

ORDINANCE NO. F-0051

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A COMBINED ENTRY
TO THE SMITH AND TRABER DORMITORIES AND RECONFIGURATION OF THE
ENTRY DRIVE FROM HOWARD STREET TO UNIVERSITY PLACE -
607 NORTH HOWARD STREET (WHEATON COLLEGE)**

WHEREAS, written application has been made for the issuance of a special use permit to allow the construction and use of a 1,800 square-foot combined entry to the Smith and Traber Dormitories at Wheaton College and the reconfiguration of the entry drive to create a connection from Howard Street to University Place on the property legally described herein within the city limits of Wheaton, Illinois ("City"), and commonly located at 607 North Howard Street; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the City Zoning Ordinance, a public hearing was conducted by the Board of Zoning Appeals on July 23, 1996, to consider the issuance of the special use permit; and the Board of Zoning Appeals has recommended the issuance of the special use permit.

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 has been, and continues to be, zoned and classified in the I-1 Institutional District zoning classification:

(See attached legal description)

This property is commonly located at 607 North Howard Street, Wheaton, IL 60187 ("subject property").

Section 2: Pursuant to the Findings of Fact determined by the Wheaton Board of Zoning Appeals, a special use permit is hereby issued to allow the construction and use of a 1,800 square-foot combined entry to the Smith and Traber Dormitories at Wheaton College and the reconfiguration of the entry drive to create a connection from Howard Street to University Place on the subject property in substantial compliance with the "Site Plan, Building Elevation and Floor Plan" prepared by Mathei & Colin Associates dated June 25, 1996, and in further compliance with the following conditions, restrictions, and requirements:

- A. Prior to the issuance of a building permit or stormwater management permit, a revised site plan shall be submitted to the City illustrating:
 - (1) A fire lane, at least 22-feet wide and able to support 75,000 pounds, shall be provided in front of Traber Dormitory, extending at least to the northwest corner of the building; the fire lane shall be subject to the reasonable approval of the City Fire Chief.

- (2) Public sidewalks shall be constructed along the streets adjacent to the subject property.
- (3) The existing public sidewalk at the intersection of Howard Street and University Place shall be reconstructed to accommodate handicap accessibility.
- (4) A landscaped hedge shall be added to screen the six proposed parking spaces.

The revised site plan shall be subject to the reasonable approval of the Directors of Planning and Engineering.

- B. Prior to the issuance of a building permit or stormwater management permit, owner shall submit to the City a final set of engineering plans illustrating stormwater storage on the subject property due to the net increase of impervious area created by the proposed construction; the plans shall be subject to the reasonable approval of the Director of Engineering.
- C. Any trees which meet the requirements of the City's Tree Preservation Ordinance and which are removed as a result of the construction on the subject property shall be replaced pursuant to the ordinance; the tree replacements shall be subject to the reasonable approval of the Director of Planning.
- D. Owner shall maintain all landscaping and plantings on the subject property so that the number, quality, and character of the landscaping shall not be less than that which is illustrated on the approved plan. In the event any landscaping, plantings, or vegetation on the subject property dies, in whole or in part, at any time, the owner shall, forthwith, replace the non-viable landscaping vegetation and/or plantings with reasonably similar substitutes of original planting size or larger, as directed by the City.
- E. This special use permit, and the conditions, restrictions, and requirements recited herein, shall be considered a declaration of restrictive covenants and shall be binding upon the subject property and its owner, its successors, assigns, and grantees; this ordinance shall be recorded in the office of J. P. Carney, Recorder of Deeds, Du Page County, Illinois.

By application for, and receipt of, any site development or building permit and the commencement of construction of any improvements on the subject property, owner, for himself/itself, his/its successors, assigns, and grantees, thereby agrees to all terms and conditions of this ordinance and declares this ordinance to constitute a covenant running with, and binding, the subject property, in perpetuity.

Section 3: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 4: 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:
Councilwoman Davenport
Councilman Eckhoff
Mayor Carr
Councilman Gresk
Councilwoman Johnson
Councilman Mork
Councilwoman Culler

Nays:

None

Absent:

None

Motion Carried Unanimously

Passed: September 3, 1996

Published: September 4, 1996

Area #39 on Survey Map

Parcel #1: The North 3.2 feet of Lot Six (6) of County Clerk's Assessment Division of the North half (N $\frac{1}{2}$) of the Northeast quarter (NE $\frac{1}{4}$) of Section Sixteen (16), Township Thirty-Nine (39) North, Range Ten (10) East of the Third Principal Meridian, recorded September 4, 1912, as document #109216,;

ALSO

Parcel #2: That part of Lot Seven (7) of County Clerk's Assessment Division of the North half (N $\frac{1}{2}$) of the Northeast quarter (NE $\frac{1}{4}$) of Section Sixteen (16), Township 39 North, Range 10, East of the Third Principal Meridian, lying South of the South line and the South line extended of Blocks Three (3) and Four (4) of Arthur T. McIntosh & Co.'s Subdivision of the North 650 feet of Lot Seven (7) aforesaid, with the exception of the following parcels of land:

- a. The North 140 feet (measured on the East line and parallel to the South line of Blocks 3 and 4 aforesaid) of that part thereof lying East of the center line (extended South) of Cherry Street.
- b. The North 75 feet (measured on the East line of Howard Street and parallel to the South line of Blocks 3 and 4 aforesaid) of that part thereof lying West of the center line (extended South) of Cherry Street; and
- c. The South 137 feet of the North 212 feet (measured on the East line of Howard Street and parallel to the North line of Blocks 3 and 4 aforesaid) of the West 132 feet of said part of said Lot Seven (7).

05-16-213-012,013

Area #42 on Survey Map

Parcel #1: That part of the Northeast quarter of the Northeast quarter of Section 16, Township 39 North, Range 10, East of the Third Principal Meridian, described as follows: Commencing 7.50 chains West of the Northeast corner of said Section 16 and running thence South 1270.2 feet to the North line of University Place, thence West along the North line of University Place 220.92 feet for a place of beginning, thence North parallel to the East line of Howard Street 160.2 feet, thence West to a point on the East line of Howard Street 161 feet North of the North line of University Place, thence South along the East line of Howard Street 161 feet North of the North line of University Place, thence South along the East line of Howard Street 161 feet to the North line of University Place, thence East along the North line of University Place to the place of beginning in DuPage County, Illinois; ALSO Parcel #2: That part of the Northeast quarter of the Northeast quarter of Section 16, Township 39 North, Range 10, East of the Third Principal Meridian, described as follows: The West 120 feet of the East 220 feet of the following described property, beginning 497 feet West of the Northeast corner of Section 16 and running thence South 1270.2 feet to a point on the West line of Lot 4 of the Plat of County Clerk's Assessment Division of the North half of the Northeast quarter of Section 16, aforesaid, recorded September 4, 1912 as document 109216, said point on the West line of said Lot 4 being distant 66 feet North of the South line of said Lot 4 for a place of beginning, thence West parallel with the North line of said Section 16, 441.84 feet to the East line of Howard Street, thence North on said East line of Howard Street 160.2 feet, thence East parallel with said North line of said Section 16, 442.9 feet to the West line of said Lot 4, thence South along the West line of Lot 4, 160.2 feet to the place of beginning, in DuPage County, Illinois.