3 XXXX REV4 XXXX

DATE	FILE LOCATION:	FILE NUMBER:
	PQI	H: MARKETING DESIGN / CDR / P / PQI / WHEATON, IL - 167 W DAWDA SQ - R1.cdr
	CLIENT:	SCALE: 1/8" = 1'-0"
	WHEATON, IL	DATE: 08/15/16
	DRAWN BY: ZA	DWG NO: WHEATON, IL - 167 W DAWDA SQ - R1
		REV1 0/22/16 REV2 XXXX REV3 XXXX REV4 XXXX

DATE	FILE LOCATION:	FILE NUMBER:
	PQI	H: MARKETING DESIGN / CDR / P / PQI / WHEATON, IL - 167 W DAWDA SQ - R1.cdr
	CLIENT:	SCALE: 1/8" = 1'-0"
	WHEATON, IL	DATE: 08/15/16
	DRAWN BY: ZA	DWG NO: WHEATON, IL - 167 W DAWDA SQ - R1
		REV1 0/22/16 REV2 XXXX REV3 XXXX REV4 XXXX

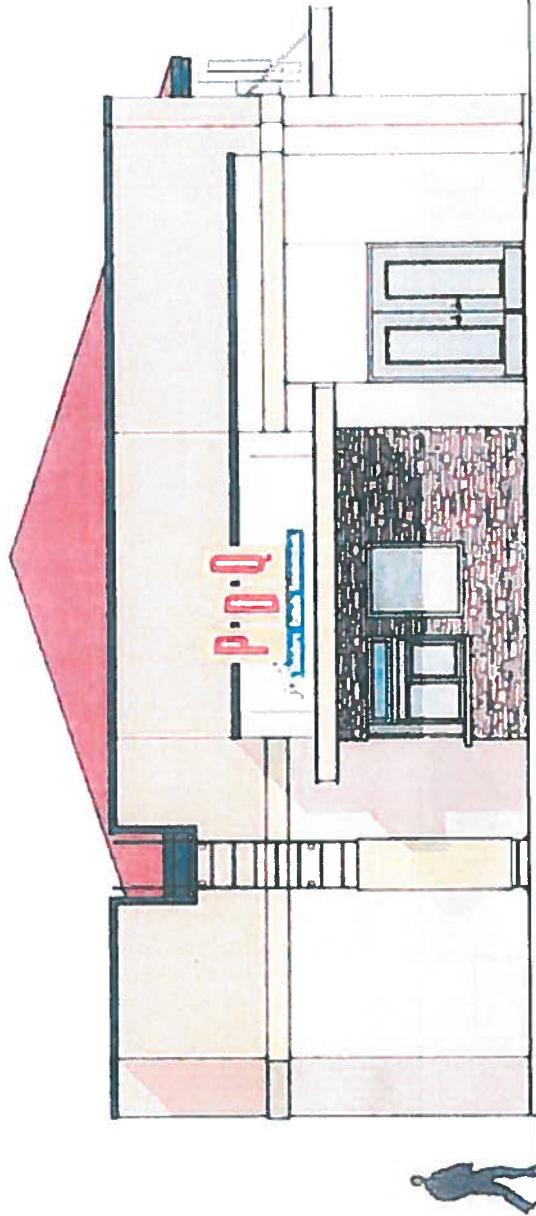
DATE	FILE LOCATION:	FILE NUMBER:
	PQI	H: MARKETING DESIGN / CDR / P / PQI / WHEATON, IL - 167 W DAWDA SQ - R1.cdr
	CLIENT:	SCALE: 1/8" = 1'-0"
	WHEATON, IL	DATE: 08/15/16
	DRAWN BY: ZA	DWG NO: WHEATON, IL - 167 W DAWDA SQ - R1
		REV1 0/22/16 REV2 XXXX REV3 XXXX REV4 XXXX

DATE	FILE LOCATION:	FILE NUMBER:
	PQI	H: MARKETING DESIGN / CDR / P / PQI / WHEATON, IL - 167 W DAWDA SQ - R1.cdr
	CLIENT:	SCALE: 1/8" = 1'-0"
	WHEATON, IL	DATE: 08/15/16
	DRAWN BY: ZA	DWG NO: WHEATON, IL - 167 W DAWDA SQ - R1
		REV1 0/22/16 REV2 XXXX REV3 XXXX REV4 XXXX

DATE	FILE LOCATION:	FILE NUMBER:
	PQI	H: MARKETING DESIGN / CDR / P / PQI / WHEATON, IL - 167 W DAWDA SQ - R1.cdr

REAR ELEVATION (SOUTH)

