

## ORDINANCE NO. F-0052

### AN ORDINANCE AMENDING THE WHEATON ZONING ORDINANCE MAP AND GRANTING A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT (BUSINESS AND PROFESSIONAL OFFICES) - 222-240 EAST WILLOW AVENUE - METROPOLITAN FAMILY SERVICES OF DUPAGE

WHEREAS, written application has been made to amend the Zoning Map, which is attached to and forms a part of the Zoning Ordinance of Wheaton, Illinois, and to issue a special use permit for a planned unit development to allow the use of the present buildings as business and professional offices on the property legally described herein within the city limits of Wheaton, Illinois ("City"), and commonly known as 222-240 East Willow Avenue; 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 zoning requests; and the Board of Zoning Appeals has recommended approval of the zoning amendment and the issuance of the special use permit for a planned unit development..

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 Zoning Map, which is attached to, and forms a part of the City Zoning Ordinance, is amended by deleting the following-described property from the I-1 Institutional and R-7 Residential Districts and including it in the O-R Office and Research Planned Unit Development District zoning classification:

THAT PART OF LOTS 1, 2, 3, 4, 5, AND 6 IN BLOCK 5, AND THAT PART OF THE VACATED NORTH-SOUTH ALLEY LYING ADJACENT TO SAID LOTS, LYING NORTH OF THE NORTH LINE OF THE PUBLIC ALLEY RUNNING EAST AND WEST THROUGH SAID LOTS 5 AND 6, ALL IN WARREN L. WHEATON'S SECOND ADDITION TO WHEATON IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 28, 1869, AS DOCUMENT 1148, IN DUPAGE COUNTY, ILLINOIS.

PIN: 05-16-325-001, 002, 003 and 004.

and

LOT 1 IN DUPAGE COUNTY CONSOLIDATION PLAT #1, A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

PIN: 05-16-325-014.

This property is commonly known as 222 and 240 East Willow Avenue and the parking lot on Illinois Street, Wheaton, IL 60187 ("subject property").

Section 2: Pursuant to the Findings of Fact determined by the Wheaton Board of Zoning Appeals, the rezoning and special use permit for a planned unit development are hereby granted and issued to allow the use of the present buildings on the subject property as business and professional offices in full compliance with the "Site/Signage Plan" prepared by Fugman, Dakich & Associates, Chicago, Illinois, dated June 11, 1996, and in further compliance with the following conditions, restrictions, and requirements:

- A. Owner shall install a low-landscaped hedge to screen the parking lots along Willow Avenue and Naperville Road, and the landscaping along the frontage of the Illinois Street parking area shall be enhanced. The landscaping plan shall be subject to the reasonable approval of the Director of Planning.
- B. 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.
- C. 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: The Plat of Consolidation for Metropolitan Family Services, prepared by Webster, McGrath and Ahlberg, Ltd., dated June 5, 1996, is hereby approved. The Mayor is authorized to sign the approval form and the City Clerk is authorized and directed to attest to the signature of the Mayor and attach a certified copy of this ordinance of approval to the Metropolitan Family Services Plat of Consolidation, prepared by Webster, McGrath and Ahlberg, Ltd., dated June 5, 1996.

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:

Emily M. Consalvo  
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