

## ORDINANCE NO. F-0458

AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NO. F-0324 "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", DATED MARCH 1, 1999, 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, AND ORDINANCE NO. E-3615, "AN ORDINANCE AMENDING THE WHEATON ZONING MAP AND GRANTING A SPECIAL USE PERMIT - COLLEGE CHURCH", DATED AUGUST 6, 1990  
FOR THE REZONING OF 314 E. SEMINARY AND AN AMENDMENT TO THE EXISTING SPECIAL USE PERMIT FOR COLLEGE CHURCH TO ALLOW THE CONSTRUCTION OF A STORMWATER MANAGEMENT FACILITY

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, on March 1, 1999, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. F-0324, "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" recorded on June 11, 1999 as document No. R1999-131158 in the office of the DuPage County Recorder ("FURTHER AMENDED ORDINANCE"); and

WHEREAS, application has been made to amend the Original Ordinance and Amended Ordinances together with a request to rezone additional property legally described herein and secure a special use permit. The zoning request which is the subject of this ordinance pertains to the demolition of an existing structure at 314 E. Seminary Avenue in order to construct a stormwater detention facility; and

WHEREAS, pursuant to notice, a hearing was conducted by the Wheaton Board of Zoning Appeals on April 25, 2000, 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 it in the I-1 Institutional District zoning classification:

LOT 4 IN BLOCK 1 IN THE TOWN OF WHEATON, BEING A SUBDIVISION OF SECTION 16,  
TOWNSHIP 39 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. 05-16-136-003

This property is commonly located at 314 E. Seminary Avenue, 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 Ordinances and a special use permit is hereby approved and issued to allow the construction of a stormwater detention facility which would service the development currently under construction in full compliance with the site plan entitled "Alternate Site Plan - College Church in Wheaton" prepared by Cemcon Ltd dated March 13, 2000, and the "Landscape Plan" prepared by Church Building Architects dated March 31, 2000, subject to the following conditions, restrictions and requirements:

- A. That a fence be constructed along the east and south property line of the proposed detention facility to allow greater protection from the adjoining property. Said fence shall be subject to the reasonable approval of the Director of Planning.
- B. That the pedestrian landing and handicap accessible curb ramp located in the Seminary Avenue right-of-way be eliminated from the site plan.
- C. The residential improvements presently existing on the subject property may be demolished pursuant to the provisions and requirements of the City Code.
- D. In all other respects, the terms of the original Ordinance and Amended Ordinances are ratified and remain in full force and effect.

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.

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Mayor

*John Carr*

ATTEST:

*Emily M. Anderson*  
\_\_\_\_\_  
City Clerk

Roll Call Vote:

Ayes:

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

Nays:

None

Absent:

None

Motion Carried Unanimously

Passed: May 1, 2000  
Published: May 2, 2000

