

ORDINANCE NO. F-1701

AN ORDINANCE AMENDING ORDINANCES F-1229 AND F-1678, "AN ORDINANCE AMENDING THE WHEATON ZONING MAP BY GRANTING A SPECIAL USE PERMIT FOR PLANNED UNIT DEVELOPMENT - 1101 E. ROOSEVELT ROAD/ MALLON"

WHEREAS, on November 20, 2006, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. F-1229, "AN ORDINANCE AMENDING THE WHEATON ZONING MAP BY GRANTING A SPECIAL USE PERMIT FOR PLANNED UNIT DEVELOPMENT - 1101 E. ROOSEVELT ROAD/ MALLON" ("Original Ordinance"), which granted the construction of a 4,100 square foot bank with a drive-thru service lane and a 3,380 square foot retail building, all on the property legally described herein within the city limits of Wheaton, Illinois, and commonly known as 1051 East Roosevelt Road and 1071 East Roosevelt Road; and

WHEREAS, on November 5, 2012, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. F-1678, "AN ORDINANCE REINSTATING ORDINANCE NO. F-1229, AN ORDINANCE AMENDING THE WHEATON ZONING MAP BY GRANTING A SPECIAL USE PERMIT FOR PLANNED UNIT DEVELOPMENT - 1101 E. ROOSEVELT ROAD/MALLON" ("First Amended Ordinance"), which reinstated the special use for a bank with a drive-thru at 1051 East Roosevelt Road that had been vacant for more than eighteen (18) months; and

WHEREAS, following the enactment of the Original and First Amended Ordinance, an application has been made to further amend the existing planned unit development to incorporate the vacant parcel of land at the northeast corner of President Street and Roosevelt Road into the existing development and to allow the construction of eighteen (18) additional parking spaces just west of the existing building at 1051 East Roosevelt Road; 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 February 12, 2013 to consider the issuance of an amendment to the existing PUD; and the Board has recommended the issuance of an amendment to the existing PUD; and

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 C-3 General Commercial District zoning classification with a special use for a PUD:

PARCEL 1

LOT'S 1 AND 2 IN JCK RESUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID JCK RESUBDIVISION RECORDED AUGUST 23, 2012 AS DOCUMENT NO. R2012-113273, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 05-15-324-019; 05-15-324-018

The property, hereafter referred to as the "Existing Development", is commonly known as 1051 and 1071 East Roosevelt Road, Wheaton, IL 60187.

Section 2: The following described property is hereby rezoned from the C-3 General Commercial District zoning classification to the C-3 General Commercial District zoning classification with a special use for a PUD:

PARCEL 2

A PART OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT POINT WHICH IS 33 FEET EAST OF THE WEST LINE OF SAID SECTION 15 AND 158 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 15; THENCE EAST ALONG A LINE PARALLEL TO THE SOUTH LINE OF SECTION 15, A DISTANCE OF 125 FEET; THENCE SOUTH ALONG A LINE PARALLEL TO THE WEST LINE OF SECTION 15, A DISTANCE OF 125 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF ROOSEVELT ROAD; THENCE WEST A DISTANCE OF 125 FEET; THENCE NORTH ALONG A LINE 33 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 15, A DISTANCE OF 125 FEET TO THE PLACE OF BEGINNING, (EXCEPT THE CURVED PORTION OF THE SOUTHWEST CORNER OF THE ABOVE-DESCRIBED TRACT LYING WITHIN THE RIGHT OF WAY OF ROOSEVELT ROAD AND PRESIDENT STREET AND HAVING A 25 FOOT RADIUS) AND (ALSO EXCEPTING THERE FROM THAT PART TAKEN IN CONDEMNATION CASE 88ED-231) IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 05-15-324-020

The property, hereafter referred to as the "Additional Parcel", is commonly known as 1003 East Roosevelt Road, Wheaton, IL 60187.

Section 3: Approval is hereby granted to incorporate the Additional Parcel into the Existing Development and to allow the construction of eighteen (18) additional parking spaces on the Additional Parcel in substantial compliance with the preliminary engineering plans entitled "Proposed Providence Bank Parking Expansion", sheets C1 - C6, prepared by ATWELL, Naperville, IL, dated December 21, 2012, subject to the following conditions:

1. A setback of 6.0 feet shall be provided between the north property line and the full access entrance onto President Street; and
2. The setback provided between the north property line and the full access entrance onto President Street shall be landscaped in accordance with the requirements of Article 6.6.2 of the Wheaton Zoning Ordinance.

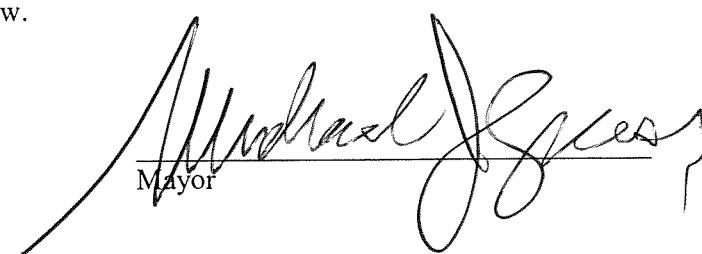
Section 4: In all other respects, the terms and provisions of the Original and First Amended Ordinance are ratified and remain in full force and effect.

Section 5: All ordinances and parts of ordinances in conflict with these provisions are hereby repealed.

Section 6: This ordinance shall become effective after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

ATTEST:


Sean Bennett
City Clerk


Michael J. Giese
Mayor

Roll Call Vote

Ayes: Councilman Rutledge
Councilman Saline
Councilwoman Pacino Sanguinetti
Councilman Scalzo
Councilman Suess
Mayor Pro Tem Mouhelis

Nays: None

Absent: Mayor Gresk

Motion Carried Unanimously

Passed: March 4, 2013
Published: March 5, 2013



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