

ORDINANCE NO. O-2025-15

**AN ORDINANCE AMENDING ORDINANCE F-0532 AS AMENDED
811 E. BUTTERFIELD ROAD – GUINNESS DEVELOPMENT LLC**

WHEREAS, on November 6, 2000, the City of Wheaton, Illinois (“City”), enacted City Ordinance No. F-0532, “AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT FOR A RESTAURANT AND RETAIL BUILDING ON A CERTAIN PIECE OF PROPERTY COMMONLY LOCATED AT THE NORTHWEST CORNER OF LEASK LANE AND BUTTERFIELD ROAD, GUINNESS DEVELOPMENT L.L.C./SWEET TOMATOES” (“Original Ordinance”), granting a special use permit for a planned unit development to allow 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. F-0532, via Ordinances F-1220 and F-1259 (“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 located at 811 E. Butterfield Road by granting a special use permit pursuant to Article 20.3 of the Wheaton Zoning Ordinance to allow the construction and use of a drive-through service lane for a future restaurant user at 811 E. Butterfield Road, Suite 101; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, a public hearing was conducted by the Wheaton Planning and Zoning Board on March 11, 2025, to consider the planned unit development amendment request; and the Planning and Zoning Board has recommended approval of the planned unit development amendment.

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 and use of a drive-through service lane for a future restaurant user at 811 E. Butterfield Road, Suite 101, subject to the following plans: “Preliminary Engineering Plans - 811 E. Butterfield Road, Wheaton, IL”, prepared by Bohler, Columbus, OH, dated August 9, 2024, sheets C-101, C-201, C-301, C-401 and C-901, subject to the following conditions:

1. The end user shall not exceed the design capacity of the drive-through stacking capacity and subject to the approval of the Director of Planning and Economic Development;
2. The final stormwater calculations for the detention shall be determined as a part of final permitting;
3. The rear parking spaces in conflict with the proposed drive-through striping shall not be used for customer parking; and
4. The preliminary engineering plan shall be subject to further staff review prior to the issuance of a site development permit.

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.


Philip J. Suess

Mayor

ATTEST:


Andrea Rendall

City Clerk

Roll Call Vote:

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

Nays:	None
-------	------

Absent:	None
---------	------

Motion Carried Unanimously

Passed: April 7, 2025

Published: April 8, 2025

Exhibit "A"

LOT 1 AND LOT 2 IN GUINNESS RESUBDIVISION, BEING A RESUBDIVISION OF LOT 2 IN BRIGHTON GARDENS RESUBDIVISION, BEING A RESUBDIVISION OF LOT 12 IN DANADA FARMS EAST UNIT 1, BEING A SUBDIVISION OF PART OF SECTION 28, AND THE NORTH ONE HALF OF SECTION 33, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 2, 2001, AS DOCUMENT R2001-000741, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-28-403-034

The subject property is commonly known as 811 E. Butterfield Road, Suite 101, Wheaton, IL 60189.

Exhibit "B"