TOTAL - 36.26 SQ FT



REAR ELEVATION



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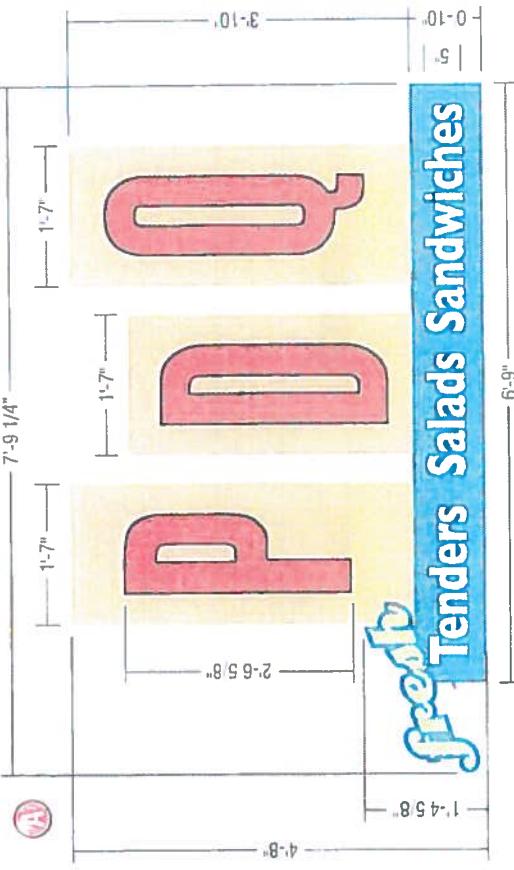


FILE LOCATION: H: MARKETING DESIGN / COR / PDQ / PDQ / WHEATON, IL - 167 W DANADA SQ - R1.cdr

CLIENT	PDQ	SCALE	3/16" = 1'-0"	REV. 1	8/22/16
LOCATION	WHEATON, IL	DATE	08.15.16	REV. 2	2006
DRAWN BY	M	DWG NO	WHEATON IL - 167 W DANADA SQ - R1	REV. 3	2006

REV. 4





L.E.D. CHANNEL LETTER MOUNTING DETAIL (EXTERIOR)

A. FRONT LIT/BACK LIT CHANNEL LETTERS
WHITE, 150° POLYCARBONATE
FACES W/ 3M 3630-73 DARK RED
VINYL OVERLAY W/ 1° BLACK TRIM CAP
W/ 040° PRE-FINISHED BLACK
ALUMINUM 5° RETURNS (SILICONE-SEALED)
& CLEAR POLYCARBONATE BACKS
TO ALLOW HALO ILLUMINATION
*RED GE LEDs

B. ALUMINUM CABINET W/ SUBCOPY
6" DEEP ALUMINUM CABINET
W/ 125° ROUTED FACE BACKED
W/ #7328 WHITE ACRYLIC
3M 3630-106 BRILLIANT GREEN
VINYL TO BE USED FOR "FRESH"
CABINET & FACE TO BE PAINTED
PMS 5405C SATIN BLUE
*WHITE GE LEDs

C. ALUMINUM BACKER CABINETS
CHANNEL LETTERS MOUNTED TO 5"
DEEP ALUMINUM CONSTRUCTED BACKERS
W/ 1° LONG ALUMINUM STAND-OFFS
CABINETS & STAND-OFFS TO BE PAINTED
PMS 124C SATIN YELLOW

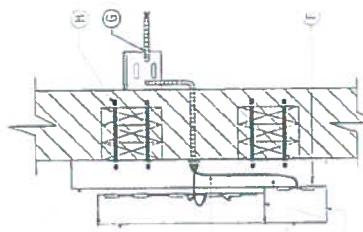
D. POWER CABLE STARTING FROM POWER SUPPLY
(HOUSED IN A WEATHER PROOF SHEET METAL BOX)
THEN LETTER TO LETTER

