



**DUPAGE  
COUNTY**

## BUILDING & ZONING DEPARTMENT

630-407-6700  
fax: 630-407-6702

[www.dupagecounty.gov/building](http://www.dupagecounty.gov/building)

### MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: September 2, 2025

RE: ZONING-25-000035 Hanna's – Wheaton, LLC. (Milton/District 4)

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**DuPage County Board: September 9, 2025:** *(If the County Board seeks to approve the zoning relief it will require a  $\frac{3}{4}$  majority vote {14 votes} to approve based on the recommendation to deny by the Zoning Board of Appeals)*

**Development Committee: September 2, 2025:** The DuPage County Development Committee recommended to approve the following zoning relief:

1. Conditional Use to allow a video gaming cafe restaurant in a B-1 Local Business Zoning District.
2. Variation to allow a video gaming café restaurant to be located less than 1,000 feet from a place of assembly use.

**Subject to the following conditions:**

1. That the subject use shall utilize a right in, right out only from the northern entrance onto Delano Street.
2. That the hours of operation be limited to not allow the operations to open before 1:00 PM on Sundays.

**Development Committee VOTE (Motion to Approve): 3 Ayes, 0 Nays, 1 Abstain, 2 Absent**

**Zoning Board of Appeals Meeting: July 10, 2025:** The Zoning Board of Appeals recommended to deny the following zoning relief:

1. Conditional Use to allow a video gaming cafe restaurant in a B-1 Local Business Zoning District.
2. Variation to allow a video gaming café restaurant to be located less than 1,000 feet from a place of assembly use.

**ZBA VOTE (to Deny): 6 Ayes, 0 Nays, 0 Absent**

**FINDINGS OF FACT:**

1. That petitioner testified that the subject zoning relief is for a Conditional Use to allow a video gaming café restaurant in a B-1 Local Business Zoning District and a Variation to allow a video gaming café restaurant to be located less than 1,000 feet from a place of assembly use.
2. That petitioner testified that the subject property is located at the southwest corner of Geneva Road and Pleasant Hill Road.
3. That petitioner testified that the proposed location of Hanna's – Wheaton video gaming café restaurant is located within 1,000 feet of the Pleasant Hill Community Church/Church of the Savior, which is approximately 700 feet to the west of the subject property.
4. That petitioner testified that the subject property is a shopping center that has ten (10) units, and that the subject unit is located on the west end of the shopping center and was previously occupied by a dry cleaner.
  - a. That petitioner testified that the subject unit has been vacant for approximately five (5) years.
5. That petitioner testified that directly south and east of the subject property are all residential properties/uses and that to the north and west there are commercial properties/uses.
6. That petitioner testified that the proposed operator of Hanna's – Wheaton is an experienced video gaming operator with two (2) locations in Glendale Heights and Melrose Park.
7. That petitioner testified that the proposed video gaming café restaurant would be open from 9:00 AM to 12:00 AM.
8. That petitioner testified that the proposed video gaming café restaurant will only have six (6) video gaming devices.
9. That petitioner testified that they would serve food and liquor (beer/wine).
  - a. That petitioner testified that although they serve liquor, their primary customers as their existing location do not typically order liquor, resulting in low liquor sales.
10. That petitioner testified that the main ingress and egress to the shopping center is Geneva Road, with Pleasant Hill Road to the east and Delano Street on the west also as ingress/egress points.
  - a. That petitioner testified that in order to avoid customers utilizing the neighborhood to the south as a cut through, petitioner testified that they would propose restricting access going south on Delano Street from the shopping center.
11. That petitioner testified that although the proposed video gaming café restaurant would be located within 1,000 feet of a Place of Assembly, the Pleasant Hill Community Church/Church of the Savior is of modest size and only meets on the weekends.

