

ORDINANCE NO. F-0537

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A
PLANNED UNIT DEVELOPMENT/
DEICKE CENTER FOR VISUAL REHABILITATION/WHEATON EYE CLINIC**

WHEREAS, written application has been made to issue a special use permit for the demolition of an existing building, construction of a new building for the Deicke Center for Visual Rehabilitation and improvement and expansion of the existing parking lot which services both the Deicke Center for Visual Rehabilitation and the Wheaton Eye Clinic on the property legally described herein with the City limits of Wheaton, Illinois (City) and commonly located at 219 E. Cole Avenue and 2015 N. Main Street (Subject Property); 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 November 14, 2000, and the Wheaton Board of Zoning Appeals has recommended approval of the issuance of a special use permit for a planned unit development.

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 O-R Office Research zoning classification:

LOTS 3,4, 5, THE EAST 61' OF LOT 7, AND THE SOUTH 300' OF LOT 8 IN BLOCK 3 IN ARTHUR T. MCINTOSH AND CO'S GENEVA ROAD SUBDIVISION, BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED JUNE 26, 1924 AS DOCUMENT 179449 AND CERTIFICATE OF CORRECTION FILED AUGUST 5, 1924 AS DOCUMENT 180974, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-09-102-012 P.I.N. 05-09-102-088 P.I.N. 05-09-102-089

The subject properties are commonly known as 219 E. Cole Avenue and 2015 N. Main Street, Wheaton, Illinois 60187.

Section 2: Pursuant to the findings of fact determined by the Wheaton Board of Zoning Appeals, a special use permit for a planned unit development is hereby granted and issued for the construction and use of a business and professional office on the subject property in full compliance with the following conditions, restrictions and requirements:

- A. The plans entitled "Preliminary Site Development Plan" prepared by Cemcon Ltd. Winfield, Illinois dated September 25, 2000; "Landscape Development Plan" prepared by Western DuPage Landscaping, Naperville, Illinois dated September 21, 2000; "Tree Preservation Plan, Sheets 1 and 2", prepared by Cemcon Ltd., Winfield, Illinois dated September 1, 2000; and "Exterior Elevations, Sheets A1 and A2", prepared by Walter C. Carlson & Associates, Northbrook, Illinois, dated January 22, 2000.
- B. A final engineering plan shall be submitted to include a site lighting and photometric plan prepared in accordance with the City's Zoning Ordinance.

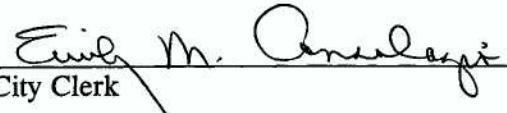
- C. The existing Deicke Center for Visual Rehabilitation building at 219 E. Cole Avenue may be demolished pursuant to the provisions and requirements of the City Code.
- D. That the final plat of subdivision entitled Wheaton Eye Clinic/Deicke Center subdivision prepared by Cemcon Ltd., Winfield, Illinois dated July 12, 2000 is hereby approved. The Mayor shall sign and the City Clerk shall attest to his signature on said plat.
- E. The special use permit and the conditions, restrictions and requirements recited herein shall be considered a declaration of restrictive covenant 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, DuPage County, Illinois by application for and receipt of any site development or building permit and the commencement of construction any improvements on the subject property owner for him, self/itself his/its successors, assigns and grantees thereby agrees to all the terms and conditions of this ordinance and declares this ordinance to constitute a covenant running with and binding the subject property in perpetuity.

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:


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: November 20, 2000
Published: November 21, 2000