

**ORDINANCE NO. F-1451****AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW THE CONSTRUCTION,  
OPERATION AND MAINTENANCE OF A NURSERY SCHOOL ON PROPERTY  
COMMONLY KNOWN AS 1746 SOUTH NAPERVILLE ROAD - KENSINGTON SCHOOL**

**WHEREAS**, written application has been made requesting a special use permit to allow the construction, operation and maintenance of a nursery school. The subject property is zoned R-3 Residential and is 1.45 acres in size. The applicant is seeking approval to construct a one-story, 16,000 square foot nursery school that would provide a daycare facility and preschool to a maximum of 159 students all on property commonly known as 1746 South Naperville Road, Wheaton, IL ("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 Planning and Zoning Board on September 9, 2009 and September 22, 2009 to consider a special use permit request; and the Planning and Zoning Board recommended that the request be granted and approved.

**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:** Pursuant to the Findings of Fact made and determined by the Planning and Zoning Board, a special use permit is granted to allow the construction, operation and maintenance of a Nursery School, all on the following-described property:

PARCEL 1: THAT PART OF LOT ONE, OF PLAT OF OSWALD SITTLER FARM, BEING A PART OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS, DESCRIBED BY COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS; THENCE SOUTH ALONG THE EAST LINE OF SAID NORTHWEST  $\frac{1}{4}$ , 388 FEET FOR A PLACE OF BEGINNING; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID SECTION 28, 250 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID NORTHWEST  $\frac{1}{4}$  OF SAID SECTION 28, 175 FEET; THENCE EAST PARALLEL WITH THE SAID NORTH LINE OF SAID SECTION 28, 250 FEET; THENCE NORTH ALONG THE SAID EAST LINE OF SAID NORTHWEST  $\frac{1}{4}$  OF SAID SECTION 28, 175 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: THE EAST 321 FEET OF THE SOUTH 80 FEET OF THE NORTH 643 FEET OF LOT 1 IN THE PLAT OF OSWALD SITTLER FARM OF PART OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 2, 1913 AS DOCUMENT 113254, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3: THE WEST 71 FEET OF THE EAST 321 FEET OF THE SOUTH 175 FEET OF THE NORTH 563 FEET OF LOT ONE OF OSWALD SITTLER FARM, ACCORDING TO PLAT THEREOF RECORDED ON SEPTEMBER 2, 1913 IN THE OFFICE OF THE RECORDER OF DEEDS OF DUPAGE COUNTY, ILLINOIS AS DOCUMENT NUMBER 113254, IN SECTION 28, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

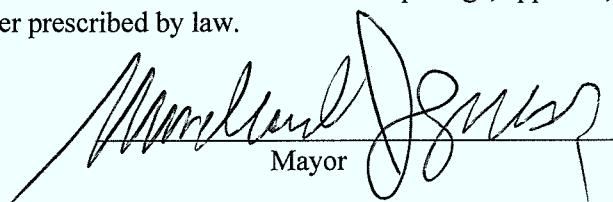
P.I.N. 05-28-106-011

**Section 2:** Pursuant to the Findings of Fact made and determined by the Planning and Zoning Board, a special use permit is granted to allow for the construction, operation and maintenance of a nursery school on the subject property, all in full compliance with the following plans: "Kensington School Wheaton, 1746 South Naperville Road, Wheaton, IL 60189", prepared by ML Partners, Oak Brook, IL dated July 30, 2009 and revised September 9, 2009; "Kensington School, 1746 South Naperville Road, Wheaton, IL 60187" sheets 1-7, prepared by DJA Civil Engineers & Surveyors, Wheaton, IL dated May 21, 2009 and in further compliance with the following conditions, restrictions, and requirements:

1. Prior to issuance of a site development permit, the applicant shall submit a revised landscaping plan for staff approval which replaces the shrubs shown along the northern edge of the parking lot with a taller hedge material, shows more upper screening along the northern and western edges of the property and shows re-grading on the northern edge of the building to preserve the existing evergreen trees;
2. Prior to issuance of a site development permit, the applicant shall submit a lighting plan for staff approval;
3. The applicant shall provide all easement verification for the proposed sanitary sewer extension; and
4. The refuse enclosure shall be moved to the south side of the parking lot.

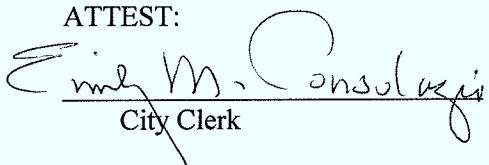
**Section 3:** All ordinances or parts of ordinances in conflict with these provisions are repealed.

**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

ATTEST:



\_\_\_\_\_  
Emily M. Consulazio  
City Clerk

Roll Call Vote:

Ayes: Councilman Prendiville  
Councilman Scalzo  
Councilman Suess  
Councilwoman Corry  
Mayor Gesk Pro Tem Mouhelis

Nays: Councilman Levine

Absent: Mayor Gesk

Motion Carried

Passed: October 19, 2009  
Published: October 20, 2009