12. That the Zoning Board of Appeals finds that the size of the Place of Assembly (Pleasant Hill Community Church/Church of the Savior) does not constitute a practical difficulty or particular hardship sufficient to justify the granting of the requested Variation.
13. That the Zoning Board of Appeals further finds that, although the petitioner has satisfied the Standards for a Conditional Use, those standards cannot be given effect because the petitioner failed to demonstrate the practical difficulty or particular hardship required to support the Variation, upon which the Conditional Use depends.
14. Furthermore, the Zoning Board of Appeals finds that, because the petitioner did not meet the burden of proof for the required Variation, the requested Conditional Use - to operate a video gaming cafe restaurant in a B-1 Local Business Zoning District – cannot be approved, as it is contingent upon the approval of the requested Variation.

**STANDARDS FOR VARIATIONS:**

1. That the Zoning Board of Appeals finds that petitioner **has not demonstrated** that the granting of the Variation is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's comprehensive plan for development.
2. That the Zoning Board of Appeals finds that petitioner **has not demonstrated** the granting of the Variation will not:
  - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has not demonstrated** sufficient evidence that the proposed Variation will not impair an adequate supply of light and air to adjacent property.
  - b. Increase the hazard from fire or other dangers to said property as petitioner **has not demonstrated** sufficient evidence that the proposed Variation will not increase the hazard from fire or other dangers to said property.
  - c. Diminish the value of land and buildings throughout the County as petitioner **has not demonstrated** that the proposed Variation will not diminish the value of land and buildings throughout the County.
  - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has not demonstrated** sufficient evidence that the proposed Variation will not unduly increase traffic congestion in the public streets and highways.
  - e. Increase the potential for flood damages to adjacent property as petitioner **has not demonstrated** sufficient evidence that the proposed Variation will not increase the potential for flood damages to adjacent property.
  - f. Incur additional public expense for flood protection, rescue or relief as petitioner **has not demonstrated** sufficient evidence that the proposed Variation will not incur additional public expense for flood protection, rescue, or relief.

- g. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County as petitioner **has not demonstrated** sufficient evidence that the proposed video gaming café restaurant will not impair the public health, safety, comfort, morals, or general welfare.

**STANDARDS FOR CONDITIONAL USES:**

1. That the Zoning Board of Appeals finds that petitioner **has demonstrated** that the granting of the Conditional Use is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's comprehensive plan for development; and specifically that the granting of the Conditional Use will not:
  - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has demonstrated** that the proposed video gaming café restaurant will be operated in an existing shopping center unit and will not impair an adequate supply of light and air to the adjacent property.
  - b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that the proposed video gaming café restaurant will receive all required buildings permits for interior alterations and will not increase the hazard from fire or other dangers to said property.
  - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed video gaming café restaurant will be operated in an existing shopping center unit and will not diminish the value of land and buildings throughout the County.
  - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the proposed video gaming café restaurant will only have six (6) gaming devices and will not unduly increase traffic congestion in the public streets and highways.
  - e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the proposed video gaming café restaurant will be operated in an existing shopping center unit and will not increase the potential for flood damages to adjacent property.
  - f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the proposed video gaming café restaurant will be operated in an existing shopping center unit and will not incur additional public expense for flood protection, rescue or relief.
  - g. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County as petitioner **has demonstrated** that the proposed video gaming café restaurant will be operated in an existing shopping center unit and will not otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County.

