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ORDINANCE NO. F-0141

AN ORDINANCE AMENDING THE WHEATON ZONING MAP
AND GRANTING A SPECIAL USE PERMIT FOR TWO (2) TWO-STORY
OFFICE BUILDINGS ON CERTAIN PIECES OF PROPERTY
COMMONLY LOCATED AT 1754 AND 1758 BLANCHARD ROAD -
WHEATON OFFICE DEVELOPMENT INVESTORS ASSOCIATES/ROSE

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, for the issuance of a special use permit to allow the construction and use of two (2) two-story office buildings on the property legally described herein within the city limits of Wheaton, Illinois, and commonly known as 1754 and 1758 South Blanchard, within the Park East Office Center ; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, a public hearing was conducted by the Wheaton Board of Zoning Appeals on April 8 and 22, 1997 to consider the issuance of the special use permit; and the Wheaton Board of Zoning Appeals has recommended approval of the issuance of the special use permit.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, Du Page County, Illinois, pursuant to its home rule powers, as follows:

Section 1: The following-described property remains zoned and classified in the O-R Office Research District zoning classification:

LOTS 2, 3 AND 7 (EXCEPT THE WEST 504.00 FEET OF LOT 7 AS MEASURED ALONG THE SOUTH LINE THEREOF) IN BALDWIN SEARS ASSESSMENT PLAT, BEING A PART OF LOT 7 OF THE PLAT OF OSWALD SITTLER FARM IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

PIN: 05-28-200-011; 05-28-200-012; and 05-28-200-022

This property is commonly located at 1754 and 1758 South Blanchard Road, 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 two (2) two-story office buildings on the subject property in full compliance with the site plan entitled, "Park East Office Center Phase Three," dated April 10, 1997, prepared by A.A. Rose Construction Company, and in further full compliance with the following conditions, restrictions, and requirements:

A. Prior to the issuance of a Site Development Permit, Owner/Developer shall:

1. Submit a landscape and tree preservation plan consistent with the representations at the public hearing and prepared in accordance with Article VI of the City of Wheaton Zoning Ordinance. Said plan shall be subject to the reasonable approval of the Wheaton Director of Planning.
2. Owner/Developer shall abandon all wells and septic systems and provide certification of abandonment to the Wheaton Director of Engineering.
3. Owner/Developer shall extend the proposed parking lot lighting system to install a light at the intersection of the development entrance and Blanchard Road. The exact location of the said light shall be subject to the reasonable approval of the Wheaton Director of Engineering.

B. Prior to the issuance of any Occupancy Permit, fire lanes shall be designated, as directed by the City of Wheaton, at the expense of the owner; fire lane locations shall be as designated by the Wheaton Fire Chief. By accepting the benefits of this ordinance and special use permit, the development of the subject property, and using the subject property as provided for in this ordinance, owner hereby authorizes the City to enforce compliance with the fire lane designations.

C. The owner of the subject property 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 landscape 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.

D. Exterior artificial lighting on the subject property shall be of a character and design which directs the illumination generally downward; the quality, character, and location of the artificial lighting shall be subject to the reasonable approval of the Wheaton Director of Engineering.

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:



Emily M. Connelly
City Clerk

ROLL CALL VOTE:

Ayes: Councilman Gresk
Mayor Carr
Councilman Johnson
Councilwoman Johnson
Councilman Mork
Councilwoman Davenport
Councilman Eckhoff

Nays: None
Absent: None

Motion Carried Unanimously

Passed: June 2, 1997

Published: June 3, 1997