

ORDINANCE NO. F-0176

**AN ORDINANCE AMENDING THE WHEATON ZONING MAP AND GRANTING A
SPECIAL USE PERMIT ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN
AS 224 NORTH MAIN STREET/GARY MEMORIAL UNITED METHODIST CHURCH**

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 a rezoning and the issuance of a special use permit for a expansion of an existing parking lot on the property legally described herein within the City limits of Wheaton, Illinois, and commonly known as 224 North Main Street, Wheaton, 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 October 14, 1997 to consider the rezoning and special use permit request, and the Wheaton Board of Zoning Appeals has unanimously recommended approval of the rezoning and 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 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 R-7 Residential District zoning classification and including it in the I-Institutional District zoning classification.

THAT PART OF BLOCK 6 IN VALLETTE AND BEARDS ADDITION TO TOWN OF WHEATON, DESCRIBED BY BEGINNING 130 FEET NORTH OF THE SOUTHEAST CORNER OF SAID BLOCK 6 IN THE WEST LINE OF MAIN STREET; THENCE NORTH ALONG SAID WEST LINE, 200.0 FEET TO THE SOUTH LINE OF SEMINARY AVENUE; THENCE WEST ON SAID SOUTH LINE, 200.0 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID BLOCK 6, 165.0 FEET; THENCE EAST PARALLEL WITH SEMINARY AVENUE, 2.0 FEET; THENCE SOUTH PARALLEL WITH THE SAID EAST LINE OF BLOCK 6, 35.0 FEET; THENCE EAST 198.0 FEET TO THE PLACE OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS

AND

THE NORTH 77.0 FEET OF THE SOUTH 330.0 FEET OF THE WEST 132.0 FEET AND THE SOUTH 5.5 FEET OF THE NORTH 82.5 FEET OF THE EAST 15.0 FEET OF THE WEST 132.0 FEET OF THE SOUTH 330.0 FEET OF BLOCK 6 IN VALLETTE AND BEARDS ADDITION TO THE TOWN OF WHEATON

AND

THE EAST 33.0 FEET OF THE WEST 165.0 FEET OF THE NORTH 82.5 FEET OF THE SOUTH 330.0 FEET OF BLOCK 6

AND

THE NORTH 88.0 FEET OF THE SOUTH 253 FEET OF THE WEST 165 FEET (EXCEPT THE EAST 48 FEET OF THE NORTH 5 1/2 FEET) OF BLOCK 6 IN VALLETTE AND BEARDS ADDITION TO THE TOWN OF WHEATON, BEING A SUBDIVISION IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 10, 1854, AS DOCUMENT NUMBER 8364, IN DU PAGE COUNTY, ILLINOIS.

P.I.N.'s 05-16-133-001 05-16-133-002 05-16-133-003 05-16-133-004 05-16-133-005

The property is commonly known as Gary Memorial United Methodist Church, 224 North Main Street, Wheaton, Illinois 60187.

Section 2: Pursuant to the Findings of Fact determined by the Wheaton Board of Zoning Appeals, the rezoning and special use permit are hereby issued and granted for the construction and use of a parking lot in full compliance with the site plan dated August 29, 1997 prepared by Harold F. Steinbrecher, Jr., 141 South Neltnor Boulevard, West Chicago, Illinois and in further compliance with the following conditions, restrictions and requirements.

- A. Prior to the issuance of a site development permit, owner shall:
 - 1. Prepare a plat of consolidation for staff review and approval by the City Council.
 - 2. Prepare a set of final engineering plans and stormwater management report for the subject property. The final engineering plans and stormwater management report shall be the subject to the reasonable approval of the Director of Engineering.
 - 3. Prepare a landscape plan which includes the landscaping of the area adjacent to Seminary Avenue in accordance with the requirements of the City of Wheaton Landscape Ordinance and which indicates the screening of the dumpster and landscaping of the setback of the entire existing parking lot with a low hedge. The landscape plan shall be subject to the reasonable approval of the Director of Planning.
- B. The City hereby approves the demolition of the existing structure at 116 West Seminary Street as provided for in Chapter 22, Article 12 of the Wheaton City Code. Such building demolition shall be done in accordance with the provisions of the BOCA building codes in force at the time of permit, and any or all additional requirements as directed by the Director of the Building and Code Enforcement Department.
- 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 what 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 the original planting size or larger as directed by the City.
- D. This special use permit and the conditions, restrictions and requirements cited herein shall be considered a declaration of restrictive covenant and shall be binding upon the subject property, and its owners, successors, assigns and grantees. This Ordinance shall be recorded in the office of J.P. Carney, Recorder of Deeds, DuPage County, Illinois. By application for and in 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 agree 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.

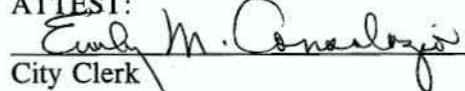
Section 3: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 4: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



James Carr
Mayor

ATTEST:



Emily M. Gonzalez
City Clerk

Roll Call Vote

Ayes:	Councilman Gresk Councilman Johnson Councilwoman Johnson Councilman Mork Councilwoman Davenport Mayor Pro Tem Eckhoff
-------	--

Nays:	None
-------	------

Absent:	Mayor Carr
---------	------------

Motion Carried Unanimously

Passed: October 20, 1997
Published: October 21, 1997