**PETITIONER'S DEVELOPMENT FACT SHEET**

| <b>GENERAL ZONING CASE INFORMATION</b> |                                                                                                                                                                                                                                                                     |                     |                  |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|------------------|
| <b>CASE #/PETITIONER</b>               | <b>ZONING-25-000035 Hanna's – Wheaton, LLC.</b>                                                                                                                                                                                                                     |                     |                  |
| <b>ZONING REQUEST</b>                  | 1. Conditional Use to allow a video gaming cafe restaurant in a B-1 Local Business Zoning District.<br>2. Variation to allow a video gaming café restaurant to be located less than 1,000 feet from a place of assembly use.                                        |                     |                  |
| <b>OWNER</b>                           | WILLIAM AND DORIS TULLAR, 26W211 GENEVA ROAD, WHEATON, IL 60187 / AGENT: HANNA'S – WHEATON, LLC., 26W233 GENEVA ROAD, WHEATON, IL 60187 / PHILLIP A. LUETKEHANS, LUETKEHANS, BRADY, GARNER & ARMSTRONG, 2700 INTERNATIONAL DRIVE, SUITE 305, WEST CHICAGO, IL 60185 |                     |                  |
| <b>ADDRESS/LOCATION</b>                | 26W211 GENEVA ROAD, WHEATON, IL 60187 (UNIT 26W233 GENEVA ROAD, WHEATON, IL 60187)                                                                                                                                                                                  |                     |                  |
| <b>PIN</b>                             | 05-06-407-001/05-06-407-002                                                                                                                                                                                                                                         |                     |                  |
| <b>TWSP./CTY. BD. DIST.</b>            | MILTON                                                                                                                                                                                                                                                              | DISTRICT 4          |                  |
| <b>ZONING/LUP</b>                      | B-1 LOCAL COMMERCIAL                                                                                                                                                                                                                                                | LOCAL BUSINESS      |                  |
| <b>AREA</b>                            | 0.92 ACRES (40,075 SQ. FT.)                                                                                                                                                                                                                                         |                     |                  |
| <b>UTILITIES</b>                       | WATER/SEWER                                                                                                                                                                                                                                                         |                     |                  |
| <b>PUBLICATION DATE</b>                | Daily Herald: JUNE 9, 2025                                                                                                                                                                                                                                          |                     |                  |
| <b>PUBLIC HEARING</b>                  | TUESDAY, JUNE 24, 2025                                                                                                                                                                                                                                              |                     |                  |
| <b>ADDITIONAL INFORMATION:</b>         |                                                                                                                                                                                                                                                                     |                     |                  |
| Building:                              | No Objections.                                                                                                                                                                                                                                                      |                     |                  |
| DUDOT:                                 | No Objections.                                                                                                                                                                                                                                                      |                     |                  |
| Health:                                | No Objection with the concept of the petition. Additional information may be required at time of permit application.                                                                                                                                                |                     |                  |
| Stormwater:                            | Our office has no jurisdiction in this matter.                                                                                                                                                                                                                      |                     |                  |
| Public Works:                          | "DPC Public Works doesn't own any sewer or water mains in this area."                                                                                                                                                                                               |                     |                  |
| <b>EXTERNAL:</b>                       |                                                                                                                                                                                                                                                                     |                     |                  |
| Village of Winfield:                   | <i>No Comments Received.</i>                                                                                                                                                                                                                                        |                     |                  |
| Village of Carol Stream:               | "Carol Stream has no comments on this petition."                                                                                                                                                                                                                    |                     |                  |
| City of Wheaton:                       | Objects. (See attached documentation)                                                                                                                                                                                                                               |                     |                  |
| Milton Township:                       | <i>No Comments Received.</i>                                                                                                                                                                                                                                        |                     |                  |
| Township Highway:                      | No Objection with the concept of the petition. Additional information may be required at time of permit application.                                                                                                                                                |                     |                  |
| Winfield Fire Dist.:                   | <i>No Comments Received.</i>                                                                                                                                                                                                                                        |                     |                  |
| Sch. Dist. 200:                        | <i>No Comments Received.</i>                                                                                                                                                                                                                                        |                     |                  |
| Forest Preserve:                       | "We do not have any comments."                                                                                                                                                                                                                                      |                     |                  |
| <b>LAND USE:</b>                       |                                                                                                                                                                                                                                                                     |                     |                  |
| <b>Location</b>                        | <b>Zoning</b>                                                                                                                                                                                                                                                       | <b>Existing Use</b> | <b>LUP</b>       |
| Subject                                | B-1 LOCAL BUSINESS                                                                                                                                                                                                                                                  | SHOPPING CENTER     | LOCAL COMMERCIAL |

|       |                                                    |                 |                        |
|-------|----------------------------------------------------|-----------------|------------------------|
| North | GENEVA ROAD AND<br>BEYOND VILLAGE OF<br>WINFIELD   | COMMERCIAL      | VILLAGE OF<br>WINFIELD |
| South | R-4 SF RES                                         | HOUSE           | 0-5 DU AC              |
| East  | B-1 LOCAL BUSINESS                                 | SHOPPING CENTER | LOCAL<br>COMMERCIAL    |
| West  | DELANO STREET AND<br>BEYOND VILLAGE OF<br>WINFIELD | COMMERCIAL      | VILLAGE OF<br>WINFIELD |

