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ORDINANCE NO. F-0835
AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NO. E-3422
“AN ORDINANCE GRANTING A SPECIAL USE PERMIT
FOR A SHOPPING CENTER AND MOVIE THEATRE –
DANADA/FARMS EAST/RICE LAKE (WHEATON 7 JOINT VENTURE)”
(“ORIGINAL ORDINANCE”) AND ORDINANCE NOS. E-3433, E-3607, E-3636, E-3641
E-4146 AND F-0061 WHICH AMENDED THE ORIGINAL ORDINANCE -
NORTHEAST CORNER OF EAST LOOP ROAD AND BUTTERFIELD ROAD
RICE LAKE SQUARE SHOPPING CENTER

WHEREAS, THE City of Wheaton, Illinois (“City”), has previously enacted City Ordinance Nos. E-3422 (“ORIGINAL ORDINANCE”) recorded on March 10, 1989 as Document No. R-89-027311 in the Office of the DuPage County Recorder; E-3433 recorded on March 10, 1989 as Document No. R89-027310 in the Office of the DuPage County Recorder; E-3607, E-3636, and E-3641 recorded on July 10, 1991 as Document No. R91-086754 in the Office of the DuPage County Recorder; E-4146 recorded on December 11, 1995 as Document No. R95-174498 in the office of the DuPage County Recorder; and F-0061 recorded on September 19, 1996 as Document No. R96-154185, which granted a special use permit for a planned unit development to allow the construction and use of a shopping center, movie theatre, and outlot buildings on the subject property described in the original ordinance; and

WHEREAS, application has been made to amend the special use permit for planned unit development approved in the Original Ordinance in order to allow 30,000 square feet of the outlot building to be converted from theatre space to retail space,

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: The following described property (“subject property” has been, and continues to be, zoned and classified in the C-5 Planned Unit Development District:

LOT 1 IN RICE LAKE SQUARE AT DANADA, A RESUBDIVISION OF LOTS 8, 9 AND 10 IN DANADA FARMS EAST UNIT 1, BEING A SUBDIVISION OF PART OF SECTION 28 IN THE NORTH HALF OF SECTION 33, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT HEREOF RECORDED APRIL 28, 1989, AS DOCUMENT NO. R89-49468 IN DUPAGE COUNTY, ILLINOIS. PIN 05-28-402-009

Section 2: An amendment to the ORIGINAL ORDINANCE is granted in order to allow 30,000 square feet of the outlot building to be converted from theatre space to retail space in full compliance with the plans entitled “Main Level Floor Plan”, Sheet A1.0; “Exterior Elevations” Sheet A3.0; and “Preliminary Site Plan” Sheet C1.0 prepared by Jensen & Jensen Architects, 2000 Spring Road, Suite 620, Oak Brook, Illinois 60523.

Section 3: In all other respects, the terms and conditions of the original ordinance are ratified and remain in full force and effect.

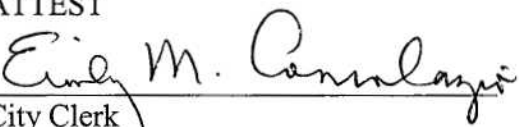
Section 4: All ordinances or parts of ordinances in conflict with these provisions are repealed.

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

Ayes: Roll Call Vote
Councilman Mork
Councilman Mouhelis
Councilman Bolds
Councilman Johnson
Mayor Carr

Nays: None

Absent: Councilwoman Corry
Councilwoman Johnson

Motion Carried Unanimously

Passed: August 5, 2003

Published: August 6, 2003