

ORDINANCE NO. F-0526

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT
FOR A CONVENIENCE FILLING STATION FOR A PLANNED UNIT DEVELOPMENT
ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS
THE MAIN STREET PLAZA SHOPPING CENTER -
JEWEL EXPRESS**

WHEREAS, written application has been made to amend the planned unit development on certain property legally described herein within the City limits of Wheaton, Illinois (City) and commonly known as the Main Street Plaza; and

WHEREAS, the owner of the property legally described in this Ordinance is requesting an amendment to the planned unit development previously designated for this real estate to allow the construction of a convenience filling station; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, a public hearing was conducted by the Wheaton Board of Zoning Appeals on September 12, 2000, to consider the special use permit and amendment to the planned unit development and the Wheaton Board of Zoning Appeals has unanimously recommended approval of the aforementioned relief.

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 following described property has been and continues to be zoned and classified in the C-5 Planned Unit Development Commercial District zoning classification:

THE WEST 150.0 FEET OF THE NORTH 150.0 FEET OF LOT 2 IN KINGSBIDGE, A SUBDIVISION IN THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 5, 1969 AS DOCUMENT R69-39760, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-09-102-035

The subject property is commonly known as 204 E. Geneva Road, Wheaton, IL 60187.

Section 2: The planned unit development zoning status has previously been enacted for the subject property and a special use permit is hereby issued to allow for the construction and use of a convenience filling station on the subject property in full compliance with the plans entitled "*Sheet 1-1 dated 9/14/00; Sheet 1-2 dated 9/14/00; and Sheet L-1 dated 9/25/00; prepared by A. Epstein & Sons International, Inc., 600 W. Fulton Street, Chicago, IL 60661-1199*" and in further compliance with the following conditions:

- a. That prior to the issuance of a stormwater management permit, the applicant shall furnish a final set of engineering plans in conformance with City staff requirements.
- b. That the final plat of Albertson's Resubdivision, prepared by Webster, McGrath and Ahlberg, Ltd. and dated August 4, 2000, is hereby approved subject to the provision of the owner providing a utility easement grant to the City for the proposed relocated watermain on Lot 2. The Mayor is authorized to sign the approval form and the City Clerk is directed

to attest to the Mayor's signature and attach a certified copy of this Ordinance to the final plat of Albertson's Resubdivision, dated August 4, 2000.

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.

Mayor

ATTEST:

Emily M. Ondrey
City Clerk

B. James Carr

Roll Call Vote:

Ayes:	Councilwoman Davenport Councilman Eckhoff Councilman Gresk Mayor Carr Councilman Johnson Councilwoman Johnson Councilman Mork
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Nays:	None
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Absent:	None
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Motion Carried Unanimously

Passed: October 16, 2000

Published: October 17, 2000