

**ORDINANCE NO. O-2023-14**

**AN ORDINANCE AMENDING ORDINANCE E-3508 AS AMENDED  
TOWN SQUARE WHEATON - OUTDOOR RECREATION SPACE**

**WHEREAS**, on September 5, 1989, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. E-3508, "AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR SHOPPING CENTER AND OTHER USES ON LOT 4 IN DANADA FARMS EAST UNIT 1 CARPENTER & COMPANY" ("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 attached as Exhibit "A" within the City limits of Wheaton, Illinois; and

**WHEREAS**, the City Council has, from time to time, approved various amendments to Ordinance No. E-3508, via Ordinances F-0196, F-0467, F-1599 and F-1934 ("Amended Ordinances"); and

**WHEREAS**, following the enactment of the Original and Amended Ordinances, an application has been made to further amend the existing site plan of the Planned Unit Development (PUD) for the Town Square Wheaton outlot located at 2019 S. Naperville, formerly occupied by Noodles and Company and Pier One, to accommodate a new daycare tenant and the City has determined that the requested amendment is a major amendment 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, 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 alter the site plan contained in the Original Ordinance and Amended Ordinances to allow the construction depicted in the plans attached hereto as Exhibit "B" entitled "Architectural Site Plan, Town Square Wheaton SW Outlot, 2019 S. Naperville Rd, Wheaton, IL 60187, Sheet A-000, prepared by OKW Architects, Chicago dated 03/08/2023" subject to the condition that any non-viable shrubs in the existing landscape bed, located south of the 28' x 28' play space, be replaced and the bed be extended to the east by the planting of 4 additional matching shrubs.

**Section 2:** 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**Section 3:** All ordinances and parts of ordinances in conflict with these provisions are hereby repealed.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.

  
Mayor

ATTEST:

  
City Clerk

Roll Call Vote

Ayes: Councilman Barbier  
Councilwoman Bray-Parker  
Councilman Brown  
Mayor Suess  
Councilman Clousing  
Councilman Weller

Nays: None

Absent: Councilwoman Robbins

Motion Carried Unanimously

Passed: May 1, 2023

Published: May 2, 2023

Legal Description:

Lot 1, 1G and 2A of Wheaton town Square First Resubdivision, being part of the south half of Section 28, Township 39 North, Range 10, East of the Third Principal Meridian, recorded on September 1, 2000 as Document #2000-137415 in DuPage County, Illinois, and Lot 2 in Wheaton town Square, being a subdivision of part of Lots 3 and 4 in Danada Farms Unit 1 and part of vacated Blanchard Street according to the plat recorded on April 27, 1993 as Document R93-081379, in DuPage County, Illinois.

PIN # 05-28-311-011, 05-28-400-012, 013, 014 and 015

