

ORDINANCE NO. F-1455

AN ORDINANCE AMENDING THE 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, on October 19, 2009 the Wheaton City Council approved 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" (Original Ordinance); and

WHEREAS, the developer has submitted to the City a request to amend the Original Ordinance in order to construct a one-story, 14,000 square foot building instead of a one-story, 16,000 square foot building; and the City has determined that the requested amendment is a minor amendment and may be implemented without public hearing, pursuant to the provisions of Section 5.10 of the Wheaton Zoning Ordinance.

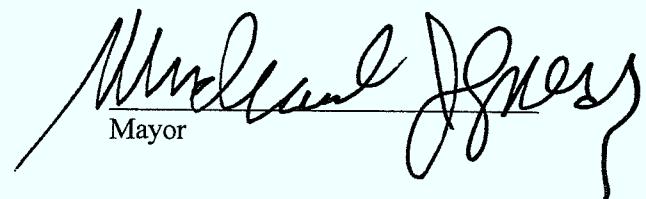
NOW THEREFORE BE IT ORDAINED, by the Mayor and City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers as follows:

Section 1: The real property, legally described in Exhibit A, which is attached hereto and incorporated herein, has been and continues to be zoned in the R-3 Residential zoning district classification, with a special use permit for a nursery school.

Section 2: Section 2 of the Original Ordinance shall be amended to include the use of the following plans in lieu of those described in the Original Ordinance: The plans entitled "Kensington School of Wheaton, 1746 South Naperville Road, Wheaton, IL 60189 - Site Plan, prepared by ML Partners, Oak Brook, IL dated October 26, 2009".

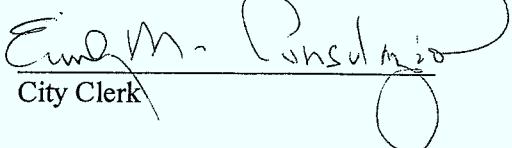
Section 3: In all other respects, the terms and conditions of the Original Ordinance are ratified and remain in full force and effect.

Section 4: This ordinance shall become effective after its passage, approval and publication in pamphlet form in the manner described by law.



Michael J. Jones
Mayor

ATTEST:



Emily Rinselman
City Clerk

Roll Call Vote:

Ayes: Councilman Mouhelis
Mayor Gresk
Councilman Prendiville
Councilman Scalzo
Councilman Suess
Councilwoman Corry
Councilman Levine

Nays: None

Absent: None

Motion Carried Unanimously

Passed: November 16, 2009
Published: November 17, 2009

Exhibit A

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

The subject property is commonly known as 1746 South Naperville Road, Wheaton, IL 60189.