

ORDINANCE NO. F-1192

**AN ORDINANCE DENYING A RE-ZONING AND SPECIAL USE PERMIT
APPLICATION FOR PLANNED UNIT DEVELOPMENT ON THE PROPERTY
COMMONLY KNOWN AS
417 NORTH PRESIDENT STREET/ADDISON DEVELOPMENT**

WHEREAS, written application has been made to amend the Zoning Map, which is attached to and forms a part of the Zoning Ordinance of Wheaton, Illinois, to rezone, reclassify and issue a special use permit for planned unit development for the development and construction of nine (9) townhouses on certain property legally described herein within the city limits of Wheaton, Illinois ("City"), and commonly located at 417 North President Street, Wheaton, IL ("subject property"); and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the City Zoning Ordinance, a public hearing was conducted by the Planning and Zoning Board on June 27, 2006 to consider the requested zoning amendment and special use permit.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, Du Page 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 R-4 Residential District zoning classification:

LOT 1 (EXCEPT THE EAST 50 FEET AND EXCEPT THE NORTH 245 FEET AND EXCEPT THE SOUTH 150 FEET, SAID SOUTH 150 FEET BEING MEASURED PARALLEL WITH AND AT RIGHT ANGLES TO THE SOUTH LINE OF SAID LOT 1) IN BLOCK 4 IN ANDERSON'S ADDITION TO WHEATON, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 25, 1885 AS DOCUMENT 34684, IN DUPAGE COUNTY, ILLINOIS.
PIN: 05-15-109-005

This property is commonly known as 417 North President Street, Wheaton, IL 60187 ("subject property").

Section 2: The following Findings of Fact are hereby made and determined by the City Council:

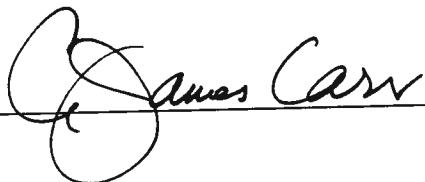
1. The Wheaton Comprehensive Plan does not provide for or promote high density residential development and use on the subject property;
2. Nine town homes on the subject property will be detrimental to the public health, safety comfort, convenience and general welfare of the residents in the area of the subject property.

3. The special use will not comply with the objectives of the Wheaton Comprehensive Plan.
4. Development of the subject property as requested in the application will promote and create increased traffic and congestion on the adjacent residential streets and in the adjacent residential neighborhoods around the Subject Property.

Section 3: Pursuant to the Findings of Fact determined in Section 2 of this ordinance, the rezoning request and requested special use permit on the subject property is hereby denied.

Section 4: All ordinances or parts of ordinances in conflict with these provisions are repealed.

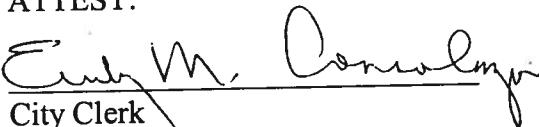
Section 5: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



James Carr

Mayor

ATTEST:



Cindy M. Connelly

City Clerk

Ayes:

Roll Call Vote:

Councilman Levine
Councilman Mouhelis
Councilman Suess
Councilman Bolds
Councilwoman Corry
Councilman Johnson
Mayor Carr

Nays: None

Absent: None

Motion Carried Unanimously

Passed: August 7, 2006
Published: August 8, 2006



114.92

173.84

171.90

139.92