

ORDINANCE NO. F-1947

**AN ORDINANCE AMENDING ORDINANCE NOS. E-1156, F-1885 AND F-1900 "AN ORDINANCE AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT AND PLANNED DEVELOPMENT FOR THE PARCEL OF PROPERTY COMMONLY CALLED THE AURORA YARDS AND MORE PARTICULARLY DESCRIBED IN EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF"**

**WHEATON CENTER PAVING IMPROVEMENTS – PHASE II EAST SIDE ADDITIONAL PARKING**

**WHEREAS**, on December 21, 1970, the Wheaton City Council approved Ordinance No. E-1156 "AN ORDINANCE AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT AND PLANNED DEVELOPMENT FOR THE PARCEL OF PROPERTY COMMONLY CALLED THE AURORA YARDS AND MORE PARTICULARLY DESCRIBED IN EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF" ("Original Ordinance"); and

**WHEREAS**, on September 8, 2015, the Wheaton City Council approved Ordinance No. E-1885 which amended Ordinance No. F-1885 and authorized the construction of a dog park ("Amended Ordinance"); and

**WHEREAS**, on November 16, 2015, the Wheaton City Council approved Ordinance No. E-1885 which amended Ordinance No. F-1900 and authorized the construction of a generator and fence enclosure. ("Second Amended Ordinance"); and

**WHEREAS**, following the enactment of the Original Ordinance, Amended Ordinance, and Second Amended Ordinance, application has been made to further amend the PUD Site Plan to allow the construction of 33 additional parking spaces in 4 locations in connection with pavement improvements the owner of Wheaton Center is undertaking on the east side of the Wheaton Center development; and

**WHEREAS**, The proposed plans are fully compliant with the both the City of Wheaton's and DuPage County's Stormwater 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-7 Residential Zoning District classification, with a special use permit for a Planned Unit Development.

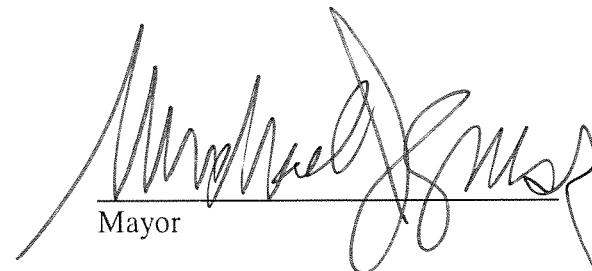
**Section 2:** The following plans, attached as Exhibit B, are hereby approved:

1. Demolition and Geometric Plans, entitled "Paving Improvements – Phase II East,

Wheaton Center Apartments", prepared by Dave Johnson and Associates, Ltd., dated August 13, 2015, subject to the following condition:

- i. That a low evergreen hedge, subject to the reasonable approval of the Director of Planning and Economic Development, be planted adjacent to the proposed additional parking spaces located on the west side of the Liberty Street driveway entrance.

Section 3: This ordinance shall become effective after its passage, approval and publication in pamphlet form in the manner described by law.



\_\_\_\_\_  
Mayor

ATTEST:



\_\_\_\_\_  
City Clerk

Roll Call Vote

Ayes: Councilman Scalzo  
Councilman Suess  
Councilwoman Fitch  
Councilman Prendiville  
Councilman Rutledge  
Mayor Gresk  
Councilman Saline

Nays: None

Absent: None

Motion Carried Unanimously

Passed: June 6, 2016

Published: June 7, 2016

## EXHIBIT A

**PARCEL 2:**

THAT PART OF THE LOT 6 OF THE COUNTY CLERK'S ASSESSMENT DIVISION OF THE SOUTH 1/2 OF THE NORTH EAST 1/4 AND THE SOUTH EAST 1/4 OF SECTION 17 AND THE NORTH 10 CHAINS OF THE NORTH EAST 1/4 OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF CHILDS STREET IN THE CITY OF WHEATON WHICH IS 184.20 FEET WEST OF THE NORTH WEST CORNER OF THE INTERSECTION OF SAID CHILDS STREET AND WEST STREET; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID WEST STREET A DISTANCE OF 160 FEET, THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID CHILDS STREET A DISTANCE OF 250 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID WEST STREET A DISTANCE OF 160 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID CHILDS STREET; THENCE EAST ALONG THE NORTH LINE OF SAID CHILDS STREET A DISTANCE OF 250 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

**PARCEL 3:**

A PART OF LOT 6 IN COUNTY CLERK'S ASSESSMENT DIVISION OF THE SOUTH 1/2 OF THE NORTH EAST 1/4 AND THE SOUTH EAST 1/4 OF SECTION 17 AND THE NORTH 10 CHAINS OF THE NORTH EAST 1/4 OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF CHILDS STREET IN THE CITY OF WHEATON WHICH IS 444.2 FEET WEST OF THE NORTH WEST CORNER OF THE INTERSECTION OF SAID CHILDS STREET AND WEST STREET, THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID WEST STREET A DISTANCE OF 180 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID CHILDS STREET A DISTANCE OF 65 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID WEST STREET A DISTANCE OF 180 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID CHILDS STREET; THENCE EAST ALONG THE NORTHERLY LINE OF CHILDS STREET A DISTANCE OF 65 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