E. 1/4" WEEP HOLES AS REQUIRED FOR
EXTERIOR INSTALLATION ONLY

F. 1/4" LAGBOLTS & RIV NUTS

G. 1 1/2" SEALITE CONDUIT RUNNING TO SECONDARY
CONNECTION *NOTE: GENERAL CONTRACTOR TO HAVE
PRIMARY CONNECTION HOOKED UP

H. 3 1/4" x 12" LONG THREADED ROD W/ NUTS & WASHERS
W/ 2" x 4" WOOD BLOCKING AS REQUIRED



TYPICAL WALL SECTION:
KJL TO SAIL

CUSTOMER APPROVAL



DATE

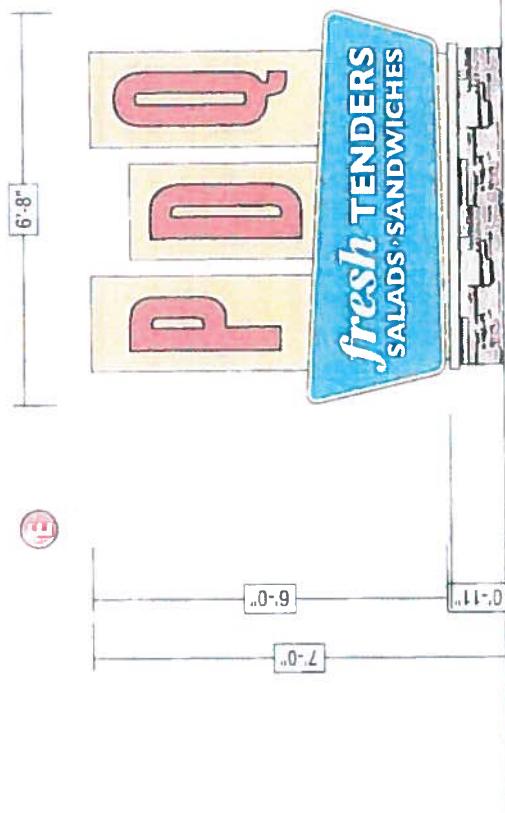
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H. MARKETING DESIGN / CDR / P / PDD / WHEATON, IL - 167 W DANADA ST - #11.cdr

CLIENT	PDD	SCALE	3'-4" = 1'-0"
LOCATION:	WHEATON, IL	DATE:	08/15/16
DRAWN BY:	ZM	DRGC:	124-AUTR IL - 167 W DANADA ST - R1

REV 1	07/22/16
REV 2	08/06/16
REV 3	08/15/16
REV 4	08/15/16





CUSTOMER APPROVAL X



ENTERA
Your total branding solution

DATE

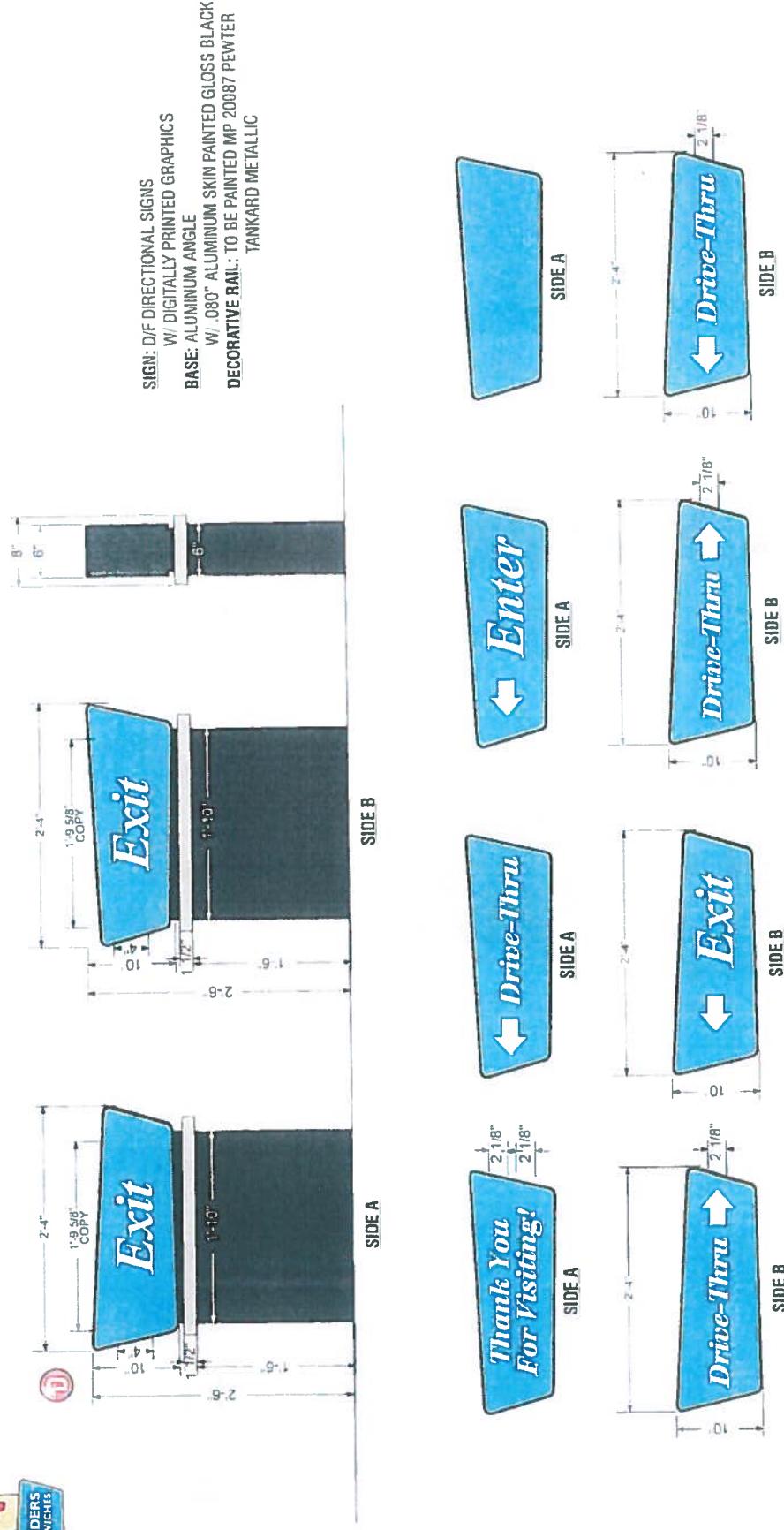
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CLIENT	PDD	SCALE	1/2" = 1'-0"	REV1 8/22/16
LOCATION	WHEATON, IL	DATE	08/15/16	REV2 XXXX
DRAWN BY	ZM	DWG. I.D.	WHEATON, IL 167 W DANDY ST. #1	REV3 XXXX
				REV4 XXXX

