

ORDINANCE NO. F-0965

AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NO. E-3466, "AN ORDINANCE AMENDING THE WHEATON ZONING MAP AND GRANTING A SPECIAL USE PERMIT FOR A FAST FOOD RESTAURANT ON THE PROPERTY COMMONLY KNOWN AS 2175 WEST ROOSEVELT ROAD", DATED MAY 15, 1989-MCDONALD'S RESTAURANT; AND CITY OF WHEATON ORDINANCE NO. E-1980, "AN ORDINANCE AMENDING THE WHEATON ZONING ORDINANCE MAP AND GRANTING A SPECIAL USE PERMIT ON A CERTAIN PIECE OF PROPERTY AT THE NORTHEAST CORNER OF COUNTY FARM AND ROOSEVELT ROADS-MC DONALD'S CORPORATION", DATED JANUARY 3, 1984-MCDONALD'S CORPORATION

WHEREAS, on January 3, 1984, the City, enacted City Ordinance No. E-1980, entitled "**AN ORDINANCE AMENDING THE WHEATON ZONING ORDINANCE MAP AND GRANTING A SPECIAL USE PERMIT ON A CERTAIN PIECE OF PROPERTY AT THE NORTHEAST CORNER OF COUNTY FARM AND ROOSEVELT ROADS-MC DONALD'S CORPORATION**" ("original ordinance"), authorizing the construction and use of a Mc Donald's restaurant on the property legally described in the original ordinance and commonly known as 21 75 West Roosevelt Road, Wheaton, Illinois; and

WHEREAS, on May 15, 1989, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. E-3466, entitled "**AN ORDINANCE AMENDING THE WHEATON ZONING MAP FOR A FAST FOOD RESTAURANT ON THE PROPERTY COMMONLY KNOWN AS 2175 WEST ROOSEVELT ROAD-MCDONALD'S RESTAURANT**" ("first amending ordinance"), authorizing the addition of adjacent real estate to the property commonly known as 2175 West Roosevelt Road, Wheaton, Illinois for the purpose of increasing motor vehicle parking capacity for McDonald's Restaurant; and

WHEREAS, application has been made to amend the original ordinance and first amending ordinance and the special use permit to provide for a 120 square foot building addition that will extend the existing drive-thru window to the north by 20 feet, modification of the existing site plan to allow for the building addition and renovation, and installation of additional landscaping. The building expansion will allow the restaurant to take food orders from two customers simultaneously. The exterior of the existing building will be fully renovated; 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 October 26, 2004, to consider the requested amendment to the existing special use permit; and the Board has unanimously recommended approval of the request.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, Du Page County, Illinois, pursuant to its home rule powers, as follows:

Section 1: The special use permit authorized pursuant to the original ordinance, and the first amending ordinance, is, hereby amended to allow for the construction and use of a 120 square foot building addition that will extend the existing drive-thru window to the north by 20 feet, modification of the existing site plan to allow for the building addition and renovation, and installation of additional landscaping on the following-described property:

LOTS 1 AND 2 IN McDONALD'S SUBDIVISION OF PART OF BLOCK 19 IN WHEATON PARK MANOR, BEING A SUBDIVISION IN SECTION 19, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID McDONALD'S SUBDIVISION RECORDED JUNE 5, 1984 AS DOCUMENT R84-42568, IN DUPAGE COUNTY, ILLINOIS.
P.I.N. 05-18-312-026

The "subject property" is commonly known as 2175 W. Roosevelt Road, Wheaton, IL 60187.

Section 2: Pursuant to the Findings of Fact made and determined by the Planning and Zoning Board, the special use permit authorized and issued in the original ordinance and first amending ordinance are specifically amended in full compliance with the following conditions, restrictions, and requirements:

- A. A landscape area shall be installed between the proposed outdoor seating area and the adjacent drive-thru lane, and shall be subject to the reasonable approval of the Director of Planning and Economic Development.
- B. The two-way drive aisle located to the north of the building shall be increased from 23.5 feet to 24 feet.
- C. The vertical banner that is a part of the drive-thru gateway shall be revised to maintain a vertical clearance acceptable to the Director of Planning and Economic Development or shall be removed from the plans.
- D. The "Speedy Arch" located above the banner on the drive-thru gateway shall be removed from the plans.
- E. The building expansion may allow the restaurant staff to take food orders from customers in two separate automobiles, simultaneously.
- F. Additionally, the exterior of the existing building shall be fully renovated and the existing landscaping will be enhanced, all pursuant to the following plans: *"Proposed Site Plan", prepared for McDonald's Corporation, sheet SP-1, dated September 8, 2004; "Proposed Site Plan Landscape Area", prepared by Dahl Landscaping Co., Lockport, IL; "Proposed Elevations", prepared for McDonald's Corporation, sheets 1-2, dated September 8, 2004; Exterior Finishes, submitted on October 26, 2004 as Petitioner's Exhibit No. 6; "Proposed Site Signage", submitted on October 26, 2004 as Petitioner's Exhibit No. 10.*

Section 3: In all other respects, the terms and provisions 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.

ATTEST:

Evelyn M. Comolero
City Clerk

James Carr
Mayor

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

Nays: None

Absent: None

Motion Carried Unanimously

Passed: November 15, 2004
Published: November 16, 2004