**PARCEL 4:**

THAT PART OF LOT 6 IN COUNTY CLERK'S ASSESSMENT DIVISION OF THE SOUTH 1/2 OF THE NORTH EAST 1/4 AND THE SOUTH EAST 1/4 OF SECTION 17 AND THE NORTH 10 CHAINS OF THE NORTH EAST 1/4 OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: DESCRIBED BY COMMENCING AT THE SOUTH WEST CORNER OF THE NORTH EAST 1/4 OF SAID SOUTH EAST 1/4 OF SECTION 17 AND RUNNING THENCE NORTH ALONG THE WEST LINE OF SAID NORTH EAST 1/4, A DISTANCE OF 33.00 FEET, TO THE NORTH LINE OF CHILDS STREET; THENCE EAST ALONG SAID NORTH LINE 80.33 FEET TO THE EASTERLY LINE OF A TRACT OF LAND HERETOFORE CONVEYED TO DUPAGE COUNTY, IOWA, POINT OF BEGINNING, THENCE NORTH 2 DEGREES 54 MINUTES 54 SECONDS WEST ALONG SAID EASTERLY LINE 285.4 FEET TO AN ANGLE POINT IN SAID LINE; THENCE CONTINUING NORTH 00 DEGREES 05 MINUTES WEST ALONG THE EASTERLY LINE OF SAID DUPAGE COUNTY TRACT 252.32 FEET TO A LINE THAT IS PARALLEL WITH AND 65.0 FEET SOUTH OF THE SOUTH LINE OF LIBERTY DRIVE AS NOW OCCUPIED AND USED 45.0 FEET IN WIDTH; THENCE NORTH 89 DEGREES 53 MINUTES 53 SECONDS EAST ALONG SAID PARALLEL LINE, BEING ALONG THE SOUTHERLY LINE OF THE TRACT OF LAND HERETOFORE CONVEYED TO DUPAGE COUNTY 780.27 FEET TO AN IRON STAKE; THENCE NORTH 82 DEGREES 58 MINUTES EAST ALONG A SOUTHERLY LINE OF SAID DUPAGE COUNTY TRACT 200.0 FEET; THENCE NORTH 89 DEGREES 30 MINUTES EAST ALONG THE SOUTH LINE OF SAID LIBERTY DRIVE 92.50 FEET TO THE WEST LINE OF LOT 7 IN SAID COUNTY CLERK'S ASSESSMENT DIVISION; THENCE SOUTH 00 DEGREES 14 MINUTES EAST ALONG SAID WEST LINE AND ALONG THE WEST LINE OF LOT 8 AND SAID LINE EXTENDED 378.40 FEET TO THE NORTH LINE OF LOT 9 IN SAID ASSESSMENT DIVISION; THENCE SOUTH 88 DEGREES 54 MINUTES WEST ALONG SAID NORTH LINE 13.2 FEET TO THE NORTH WEST CORNER OF SAID LOT 9; THENCE SOUTH 00 DEGREES 14 MINUTES EAST ALONG THE WEST LINE OF SAID LOT 9 A DISTANCE OF 178.2 FEET TO A LINE THAT IS 65.0 FEET NORTH OF THE SOUTH LINE OF CHILDS STREET; SAID LINE IS MONUMENTED AND OCCUPIED; THENCE SOUTH 88 DEGREES 54 MINUTES 54 SECONDS WEST ALONG SAID NORTH LINE 16.0 FEET TO THE EAST LINE OF A TRACT OF LAND HERETOFORE CONVEYED TO COMMONWEALTH EDISON COMPANY; THENCE NORTH 00 DEGREES 14 MINUTES WEST ALONG SAID EAST LINE 160.0 FEET TO THE NORTH EAST CORNER OF SAID COMMONWEALTH EDISON COMPANY TRACT; THENCE SOUTH 88 DEGREES 54 MINUTES WEST ALONG THE NORTH LINE OF SAID COMMONWEALTH EDISON COMPANY TRACT 315.0 FEET TO THE NORTH WEST CORNER THEREOF; THENCE SOUTH 00 DEGREES 14 MINUTES EAST ALONG THE WEST LINE OF SAID TRACT 180.0 FEET TO SAID NORTH LINE OF CHILDS STREET; THENCE SOUTH 88 DEGREES 54 MINUTES 54 SECONDS WEST ALONG SAID NORTH LINE 712.45 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

---

PIN # 05-17-411-013  
One Wheaton Center  
Wheaton, IL 60187

EXHIBIT B