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SIX (6) D/F ECTIONALS



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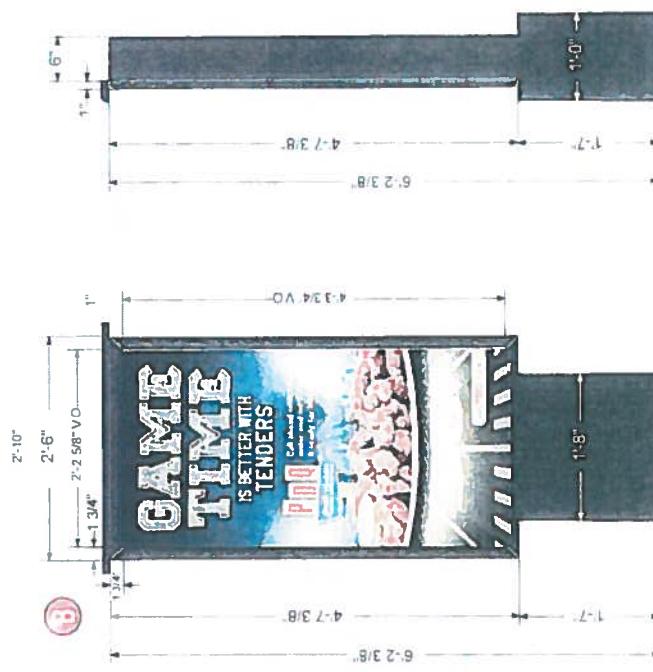


DATE

FILE LOCATION:

CLIENT	PDO	SCALE	1" = 1'-0"
LOCATION	WHEATON, IL	DATE	08/15/16
DRAWN BY	ZM	REV/C NO.	167 W DANDA SD - R1
		REV 1	8/22/16
		REV 2	XXXX
		REV 3	XXXX
		REV 4	XXXX