OF LOTS 1, 2, 11, AND 12 IN BLOCK 1 IN ARTHUR T. MCINTOSH & COMPANY'S FIELDVIEW, BEING A SUBDIVISION OF PARTS OF SECTIONS 4 AND 7, TOWNSHIP 36 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 28, 1956 AS DOCUMENT 825055 AND CERTIFICATE OF CORRECTION RECORDED JANUARY 10, 1957 AS DOCUMENT 825298 AND AMENDED BY DOCUMENT 872-15205 RECORDED MARCH 28, 1972 IN DUFAINE COUNTY, KANSAS.

PINS: 05-06-407-001, 05-06-407-002, 05-06-407-003, & 05-06-407-004

COMMONLY KNOWN AS: 26N211 - 26N233 GENEVA ROAD, WHEATON, IL 60187



THIS IS TO CERTIFY THAT I, RICHARD M. FRIEDL, AN ILLINOIS LAND SURVEYOR, HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT THIS PLAT OF SURVEY IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS SURVEY CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY (EFFECTIVE AS OF APRIL 27, 2016). ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF.

[illegible]

**Fandel's**  
Land Surveying Inc.

14335 Manor St.  
Carol Stream, IL 60188  
(630) 327-4830 • Fax (630) 690-  
Email: rick@fanatics.com

LOTS 1, 2, 11, AND 12 IN BLOCK 1

[illegible]

