

## ORDINANCE NO. F-1956

### AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW THE RENOVATION OF THE EXISTING ARMERDING BUILDING AND THE CONSTRUCTION OF A NEW 550 SEAT CONCERT HALL ADDITION ON THE WEST SIDE OF THE EXISTING BUILDING, ALL ON THE PROPERTY LOCATED AT 520 EAST KENILWORTH AVENUE AND 603 IRVING AVENUE – WHEATON COLLEGE

**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, by the issuance of a special use permit for a planned unit development to allow the renovation of the existing Armerding building and the construction of a new 550 seat concert hall addition on the west side of the existing building, all on the property legally described herein within the city limits of Wheaton, Illinois, ("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 July 12, 2016 to consider the issuance of the PUD; and the Board has recommended the issuance of the PUD.

**NOW, THEREFORE, BE IT ORDAINED** by the Wheaton City Council, 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 I-1 Institutional District zoning classification:

LOTS 26-29, THE NORTH 191.8 FEET OF LOT 31 AND LOTS 32-36 IN COUNTY CLERK'S ASSESSMENT DIVISION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 4, 1912 AS DOCUMENT NUMBER 109216, TOGETHER WITH THOSE PARTS OF IRVING AVENUE, KENILWORTH AVENUE AND ADAMS STREET RIGHTS OF WAY (VACATED BY DOCUMENT R87-163502) LYING WEST, NORTH AND EAST OF SAID LOTS, ALL IN DU PAGE COUNTY, ILLINOIS.

P.I.N. 05-16-208-005; -006; -008; -009; -010; 011

The subject property is commonly known as 520 East Kenilworth Avenue and 603 Irving Avenue, Wheaton, IL 60187.

**Section 2:** Pursuant to the Findings of Fact made and determined by the Planning and Zoning Board, a special use permit for a planned unit development to allow the renovation of the existing Armerding building and the construction of a new 550 seat concert hall addition on the west side of the existing building is granted, in full compliance with the following plans entitled "Site Plan and Preliminary Engineering Plan", prepared by Webster, McGrath and Ahlberg, Wheaton, IL, dated June 17, 2016, "Landscape Plan", prepared by Wheaton College, Wheaton, IL, dated June 20, 2016 and revised June 27, 2016, "Floor Plans and Elevations", prepared by FGM Architects, Oak Brook, IL, dated June 20, 2016, sheets A1.00, A1.10, A1.20, A1.30, A3.20 and A3.30, subject to the following conditions:

1. The applicant shall commence construction of the new 550 seat concert hall addition on the west side of the existing building within five years of the date of this Ordinance in lieu of the three years required by Article 4.4 of the Wheaton Zoning Ordinance.
2. The Owner of the subject property shall maintain all landscaping and plantings on the subject

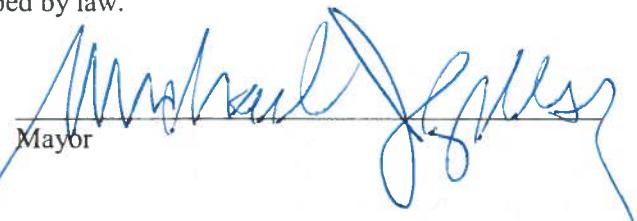
property so that the number, quality and character of the landscaping shall not be less than that which is illustrated on the final approved landscape plan. In the event any landscaping, plantings or vegetations on the property dies, in whole or in part, at any time, the owner shall, forthwith, replace the non-viable landscaping vegetation and/or plantings with reasonably similar substitutes of original planting size or larger as directed by the City.

3. Prior to the issuance of an occupancy permit, the applicant shall enter into a Fire Lane Designation and Enforcement Agreement with the City attached hereto as Exhibit "A".

**Section 3:** The demolition of the existing structure located at 603 Irving Avenue shall be authorized by this Ordinance. Demolition of said structures, however, shall be carried out in conformance with Wheaton City Code Chapter 22, Article XIV, with the exception that the Developer shall not be required to wait 30 days prior to commencing demolition from the date of submitting a demolition permit application to the Building and Code Enforcement Department, and shall not be required to hold a "neighbor meeting" at least 30 days prior to submitting an application for building demolition. The Developer shall provide written notice to adjacent property owners prior to the building demolition.