SINGLE PANEL MENU BOARD



*TO BE SUPPLIED BY OTHERS

CUSTOMER APPROVAL



DATE

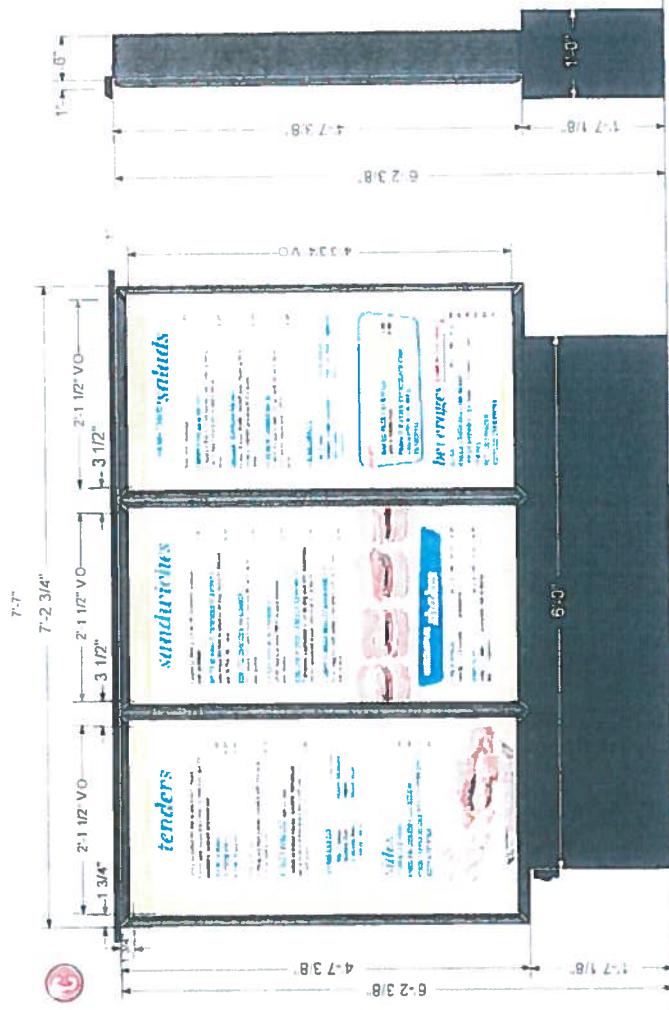
FILE LOCATION: H: MARKETING DESIGN / CDR / P: PDQ / WHEATON, IL - 167 W DANADA ST. #112

CLIENT:	PDQ	%CATE:	1/8" = 1' 0"
LOCATION:	WHEATON, IL	DATE:	08/15/16
DRAWN BY:	ZM	DVG:	WHEATON, IL - 167 W DANADA ST. #112
			EXHIBITED IN ANY FASHION

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DEV 1	8/22/16
REV 2	08/22/16
REV 3	08/22/16
REV 4	08/22/16

3-PANEL JU BOARD



*TO BE SUPPLIED BY OTHERS

CUSTOMER APPROVAL



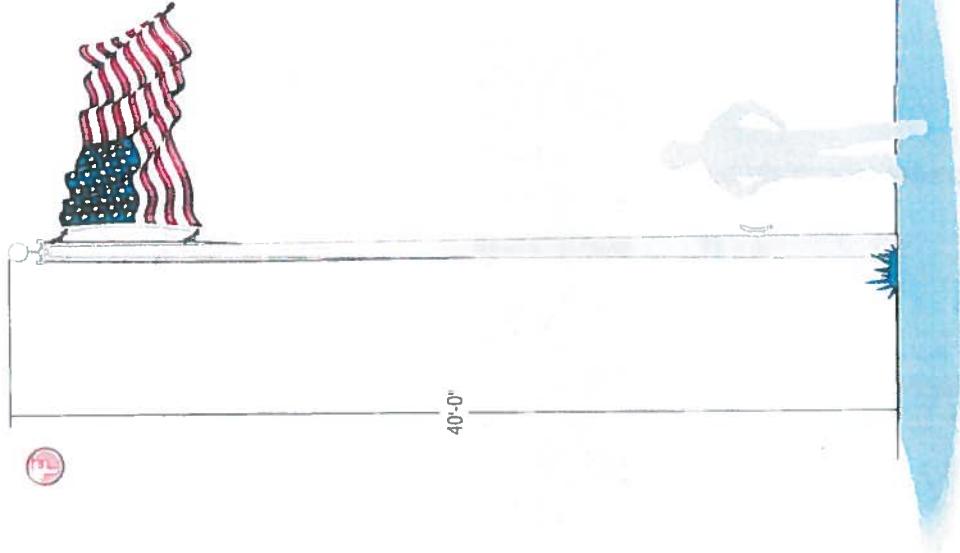
DATE

CLIENT	POQ	SCALE	7'0" - 7'6"	REV 1/8/2016
LOCATION	WHEATON, IL	DATE	08/15/16	REV 2/2016
DRAWN BY	[initials]	DEVICE NO.	WHEATON, IL - 167 W DAMADA SQ R1	REV 3/2016
				REV 4/2016

FILE LOCATION: H: MARKETING\DESIGN / COR / POQ / WHEATON, IL - 167 W DAMADA SQ - R1.cdr



FLAG POLE



CUSTOMER APPROVAL



DATE

FILE LOCATION:

H: MARKETING DESIGN / CDR / P / PDI / WHEATON, IL - 167 W DRUMDA RD - R1.cdr

CLIENT	PDI	SCALE	3'-0" = 1'-0"	REV 1 8/22/16
LOCATION	WHEATON, IL	DATE	08/15/16	REV 2 000X
DRAWN BY	ZM	DIV/G. NO	VHEATON, IL - 167 W DRUMDA RD - R1	REV 3 000X
				REV 4 000X

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