PLAT OF SURVEY

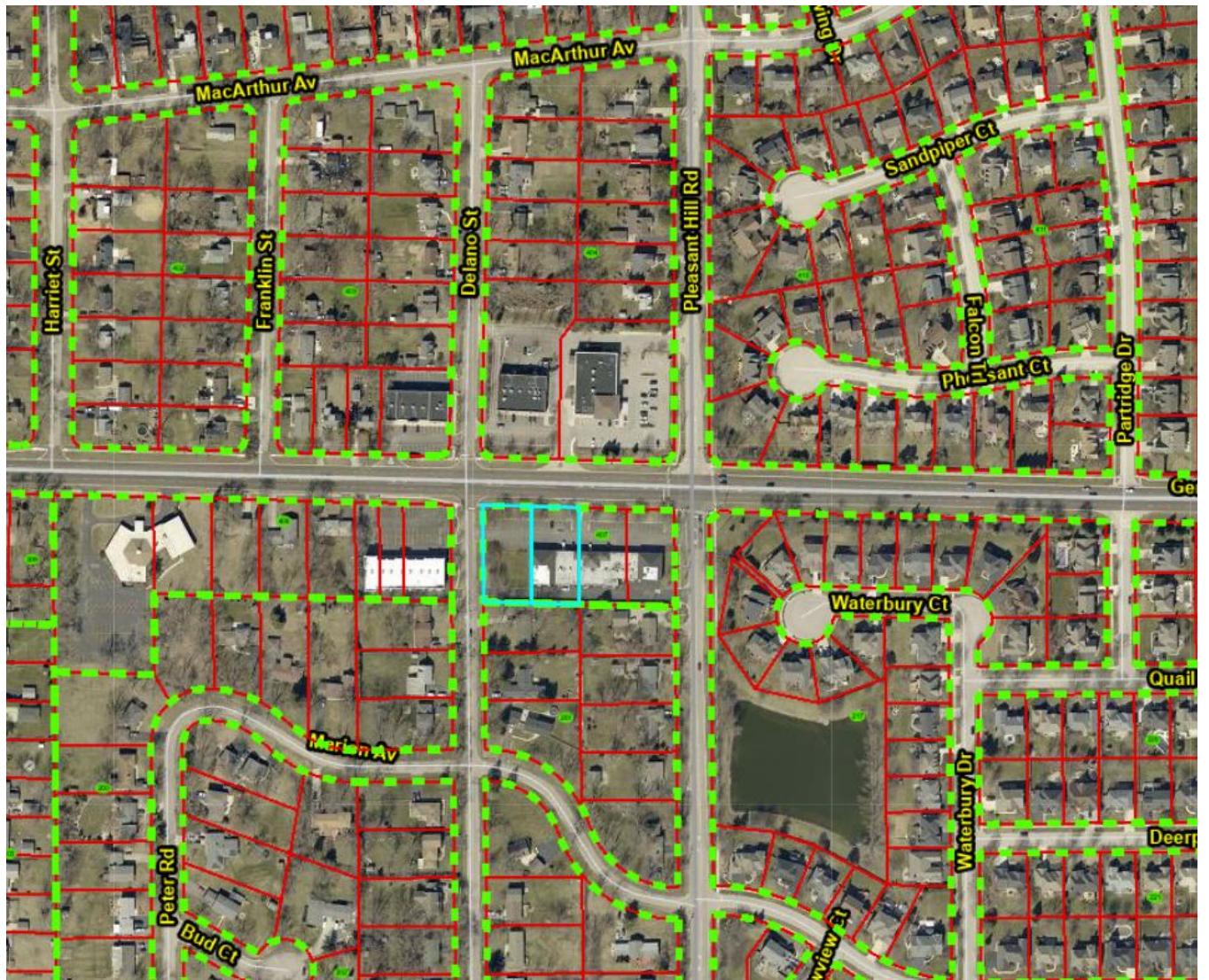
