

## ORDINANCE NO. F-0353

### **AN ORDINANCE AMENDING THE WHEATON ZONING MAP AND GRANTING A SPECIAL USE PERMIT TO ALLOW THE CONSTRUCTION OF A TWO-STORY 12,500 SQUARE-FOOT ADDITION TO AN EXISTING BUILDING AND A NEW 46-CAR PARKING LOT - 715 CARLTON/ FIRST PRESBYTERIAN CHURCH**

WHEREAS, application has been made to amend the Zoning Map, which is attached to and forms a part of the Zoning Ordinance, Wheaton, Illinois, and issue a special use permit for the construction and use of a two-story 12,500 square-foot addition to the existing building, consisting of a multi-purpose room and a two-level link and main entrance between the present sanctuary and Stewart Hall, together with a new 46-car parking lot near the southeast corner of Ellis and Jefferson Avenues; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, public hearings were conducted by the Wheaton Board of Zoning Appeals on February 9 and February 23, 1999, to consider the zoning requests.

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 City makes the following findings of fact:

- A. The proposed expansion of the existing church will not be detrimental to the public health, safety, morals, comfort, convenience and general welfare.
- B. As the proposed parking lot will comply with all applicable landscape and setback requirements, the proposed church expansion will not be injurious to the use and enjoyment of other property in the immediate vicinity nor will it impede the normal and orderly development of surrounding property.
- C. The institutional use of the property complies with the objectives of the Wheaton Comprehensive Plan.

**Section 2:** 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-3 Single Family Residential District zoning classification and including it in the I-1 Institutional District zoning classification:

LOTS 1 THRU 12, BOTH INCLUSIVE, IN BLOCK 4 IN NOAH E. GARY'S FIRST ADDITION TO THE CITY OF WHEATON, AND ALSO THAT PART OF THE VACATED 20.0' WIDE ALLEY LYING WITHIN SAID BLOCK 4, BEING A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN.

P.I.N. 05-17-206-001

This property is commonly located at 715 Carlton Avenue (The church is situated on an entire City block bounded by Madison Avenue on the north, Jefferson Avenue on the south, Ellis Avenue on the east, and Carlton Avenue on the west), Wheaton, Illinois 60187 ("subject property").

Section 3: Pursuant to the Findings of Fact determined by the Wheaton City Council, a special use permit is hereby granted and issued to allow the construction and use of a two-story 12,500 square-foot addition to the existing building, consisting of a multi-purpose room and a two-level link and main entrance between the present sanctuary and Stewart Hall, together with a new 46-car parking lot near the southeast corner of Ellis and Jefferson Avenues, and a zoning variation is hereby granted and issued to allow the construction of a canopy structure along Madison Avenue with a setback of 18 feet in lieu of the required 20 feet, in full compliance with the following conditions, restrictions and requirements:

- A. Construction of the improvements authorized by this ordinance may proceed in full compliance with architectural plans entitled, the "Perspective from the South-East A3", the "South Elevation A4", and the "East Elevation A5", all dated December 16, 1997, prepared by Williams/Associates/Architects, Ltd., Wheaton, Illinois; the "Landscape Plan" sheets LP.1 and LA.1, dated April 16, 1999, prepared by David R. McCallum Associates, Inc., Libertyville, Illinois; and the "Engineering Plan" sheets CO2, CO3, CO4, CO5, and CO6, dated May 11, 1999, prepared by Gary L. Cottingham.
- B. Any rooftop mechanical units shall be screened to obstruct their view; the screening shall be subject to the reasonable approval of the City Planner.
- C. Stormwater management and engineering plans shall be subject to the reasonable approval of the City Engineer prior to the issuance of any site development permit.
- D. The separate two-story building located on Ellis Avenue, which presently serves as a counseling center, may be demolished pursuant to the demolition provisions and requirements of the City Code.
- E. The terms and provisions of the traffic report prepared by James J. Benes and Associates, dated January 8, 1999, 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.
- F. All landscaping and planting to be implemented on the subject property shall conform to the landscape plan recited this section; the plan and its specific application to the perimeter of the proposed parking lot shall be subject to the reasonable approval of the City prior to the issuance of any site development permit

and shall include parkway trees along the new landscaped areas along Jefferson Avenue and the addition of larger-scale, water tolerant species of trees within the detention facility.

G. 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.

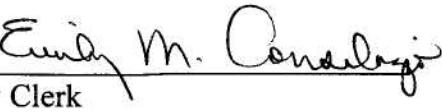
H. This special use permit, and the conditions, restrictions, and requirements recited herein, shall be considered a declaration of restrictive covenants and shall be binding upon the subject property and its owner, its successors, assigns, and grantees; this ordinance shall be recorded in the office 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 4: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 5: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

ATTEST:

  
Emily M. Connelly  
City Clerk

Ayes:

  
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Mayor Carr

Roll Call Vote:

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

Nays:                   None

Absent:                Councilman Johnson

**Motion Carried Unanimously**

Passed: June 7, 1999

Published: June 8, 1999