

**ORDINANCE NO. F-0340**

**AN ORDINANCE AMENDING ORDINANCE NO. E-3822 "AN ORDINANCE AMENDING THE CITY OF WHEATON ORDINANCE NO. E-3730 AN ORDINANCE AMENDING THE WHEATON ZONING MAP AND GRANTING A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS LOT 30 IN KEIM'S RESUBDIVISION OF WHEATON PARK MANOR (NORTHEAST CORNER OF ROOSEVELT AND COUNTY FARM ROADS) - TARGET STORES" DATED OCTOBER 14, 1991 - S. F. KOHL'S STORE**

WHEREAS, on October 14, 1991, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. E-3730 recorded on November 8, 1991, as Document No. R91-149804, at the DuPage County Recorder of Deeds Office, "AN ORDINANCE AMENDING THE WHEATON ZONING ORDINANCE MAP AND GRANTING A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS LOT 30 IN KEIM'S RESUBDIVISION OF WHEATON PARK MANOR (NORTHEAST CORNER OF ROOSEVELT AND COUNTY FARM ROAD) - TARGET STORES", DATED OCTOBER 14, 1991 ("original ordinance"), authorizing the issuance of a special use permit for a planned unit development for the construction and use of an approximately 270,000 square foot shopping center on the properly legally described on Exhibit "A" attached hereto and commonly known as Lot 30 in Keim's Resubdivision of Wheaton Park Manor (northeast corner of Roosevelt and County Farm Roads), Wheaton, Illinois; and

WHEREAS, on September 21, 1992 the City enacted Ordinance No. E-3822 recorded on October 16, 1992 as Document No. R-92-197934 at the DuPage County Recorder of Deeds office, "AN ORDINANCE AMENDING THE CITY OF WHEATON ORDINANCE NO. E-3730 AN ORDINANCE AMENDING THE WHEATON ZONING MAP AND GRANTING A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS LOT 30 IN KEIM'S RESUBDIVISION OF WHEATON PARK MANOR (NORTHEAST CORNER OF ROOSEVELT AND COUNTY FARM ROADS) - TARGET STORES" DATED OCTOBER 14, 1991 - S. F. KOHL'S STORE" ("amended ordinance") which amended the site plan and building envelope plan referred to in Section 3 of the original ordinance to accommodate a 74,964 square foot Kohl's store in lieu of a 65,000 grocer on the plan; and

WHEREAS, following enactment of the original ordinance and the amended ordinance, an application has been made to further amend the site plan and building envelope plan referred to in Section 3 of the original ordinance to accommodate a 65,000 square foot grocery store in lieu of the 65,000 square feet of multi-tenant space on the plan; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the City Zoning Ordinance, a public hearing was conducted by the Wheaton Board of Zoning Appeals on April 13, 1999 to consider the planned unit development amendment and the Wheaton Board of Zoning Appeals has unanimously recommended approval of the amendment.

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: An amendment to the original ordinance and the amended ordinance is hereby granted to accommodate a 65,000 square foot Cub Foods grocery store in lieu of the 65,000 square foot multi-tenant retail space in substantial compliance with the plans entitled "*Amended Planned Unit Development for the Target Subdivision*", prepared by Cemcon, Ltd., 1N131 County Farm Road, Winfield, IL 60190

*dated February 1, 1999, "Cub Foods Supermarket Preliminary Landscape Plan prepared by Gary R. Weber Associates, Inc., 114 N. Hale Street, Suite A, Wheaton, IL 60187 dated February 1, 1999 and "Cub Foods exterior elevation dated March 11, 1999 prepared by Planmark Design Services Group, 6533 Flying Cloud Drive, Eden Prairie, MN 55344" and subject to the following conditions, restrictions and requirements:*

A. As a condition precedent to the effectiveness of the amendment granted in this ordinance:

- (1) Owner/developer shall submit a revised site plan and landscape plan to the City which shall include the following:
  - (a) A sidewalk along the east side of the proposed Cub Foods supermarket and along the north side of the existing Target building.
  - (b) Additional trees and shrubs along the east side of the proposed Cub Foods supermarket, along the west side of the detention pond along Fapp Circle, along the north side of the existing Target building adjacent to the proposed parking spaces, foundation plantings in front of the proposed Cub Foods supermarket, and and a revision to the widths of all internal parking lot islands so they are similar in size.
  - (c) The utilization of stormwater best management practices in the reconfiguration of the on-site stormwater management facilities.
  - (d) Parking lot lighting shall be in accordance with the City's Zoning Ordinance requirements. All parking lot lighting shall be the same style and type as on the existing Target/Kohl's site.
  - (e) The two shared monument signs, one along Roosevelt Road and one along County Farm Road shall be a maximum of 19 feet high, have bases constructed of similar materials as the building, be no greater than 112 square feet in sign face areas, and shall allow the transmission of light only through the sign message and/or logo of the Cub Foods portion of the sign.
- (2) Owner/developer shall submit a revised building elevation plan for the proposed Cub Foods supermarket, which shall indicate the exclusive use of masonry in lieu of EIFS as a building material and incorporation of similar colors and split face block masonry as the existing Kohls building. The red tile accent band proposed for the Cub Foods supermarket shall be installed at approximately the same elevation as the banding on the existing Kohl's building and as deemed appropriate by the City Planner in his reasonable discretion. In exercising such discretion, the City Planner shall take into consideration the overall dimensions of the Cub Foods supermarket building in relation to the Kohl's building. Such approval shall not be unreasonably withheld.

Section 2: In all other respects, the terms and provisions of the original ordinance are ratified and remain in full force and effect.

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

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

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Mayor

ATTEST:

  
City Clerk

Ayes:

Roll Call Vote

Councilwoman Davenport

Councilman Eckhoff

Councilman Gresk

Mayor Carr

Councilman Johnson

Councilman Mork

Nays:

None

Absent:

Councilwoman Johnson

Motion Carried Unanimously

Passed: May 3, 1999

Published: May 4, 1999