Date: 5/08/19

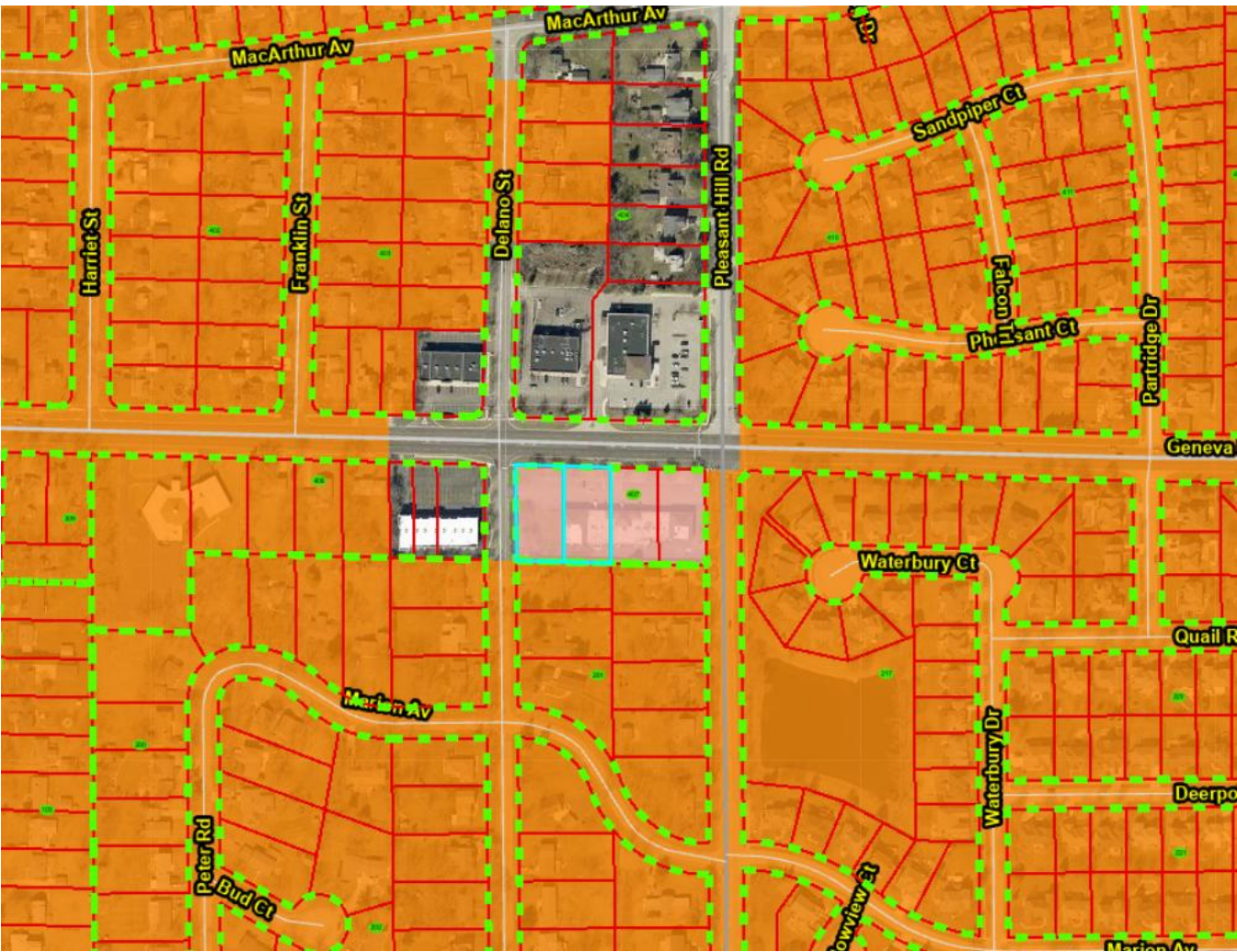
Received:

