

**ORDINANCE NO. F-0692**

**AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NO. E-3508,  
ORDINANCE NO. F-0196, AND ORDINANCE NO. F-00467,  
“AN ORDINANCE GRANTING A SPECIAL USE PERMIT  
FOR A SHOPPING CENTER AND OTHER USES  
- ON LOT 4 IN DANADA FARMS EAST/UNIT 1  
CARPENTER & COMPANY” - WHEATON TOWN SQUARE**

WHEREAS, on September 5, 1989, the City of Wheaton, Illinois (“City”), enacted City Ordinance No. E-3508, recorded on October 3, 1989 as document No. R89-123940 and re-recorded on October 27, 1989 as document No. R89-135232 in the Office of the DuPage County Recorder, “AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A 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 shopping center and certain other property adjacent thereto described in the original ordinance; and

WHEREAS, on December 15, 1997, the City of Wheaton, Illinois (“City”), enacted City Ordinance No. F-0196, recorded on January 6, 1998 as document no. R98-001765 in the Office of the DuPage County Recorder, ‘AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NO. E-3508, ‘AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A SHOPPING CENTER AND OTHER USES - ON LOT 4 IN DANADA FARMS EAST/UNIT 1 CARPENTER & COMPANY’ - WHEATON TOWN SQUARE” (“First Amended Ordinance”); and

WHEREAS, on June 5, 2000, the City of Wheaton, Illinois (“City”), enacted City Ordinance No. F-0467, recorded on July 5, 2000 as document No. R00-101133 in the Office of the DuPage County Recorder, “AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NO. E-3508 AND ORDINANCE NO. F-0196, ‘AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A SHOPPING CENTER AND OTHER USES - ON LOT 4 IN DANADA FARMS EAST/UNIT 1 CARPENTER & COMPANY’ - WHEATON TOWN SQUARE” (“Second Amended Ordinance); and

WHEREAS, application has been made to amend the original and first and second amended ordinances and special use permit to revise the site plan for Building G to indicate that the existing parking aisle opening at the southeast access drive with East Loop Road shall be restricted to outbound right-turns only; and the City has determined that the amendment to the original and first and second amended ordinances 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 rul powers, as follows:

Section 1: The real estate has been, and continues to be, zoned and classified under the C-5 General Business District zoning classification of the Wheaton Zoning Ordinance, pursuant to the terms and provisions of the original ordinance:

LEGAL DESCRIPTION

LOTS 1 AND 2 IN WHEATON TOWN SQUARE, BEING A SUBDIVISION OF PART OF LOTS 3 AND 4 IN DANADA FARMS EAST UNIT 1 AND PART OF VACATED BLANCHARD STREET, ALL IN THE SOUTH HALF OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO

THE PLAT OF WHEATON TOWN SQUARE RECORDED APRIL 27, 1993 AS DOCUMENT R93-081379, IN DUPAGE COUNTY, ILLINOIS.

PIN 05-28-400-007 AND 05-28-311-001, 2001 S. NAPERVILLE ROAD, WHEATON, ILLINOIS, ("subject property").

Section 2: Section 8, and subparagraph C, of the second amended ordinance is amended by deleting that subparagraph thereof and adding and including, in lieu thereof, the following:

"SECTION 8. BUILDING G:

- C. Prior to the issuance of any building permit for Building G, Owner shall submit a revised site plan to the Director of Engineering which incorporates the recommendations of the developer's traffic engineer, Cemcon, Ltd., in the traffic engineer's memorandum dated March 30, 2000. The revised site plan shall also indicate that the existing parking aisle opening at the southeast access drive with East Loop Road shall be restricted to outbound right-turns only in order to improve the safety and function of the southeast access drive.


Section 3: In all other respects, the terms and provisions of the original and first and second amended ordinances are ratified and remain in full force and effect.

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

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

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

ROLL CALL VOTE

Ayes:

Councilman Mouhelis  
Councilman Eckhoff  
Councilman Gresk  
Mayor Carr  
Councilwoman Johnson  
Councilman Mork

Nays:

None

Absent:

Councilman Johnson

Motion Carried Unanimously

Passed: April 1, 2002  
Published: April 2, 2002