

ORDINANCE NO. F-0324

AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NO. E-3615, "AN ORDINANCE AMENDING THE WHEATON ZONING MAP AND GRANTING A SPECIAL USE PERMIT - COLLEGE CHURCH", DATED AUGUST 6, 1990, AND - ORDINANCE NO. E-3906, "AN ORDINANCE AMENDING THE WHEATON ZONING ORDINANCE MAP AND GRANTING A SPECIAL USE PERMIT FOR A PARKING LOT EXPANSION ON A CERTAIN PIECE OF PROPERTY COMMONLY LOCATED AT THE SOUTHWEST CORNER OF SEMINARY AND WASHINGTON STREETS-COLLEGE CHURCH", DATED JUNE 7, 1993, FOR THE CONSTRUCTION AND USE OF AN APPROXIMATE 53,000 SQUARE-FOOT BUILDING FOR CHURCH, OFFICE AND GYMNASIUM PURPOSES AND ASSOCIATED PARKING - SOUTHWEST CORNER OF SEMINARY AVENUE AND WASHINGTON STREETS - COLLEGE CHURCH

WHEREAS, on August 6, 1990, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. E-3615, "AN ORDINANCE AMENDING THE WHEATON ZONING MAP AND GRANTING A SPECIAL USE PERMIT - COLLEGE CHURCH" recorded on August 10, 1990 as document No. R90-102024 in the Office of the DuPage County Recorder ("Original Ordinance") which authorized the rezoning of certain property and the issuance of a special use permit for a church sanctuary and parking lot; and

WHEREAS, on June 7, 1993, the City of Wheaton, Illinois, ("City"), enacted City Ordinance No. E-3906, "AN ORDINANCE AMENDING THE WHEATON ZONING ORDINANCE MAP AND GRANTING A SPECIAL USE PERMIT FOR A PARKING LOT EXPANSION ON A CERTAIN PIECE OF PROPERTY COMMONLY LOCATED AT THE SOUTHWEST CORNER OF SEMINARY AND WASHINGTON STREETS-COLLEGE CHURCH" recorded on June 21, 1993 as document No. R93-129218 in the Office of the DuPage County Recorder ("AMENDED ORDINANCE") which authorized the rezoning of certain property and the issuance of a special use permit to allow the construction of a 43 car parking space expansion to the existing upper level parking lot at College Church; and

WHEREAS, application has been made to amend the Original Ordinance and Amended Ordinance together with a request to rezone additional property legally described herein and secure a special use permit and zoning variations. The zoning requests which are the subject of this ordinance pertain to the construction of a building having two (2) stories above ground and two (2) basement levels below ground, containing approximately 53,000 square feet together with a parking lot, all on the southwest corner of Seminary Avenue and Washington Street; and

WHEREAS, pursuant to notice, hearings were conducted by the Wheaton Board of Zoning Appeals on December 8, 1998, and January 12, 1999, to consider all requested zoning issues; and the Wheaton Board of Zoning Appeals has recommended approval of all requested zoning issues, subject to certain conditions, restrictions and requirements.

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 Zoning Ordinance of Wheaton, Illinois, is amended by deleting the following-described property from the R-5 Multiple Family District zoning classification and including them in the I-1 Institutional District zoning classification:

LOT 2 (EXCEPT THE EAST 8.5 FEET) AND THE EAST 2.5 FEET OF LOT 3 AND THE EAST ½ OF LOT 11 AND ALL OF LOT 12 IN BLOCK 1 IN THE TOWN OF WHEATON, BEING A SUBDIVISION IN SECTION 16, TOWNSHIP 30 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 20, 1853 AS DOCUMENT 7256, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-16-136-005, 05-16-136-013

ALL OF LOT 1 AND THE EAST 8.5 FEET OF LOT 2 IN BLOCK 1 IN THE TOWN OF WHEATON, BEING A SUBDIVISION IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 10, 1853, AS DOCUMENT 7256, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-16-136-006

LOT 3 (EXCEPT THE EAST 2.5 FEET) IN BLOCK 1 IN THE TOWN OF WHEATON, BEING A SUBDIVISION IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 10, 1853, AS DOCUMENT 7256, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-16-136-004

This property is commonly located on the southwest corner of Seminary Avenue and Washington Street, Wheaton, Illinois 60187.