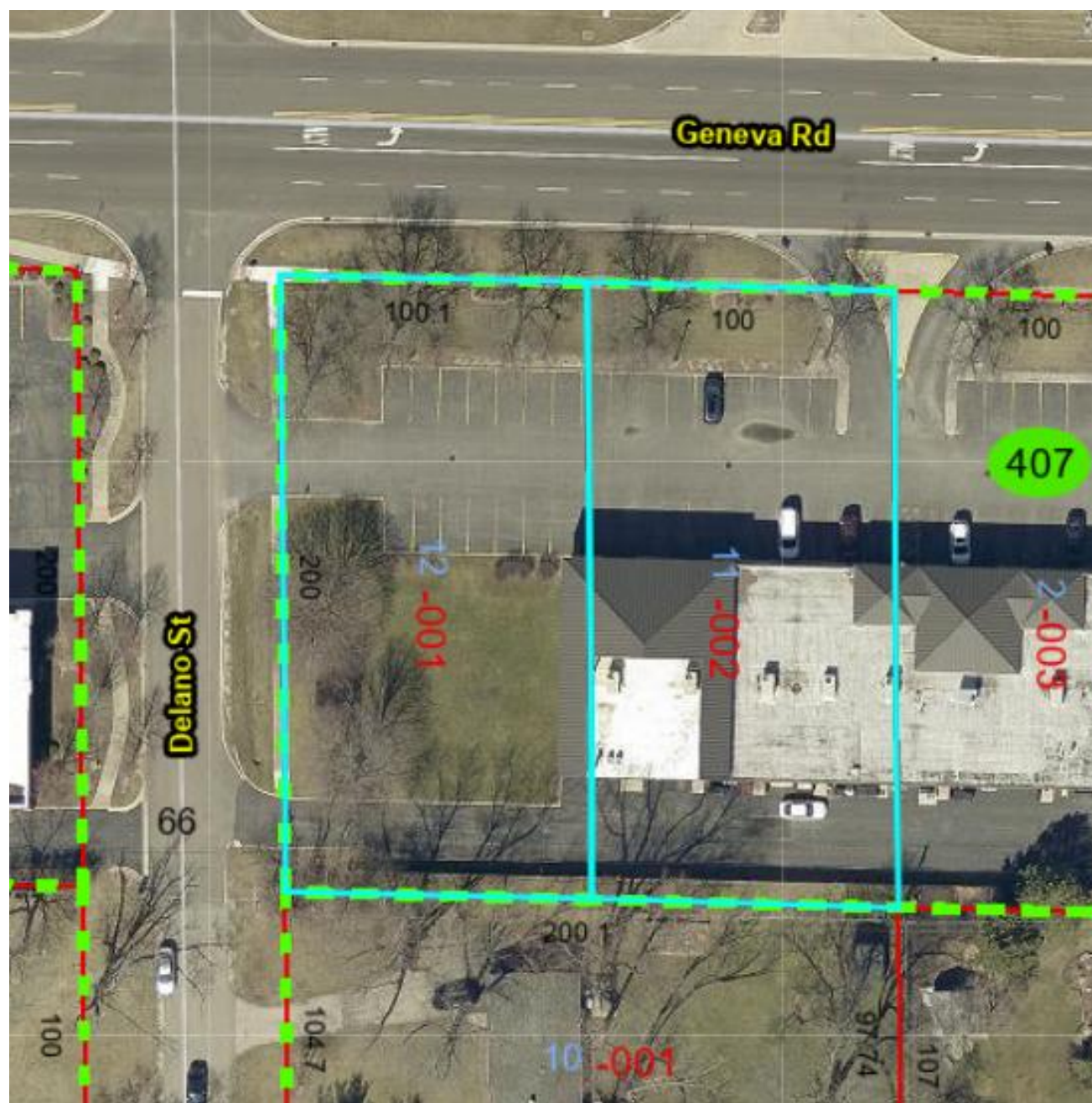
Prepared for: MIKE TULLAR

|                    |            |
|--------------------|------------|
| ○ Set from Stake   | + Out from |
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**Sent:** Tuesday, June 17, 2025 8:38 AM  
**To:** Infelise, Jessica; DuPage County Chair; Eckhoff, Grant; Ozog, Mary; LaPlante, Lynn; Stran, Jim; Polewski, Genevieve; Winklebleck, David; Heffter, Clayton; Furey, David; Michael DeSmedt; 'Kevin Stough'; Jennifer Meyer; 'admin@winfielddpd.org'; jeff.schuler@cusd200.org; Gary Muehlfelt; Milton Clerk; Milton Supervisor; cbarrett; Peter Krumins (Winfield Com. Dev.); Bill Holmer; Don Bastian (C.S. Com. Dev.); Julia Schwarze; Mayor Frank Saverino; Andrea Rosedale; Phil Suess; Mike Dzigan  
**Cc:** Hoss, Paul; Schwalm, Eileen  
**Subject:** Re: DuPage County Zoning Notification - ZONING-25-000035 Hanna's - Wheaton, LLC.  
**Attachments:** Z-25-000035 Hanna's - Wheaton, LLC ZBA Legal and Staff (06-24-2025).docx

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Ms. Infelise,

On June 16, 2025, the Wheaton City Council reviewed DuPage County Zoning Notification - ZONING-25-000035 Hanna's - Wheaton, LLC. requesting a conditional use and variations pertaining to a video gaming cafe. The Mayor and City Council unanimously directed City staff to inform the County that Wheaton has an objection or concern regarding the petition. They found that the request seeking a variation for the distance from an assembly use represents a 50% reduction from the zoning requirement, and the co-location of two gaming establishments at the same property effectively circumvents the County's zoning requirements altogether. They further found that the requests are excessive, and the petition will be injurious to the neighborhood, negatively impact public welfare, or otherwise affect the public health, safety, comfort, or morals of the residents of DuPage County.

Please do not hesitate to contact me with any questions you may have.

**James Kozik, AICP**

Director of Planning and Economic Development  
City of Wheaton

[www.wheaton.il.us](http://www.wheaton.il.us)

[630.260.2008](tel:630.260.2008) desk

[630.688.2000](tel:630.688.2000) cell