

ORDINANCE NO. F- 0385

**AN ORDINANCE AMENDING ORDINANCE NO. F-0340 AND 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 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, on May 3, 1999 the City enacted Ordinance No. F-0340, recorded on June 11, 1999 as Document No. R99-131161 at the DuPage County Recorder of Deeds' office, "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" ("second amended ordinance") which further amended the original ordinance and the amended ordinance to accommodate a 65,000 square foot grocery store; and

WHEREAS, following enactment of the original ordinance, the amended ordinance and the second amended ordinance, an application was made to further amend the site plan, landscape plan, and building elevation plan referred to in the second amended ordinance to allow a special use permit for a drive-up pharmacy pickup window on the east side of the proposed grocery store; 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 August 24, 1999



to consider the planned unit development amendment and special use permit, and the Wheaton Board of Zoning Appeals has unanimously recommended approval of the amendment 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: An amendment to the original ordinance, the amended ordinance and the second amended ordinance is hereby granted to allow issuance of a special use permit to accommodate a drive-up pharmacy pick-up window on the east side of the proposed grocery store in substantial compliance with the plans entitled "*Site plan - Cub Foods Wheaton*" prepared by Cemcon Ltd, 1N131 County Farm Road, Winfield, IL 60190 dated 7/26/99, "*Exterior Elevation - Cub Foods Wheaton*" prepared by Planmark Design services group, 6533 Flying Cloud Drive, Eden Prairie, MN 55344 dated 7/19/99, and "*Landscape Plan - Cub Food Supermarket*" prepared by Gary R. Weber Assoc. Inc., 224 S. Main Street, Wheaton, IL 60187 dated 7/27/99.

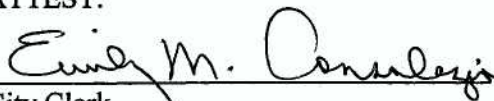
- A. As a condition precedent to the effectiveness of the amendment and special use permit granted in this ordinance, the owner/developer shall submit a revised site plan which incorporates the recommendations of the applicant's traffic engineer dated 7/22/99. Said revised plan shall be subject to the reasonable approval of the Director of Engineering.

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.

ATTEST:

  
City Clerk

  
Mayor

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: September 7, 1999  
Published: September 8, 1999