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ORDINANCE NO. F-0582

**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 33 IN KEIM'S RESUBDIVISION - KOBLER**

WHEREAS, written application has been made to amend the Zoning Map, which is attached to and forms the part of, the Zoning Ordinance of Wheaton, Illinois for the issuance of a special use permit for a planned unit development to allow the construction of a three-story, 19,500 square foot addition office building on property legally described herein within the city limits of Wheaton, Illinois ("Subject Property"); and

WHEREAS, the Plan Commission reviewed the application at its April 3, 2001, meeting and has recommended approval; 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 April 10, 2001 to consider the zoning amendment and special use permit; and the Wheaton Board of Zoning Appeals has recommended approval of the zoning amendment and issuance of the 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: The Zoning Map, which is attached to and forms a part of the City Zoning Ordinance, is amended by including the following described C-5 zoned property in the C-5 Special Use/Planned Unit Development District zoning classification:

LOT 33 IN KEIM'S RESUBDIVISION OF WHEATON PARK MANOR, BEING A SUBDIVISION OF PART OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 3, 1989 AS DOCUMENT R89-094349, AND CERTIFICATE OF CORRECTION RECORDED JULY 1, 1991, AS DOCUMENT R91-080932, IN DUPAGE COUNTY, ILLINOIS. PIN 05-18-315-001

Section 2: Pursuant to the Findings of Fact determined by the Wheaton Board of Zoning Appeals, a special use permit is granted to permit the construction of a three-story, 19,500 square foot office building in substantial compliance with the plans entitled "Wheaton Office Center Annex II, prepared by C.M. Lavoie & Associates, Downers Grove, Illinois dated February 23, 2001; Landscape Plan, prepared by C.M. Lavoie & Associates, Downers Grove, Illinois dated March 26, 2001; and the Building Elevation Plan entitled Front (East) elevation, prepared by RJ & A Architects, dated March 15, 2001" and in further full compliance with the following conditions, restrictions and requirements:

- A. Prior to the issuance of any site development or building permit, owner shall enter into a Fire Lane Designation and Enforcement Agreement with the City of Wheaton, providing for the designation, maintenance, and enforcement of the fire lane, which is appended and incorporated herein as Exhibit A.

B. Prior to the issuance of a site development permit, owner/developer shall:

- (1) File a final set of engineering plans and a stormwater management report. The final engineering documents shall meet with the approval of the Director of Engineering.
- (2) Obtain all necessary permits from, but not limited to, the DuPage County Department of Transportation and the Wheaton Sanitary District.
- (3) Revise the site plan to show a sidewalk connection between the public sidewalk along County Farm Road and the site sidewalk to provide pedestrian access to the office building, that the parking lot setback to the north property line be increased to 10 feet, that one dead-end parking space be removed to provide a vehicle turnaround, and that concrete parking bumpers be installed in front of the handicap spaces adjacent to the sidewalk.
- (4) Revise the landscape plan to include larger-scale foundation plantings and a more continuous screen of the north parking lot, that parkway trees be added to the landscape plan, and that additional trees be added at the northwest and southwest corner of the building.

C. 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.

D. 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 successor, assigns, and grantees; this ordinance shall be recorded in the office of J.P. Carney, Recorder of Deeds, DuPage County, Illinois.

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:

Erin M. Conrad aye

City Clerk

C. James Carr

Mayor

Ayes:

Roll Call Vote:
Councilman Mork
Mayor Carr
Councilman Gresk
Councilman Eckhoff
Councilman Johnson
Councilwoman Johnson

Nays: None

Absent: Councilwoman Davenport

Motion Carried Unanimously

Passed: April 16, 2001
Published: April 17, 2001