

ORDINANCE NO. O-2021-40

AN ORDINANCE AMENDING ORDINANCE NOS. F-1933 and F-2041, "AN ORDINANCE GRANTING A PLANNED UNIT DEVELOPMENT (PUD) ALLOWING THE CONSTRUCTION AND OPERATION OF A CONVENIENCE FILLING STATION AND CARWASH ON THE PROPERTY LOCATED AT 100 AND 110 WEST GENEVA ROAD FOLLOWING ITS CONSOLIDATION INTO ONE LOT – CIRCLE K HEARTLAND"

WHEREAS, on April 18, 2016, the City of Wheaton, Illinois ("City"), enacted City Ordinance F-1933 "AN ORDINANCE GRANTING A PLANNED UNIT DEVELOPMENT (PUD) ALLOWING THE CONSTRUCTION AND OPERATION OF A CONVENIENCE FILLING STATION AND CARWASH ON THE PROPERTY LOCATED AT 100 AND 110 WEST GENEVA ROAD FOLLOWING ITS CONSOLIDATION INTO ONE LOT – CIRCLE K HEARTLAND" ("Original Ordinance"), authorizing the issuance of a special use permit for a planned unit development (PUD) to construct and operate a convenience filling station and carwash on the property located at 100 and 110 West Geneva Road following its consolidation into one lot, all on the property legally described in Exhibit "A; and

WHEREAS, on November 7, 2017, the City enacted City Ordinance F-2041, AN ORDINANCE AMENDING ORDINANCE NO. F-1933, "AN ORDINANCE GRANTING A PLANNED UNIT DEVELOPMENT (PUD) ALLOWING THE CONSTRUCTION AND OPERATION OF A CONVENIENCE FILLING STATION AND CARWASH ON THE PROPERTY LOCATED AT 100 AND 110 WEST GENEVA ROAD FOLLOWING ITS CONSOLIDATION INTO ONE LOT – CIRCLE K HEARTLAND" ("Amended Ordinance"), amending the Original Ordinance to allow the construction of a ground sign with a height of 7 feet and a size of 48 square feet, identified as Sign 1 and Sign 2 at both entrances to the property, and modifying the approved landscape plan as needed and approved by the City; and

WHEREAS, following the enactment of the Original Ordinance and Amended Ordinance, an application has been made to further amend the architectural and site plans contained in the Original Ordinance and Amended Ordinance to permit the construction of a metal and polycarbonate canopy structure at the entrance to the car wash 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 Wheaton City Council of the City of Wheaton, Du Page County, Illinois, pursuant to its home rule powers, as follows:

Section 1: An amendment to the architectural and site plans referenced in Section 2 of the Original Ordinance and Section 1 of the Amended Ordinance is hereby granted to allow the construction of a metal and polycarbonate canopy structure at the entrance to the car wash as depicted on Exhibit 'B'.

Section 2: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 3: This ordinance shall become effective from and after its passage, approval,

and publication in pamphlet form in the manner prescribed by law.

Philip J. Suess
Mayor

ATTEST:

Andrea Rose Dale
Deputy City Clerk

Roll Call Vote:

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

Nays: None

Absent: None

Motion Carried Unanimously.

Passed: August 16, 2021

Published: August 17, 2021

Exhibit "A"

A CONSOLIDATION OF PART OF LOT 18 IN BLOCK 2 IN ARTHUR T. MCINTOSH AND CO'S GENEVA ROAD SUBDIVISION, IN THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 05-09-101-007

The subject property is commonly known as 100 West Geneva Road, Wheaton, IL 60187.

Exhibit "B"

