



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Hearing Officer

DATE: July 10, 2025

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

Development Committee: August 19, 2025:

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 cafe 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 at 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

GENERAL ZONING CASE INFORMATION			
CASE #/PETITIONER	ZONING-25-000035 Hanna's – Wheaton, LLC.		
ZONING REQUEST	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.		
OWNER	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		
ADDRESS/LOCATION	26W211 GENEVA ROAD, WHEATON, IL 60187 (UNIT 26W233 GENEVA ROAD, WHEATON, IL 60187)		
PIN	05-06-407-001/05-06-407-002		
TWSP./CTY. BD. DIST.	MILTON	DISTRICT 4	
ZONING/LUP	B-1 LOCAL COMMERCIAL	LOCAL BUSINESS	
AREA	0.92 ACRES (40,075 SQ. FT.)		
UTILITIES	WATER/SEWER		
PUBLICATION DATE	Daily Herald: JUNE 9, 2025		
PUBLIC HEARING	TUESDAY, JUNE 24, 2025		
ADDITIONAL INFORMATION:			
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."		
EXTERNAL:			
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."		
LAND USE:			
Location	Zoning	Existing Use	LUP
Subject	B-1 LOCAL BUSINESS	SHOPPING CENTER	LOCAL COMMERCIAL

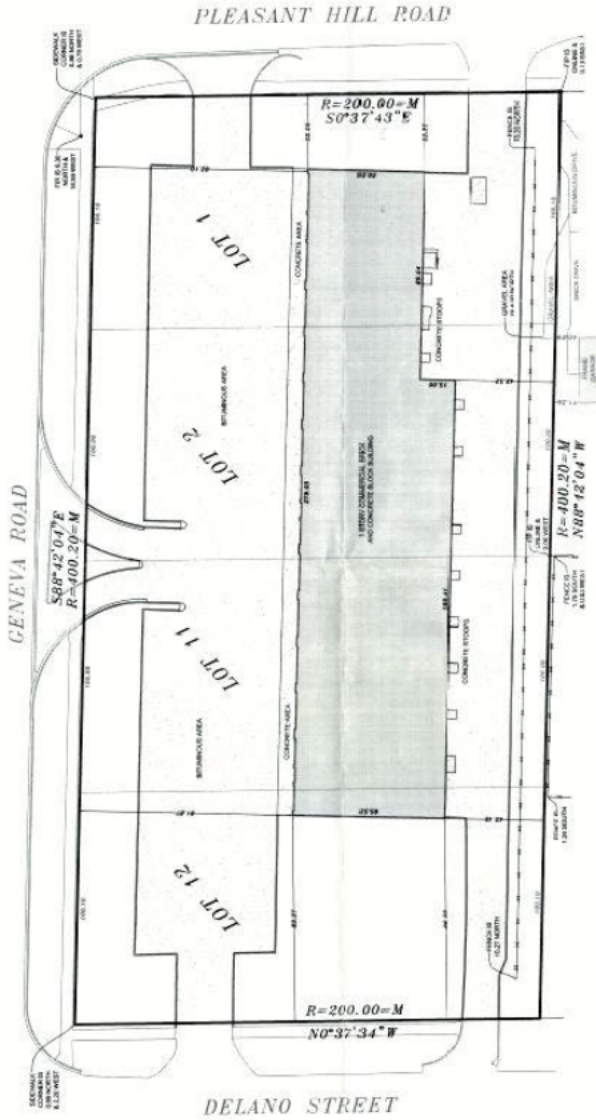
North	GENEVA ROAD AND BEYOND VILLAGE OF WINFIELD	COMMERCIAL	VILLAGE OF WINFIELD
South	R-4 SF RES	HOUSE	0-5 DU AC
East	B-1 LOCAL BUSINESS	SHOPPING CENTER	LOCAL COMMERCIAL
West	DELANO STREET AND BEYOND VILLAGE OF WINFIELD	COMMERCIAL	VILLAGE OF WINFIELD

PLAT OF SURVEY

OF LOTS 1, 2, 11, AND 12 IN BLOCK 1 IN ARTIST T. MONTGOMERY AND COMPANY'S FIELDVIEW, BEING A SUBDIVISION OF PARTS OF SECTION 36, TOWNSHIP 36 NORTH, RANGE 12 EAST, COUNTY OF DU PAGE, ILLINOIS, AS RECORDED NOVEMBER 26, 1956 AS DOCUMENT 62024 AND CERTIFICATE OF CORRECTION RECORDED JANUARY 10, 1957 AS DOCUMENT 62024 AND AMENDED BY DOCUMENT R72-15255 RECORDED MARCH 28, 1972 IN DU PAGE COUNTY, ILLINOIS.

PNIS: 05-06-487-001, 05-06-487-002, 05-06-487-003, & 05-06-487-004

COMMONLY KNOWN AS: 26N211 - 26N223 GENEVA ROAD, WHEATON, IL 60187



STATE OF ILLINOIS)
COUNTY OF DU PAGE) ss

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, 20____.