Section 2: Pursuant to the Findings of Fact determined by the Wheaton Board of Zoning Appeals, an amendment to the Original Ordinance and Amended Ordinance and the special use permit granted therein is hereby approved and issued to allow the construction and use of a building having two (2) stories above ground and two (2) basement levels below ground, containing approximately 53,000 square feet together with a parking lot, in compliance with the following conditions, restrictions and requirements:

- "A. Owner may construct a building having two (2) stories above ground and two (2) basement levels below ground, containing approximately 53,000 square feet, together with a parking lot, on the southwest corner of Seminary Avenue and Washington Street in compliance with the site plan entitled, "College Church in Wheaton", prepared by Walter Carlson Associates, dated January 15, 1999; the architectural rendering entitled, "College Church in Wheaton Sheet DD106 and DD107", prepared by Walter Carlson Associates, dated September 24, 1999; and the landscape plan entitled, "Re: College Church in Wheaton South Annex", prepared by Walter Carlson Associates, undated.
- B. Any rooftop mechanical units shall be screened to obstruct their view; the screening shall be subject to the reasonable approval of the Director of Planning.
- C. Prior to the issuance of a site development or building permit, the applicant shall submit a revised stormwater management report and engineering plans prepared in accordance with the provisions of the City Stormwater Management Ordinance for City approval.
- D. Any defective public sidewalk adjacent to the subject property shall be removed and replaced as directed by the Director of Engineering.
- E. Owner may construct a pedestrian tunnel beneath Seminary Avenue pursuant to a license agreement to be entered into between owner and the City. The license agreement shall be subject to the reasonable approval of the City Attorney. Detailed plans for the construction of the pedestrian tunnel, illustrating City utility relocation, construction scheduling and traffic detouring, shall be subject to the reasonable approval of the Director of Engineering.
- F. Prior to the issuance of any building permit, owner shall submit a plat of resubdivision for the subject property for City approval.
- G. The residential improvements presently existing on the properties commonly known as 318 East Seminary Avenue, 330 East Seminary Avenue, and 325 East Wesley Street may be demolished pursuant to the provisions and requirements of City Code.
- H. The terms and provisions of the traffic report prepared by Gewalt Hamilton Associates, Inc., dated September 25, 1998, revised November 11, 1998, are incorporated into this ordinance by this reference; the use of the subject property shall be in conformance with the recommendations contained in the traffic report.
- I. Owner shall file an application for the vacation of that portion of East Street and the public alley within the proposed parking lot illustrated on the site plan; the


vacation of that portion of East Street and the public alley shall proceed in conformance with the provisions of the City Code.

- J. The following variations from the provisions of the Wheaton Zoning Ordinance are hereby granted:
1. Section 14.2.A(2): Reduction of the building setback off of Seminary Avenue from 26.13 feet to 17 feet for the stair tower.
 2. Section 6.6: Reduction of the 10 percent interior landscaping requirement for parking areas 1 and 2.
 3. Section 6.6.2: Reduction of the parking lot setback adjacent to the right-of-way of Seminary Avenue from 15 feet to 8 feet for parking area #1.
 4. Section 22.3.3: Reduction of the parking lot setback adjacent to the west property line from 50 feet to 15 feet for parking area #1.
 5. Section 6.6.2: Reduction of the parking lot setback adjacent to the right-of-way of Wesley Street from 15 feet to 12 feet and the parking lot setback adjacent to the west property line from 10 feet to zero feet for parking area #2.
 6. Section 6.6.2: Reduction of the parking lot setback adjacent to the west property line from 10 feet to zero feet for parking area #1.
- K. Section K of the Original Ordinance is hereby deleted.
- L. Prior to the issuance of a building or site development permit, the owner shall submit a revised landscape plan which illustrates the installation of more substantial foundation plantings around the building and a greater number of larger trees within and around the parking lot. Said revised landscape plan shall be subject to the reasonable approval of the Director of Planning.
- M. In all other respects, the terms and provisions of the Original Ordinance and Amended Ordinance are ratified and remain in full force and effect.”

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

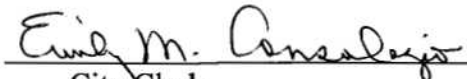
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Section 4: This ordinance shall become effective subject to the passage and approval of an ordinance vacating a portion of East Street and the public alley and subsequent publication in pamphlet form in the manner prescribed by law.



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: March 1, 1999

Passage Date of Vacation Ordinance: June 7, 1999

Published: June 8, 1999