

**ORDINANCE NO. F-1371**

**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-4146, E-3433, E-3607,  
E-3636, E-3641, F-0061, F-1170, and F-1296 WHICH AMENDED ORIGINAL  
ORDINANCE  
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; Ordinance No. E-4141 recorded on December 11, 1995 as Document No. R95-174498 in the Office of the DuPage County Recorder; Ordinance No. E-3433 recorded on March 10, 1989 as Document No. R89-027310 in the office of the DuPage County Recorder; Ordinance Nos. 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; Ordinance No. F-0061 recorded on September 19, 1996 as Document No. R96-154185, in the office of the DuPage County Recorder; Ordinance No. F-1170 recorded on July 17, 2007 as Document No. R2006-135457 in the Office of the DuPage County Recorder, and Ordinance No. F-1296 recorded on August 28, 2007 as Document No. R-2007-159373 in the office of the DuPage County Recorder, 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 now been made to amend the special use permit for planned unit development approved in the ORIGINAL ORDINANCE in order to allow a reconfiguration of a monument sign adjacent to East Loop Road opposite Jahns Drive; and the City has determined that the requested amendment is a minor amendment and 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 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:

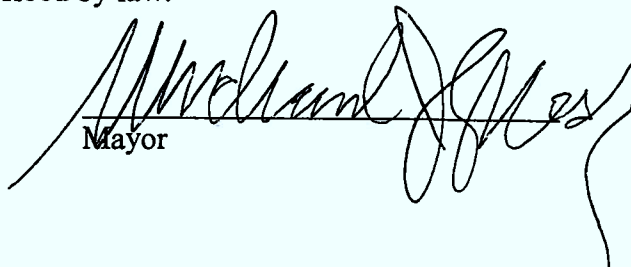
LOT 1 IN RICE LAKE SQUARE AT DANADA, A RESUBDIVISION OF LOTS 8, 9 AND 10 IN DANADA FARMS EAST UNIT 1, BEING A SUBDIVISION OF PART OF PIECE 28 IN THE NORTH HALF OF SECTION 33, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT HEREOF RECORDED APRIL 28, 1989, AS DOCUMENT 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 the reconfiguration of the existing monument sign adjacent to East Loop Road, in full compliance with the plans entitled "MidAmerica Rice Lake Square, Wheaton, IL" prepared by American Sign and Lighting Company dated July 25, 2007, a copy of which is attached hereto and incorporated herein as if fully set forth as Exhibit A.

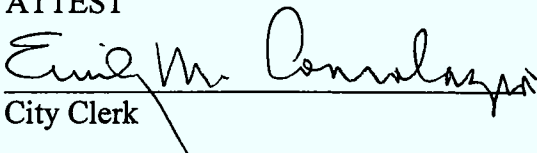
**Section 3:** In all other respects, the terms and conditions of the original ordinance are ratified and remain in full force and effect.

**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

Roll Call Vote

Ayes: Councilman Prendiville  
Councilman Sues  
Councilwoman Corry  
Councilman Johnson  
Councilman Levine  
Mayor Gresk  
Councilman Mouhelis

Nays: None

Absent: None

Motion Carried Unanimously

Passed: August 18, 2008  
Published: August 19, 2008