

ORDINANCE NO. F-0211

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT
FOR A PLANNED UNIT DEVELOPMENT FOR A COMMERCIAL BANK FACILITY
ON A CERTAIN PIECE OF PROPERTY COMMONLY LOCATED
AT 303-305 WEST FRONT STREET AND 110 NORTH WHEATON AVENUE -
COMMUNITY BANK WHEATON/GLEN ELLYN**

WHEREAS, written application has been made for the issuance of a special use permit for a planned unit development to allow the construction and use of a two-story 12,500 square-foot full-service commercial bank facility with a full basement and four drive-through banking lanes following the demolition of the existing structure on the property legally described herein within the city limits of Wheaton, Illinois, and commonly known as 303-305 West Front Street and 110 North Wheaton Avenue ("subject property"); 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 January 13, 1998, to consider the issuance of the special use permit for a planned unit development and approval of the demolition of the existing structure on the subject property; and the Wheaton Board of Zoning Appeals has recommended approval of the demolition and 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, Du Page 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 C-4 CBD Perimeter Commercial District zoning classification:

LOT 10 IN BLOCK 1 AND THE SOUTH 6.5 FEET OF THE ALLEY LYING NORTH OF THE NORTH LINE OF LOT 10 IN J. C. WHEATON'S ADDITION TO THE TOWN OF WHEATON, A SUBDIVISION IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 7, 1855 AS DOCUMENT 9567, IN DUPAGE COUNTY, ILLINOIS.

PIN 05-16-300-017, 05-16-300-018

This property is commonly located at 303-305 West Front Street and 110 North Wheaton Avenue, Wheaton, IL 60187.

Section 2: Pursuant to the Findings of Fact determined by the Wheaton Board of Zoning Appeals, a special use permit for a planned unit development is hereby issued to allow the construction and use of a two-story 12,500 square-foot full-service commercial bank facility with

a full basement and four drive-through banking lanes following the demolition of the existing structure on the subject property in full compliance with the site plan and building elevation plan, dated October 31, 1997, entitled Community Bank-Wheaton, prepared by Williams/Associates/Architects, 210 North Hale, Wheaton, Illinois, and in further full compliance with the following conditions, restrictions, and requirements:

- A. The demolition of the existing structure on the subject property shall be performed in full compliance with the provisions of Article XII, "Demolition of Buildings", of the Wheaton City Code.
- B. All existing City utility services on the subject property must be rehabilitated to current City Code requirements or properly abandoned, all subject to the reasonable approval of the City.
- C. A continuous evergreen hedge shall be planted between the public sidewalk and the drive-up facilities; and a more-substantial type of plant material shall be placed in the island separating the drive-up facilities from the parking lot. The landscaping shall be subject to the reasonable approval of the Director of Planning.
- D. With the exception of the island south of the proposed building on the subject property, no modifications shall be made to the existing streetscape islands; and no new streetscape islands may be constructed. Any landscaping proposed for the islands in the public right-of-way shall be subject to the reasonable approval of the Director of Planning.
- E. Any public sidewalk which will be removed as part of the construction of the bank shall be replaced in conformance with the design standards for the Central Business District Renovation Program; the removal and replacement shall be as directed by, and subject to the approval of, the Director of Engineering.
- F. Following twelve (12) months from the date of a certificate of occupancy, the Bank shall submit a traffic and parking study to the Director of Engineering for his review and if the Director of Engineering determines it necessary, the Bank shall lease additional parking spaces, as determined by the Director of Engineering, for their use.
- G. 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.
- H. The 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.

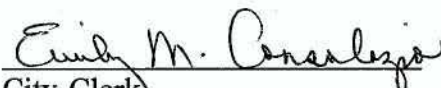
Section 3: All ordinances or parts of ordinances in conflict with these provisions are repealed.

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:

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

Nays: None

Absent: None

Motion Carried Unanimously

Passed: February 2, 1998

Published: February 3, 1998