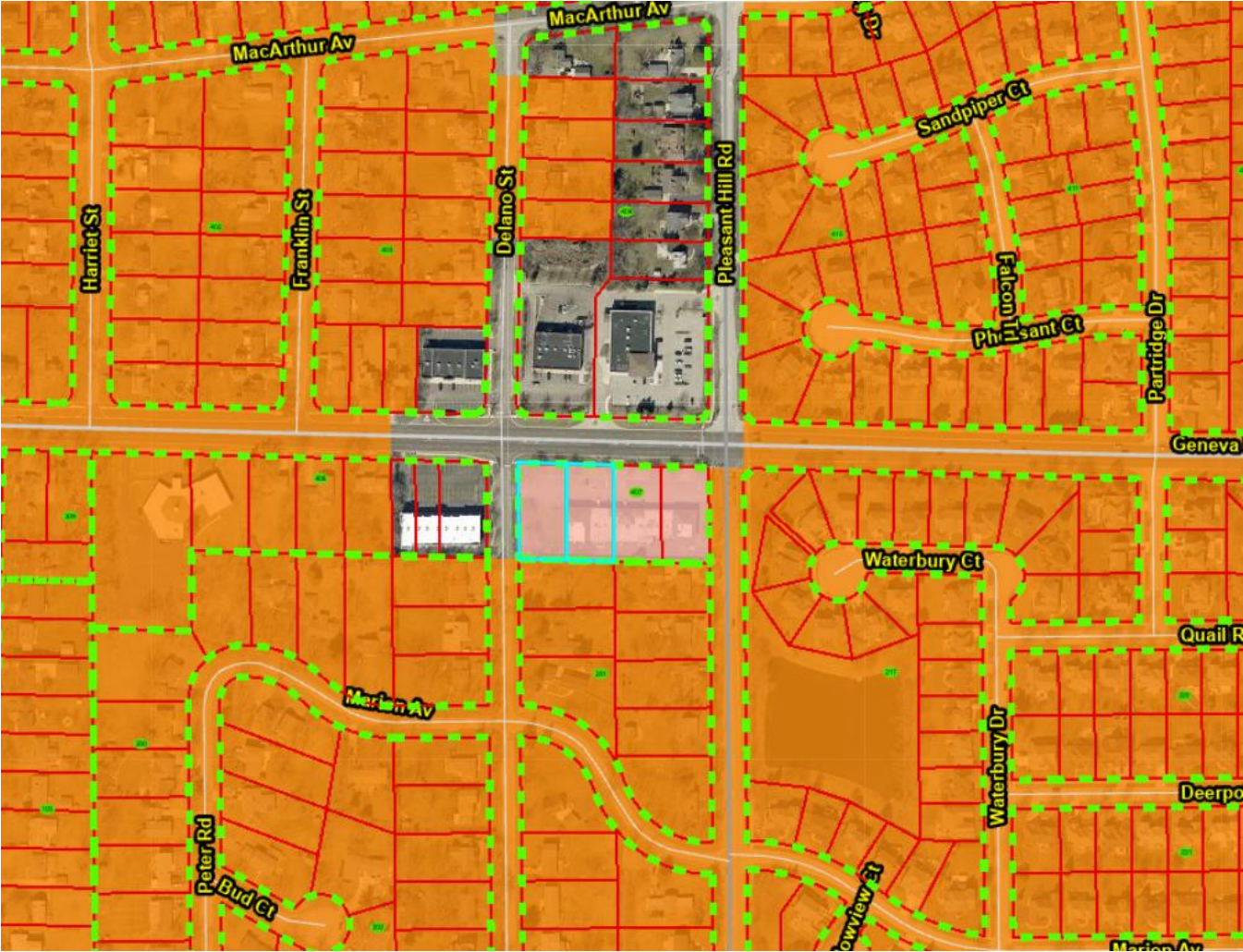
Notary Public in and for the State of Illinois
My Commission Expires _____

COMRADE: I, the undersigned, have read and approved the foregoing plat of survey, and I hereby certify that the same is a true and correct representation of the actual survey made by me, and that the same is in accordance with the requirements of the laws of the State of Illinois relating to the recording of plats of survey. I further certify that the same is in accordance with the requirements of the laws of the State of Illinois relating to the recording of plats of survey. I further certify that the same is in accordance with the requirements of the laws of the State of Illinois relating to the recording of plats of survey.

Fandel's
Land Surveying Inc.
14035 Maple St.
Carol Stream, IL 60188
(630) 327-4830 - Fax (630) 690-9812
Email: rick@fandel.com

LOTS 1, 2, 11, AND 12 IN BLOCK 1	
Scale: 1" = 30'	PLAT OF SURVEY
Date: 07/01/14	Drawn By: AM
Reviewed:	Approved By: JMF
Prepared For: RIFE TULLER	
<input type="checkbox"/> Not a Plat <input type="checkbox"/> Plat from Stake <input type="checkbox"/> Plat from	
JOB # 14024	







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

[Caution: This email originated outside Dupagecounty.gov. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

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

[630.260.2008](tel:630.260.2008) desk

[630.688.2000](tel:630.688.2000) cell