**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.

ATTEST:  
  
Mayor  
  
  
City Clerk

Roll Call Vote

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

Nays: None

Absent: Councilman Prendiville

Motion Carried Unanimously

Passed: August 1, 2016  
Published: August 2, 2016

## EXHIBIT "A"

## **FIRE LANE DESIGNATION AND ENFORCEMENT AGREEMENT**

(INSERT LEGAL(S) AND P.I.N(S))

## RECITALS

WHEREAS, the OWNER(S) desire to establish Fire Lanes upon the Subject Property to improve the health and safety of the citizens of Wheaton; and

WHEREAS, the CITY believes that it is in the best interests of the public health and safety that Fire Lanes be established, maintained and enforced upon the Subject Property.

NOW, THEREFORE, in consideration of the mutual covenants and obligations contained herein, the OWNER(S) and CITY agree to the following in regards to the Subject Property:

1. The CITY Fire Chief, Chief of Police or their designated representative and OWNER(S), shall identify the specific Fire Lane locations within the Subject Property which shall, pursuant to the terms of this Agreement and Ordinance No. be regulated. The specific locations of the Fire Lane(s) to be enforced shall be as set forth on the Site Plan ("Plan") attached hereto and fully incorporated into this Agreement as Exhibit " ". The CITY Fire Chief, Chief of Police or their designated representative and OWNER(S) or designated representative may from time to time mutually agree to amend the Fire Lane(s) location(s) as set forth in the Site Plan. At such time, the Site Plan shall be amended and appended to this Agreement as an Amended Exhibit " ".

3. The OWNER(S), at their sole expense, shall be responsible for obtaining, erecting and maintaining the appropriate signage in accordance with applicable CITY and State of Illinois regulations and specifications.

4. The CITY shall inspect and approve the signage prior to entering into this Agreement. The CITY Fire Chief, Chief of Police or their designated representative may require additional signage and/or pavement markings, if it is later determined that the inspected and approved signage does not provide adequate notification of the established fire lanes.

5. Upon execution of this Agreement, the CITY will enforce the Fire Lane parking and standing prohibitions and the Fire Lane maintenance requirements contained in Sections 70-355 and 30-2 of the Wheaton City Code in regards to the Subject Property. No "special duty" to third persons shall be imposed by this Agreement. The CITY's enforcement obligation shall be legally the same as it is with all other ordinances.

6. This Agreement may be terminated by the City in its sole discretion by providing not less than thirty (30) days notice to the Owner of its intention to terminate this Agreement.

7. This Agreement shall be assignable by OWNER(S) to their successors in interest upon the sale or lease of the Subject Property.

8. The OWNER(S) hereby agrees to release and hold harmless, indemnify and defend (including the payment of all costs and attorneys' fees) the CITY, its Officers, Agents and Employees, in connection with any and all actions or claims for any loss, damage, personal injury or death occurring as a consequence of the performance of this Agreement.

9. The sole remedy available to the OWNER(S), upon any breach of this Agreement by the CITY, shall be the termination of the Agreement. It is of the essence of this Agreement that the CITY shall not be liable in money damage for any breach of this Agreement.

10. Whenever notice to the CITY is required, it shall be addressed to:

City Clerk  
City of Wheaton  
303 West Wesley Street  
Wheaton, IL 60189-0727

Whenever notice to the Owner is required, it shall be addressed to:

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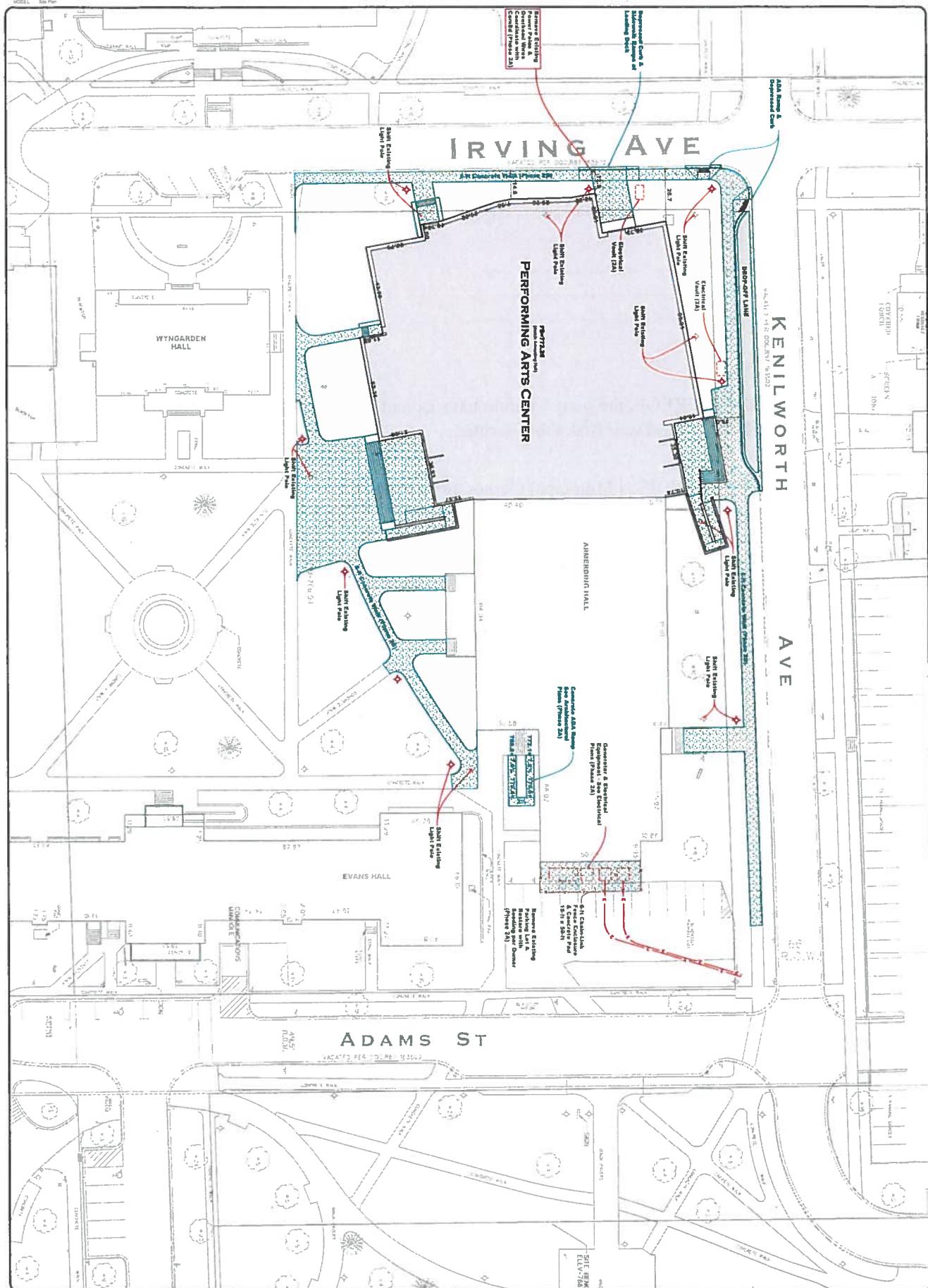
IN WITNESS WHEREOF, the parties hereto have executed this instrument by their duly authorized officers of the day and year first above written.

CITY OF WHEATON, ILLINOIS, a Municipal Corporation

BY: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
City Manager City Clerk

BY: \_\_\_\_\_ ATTEST: \_\_\_\_\_

BY: \_\_\_\_\_ ATTEST: \_\_\_\_\_



WEBSTER, MCGRATH & AHLBERG, LTD.

**WMA**

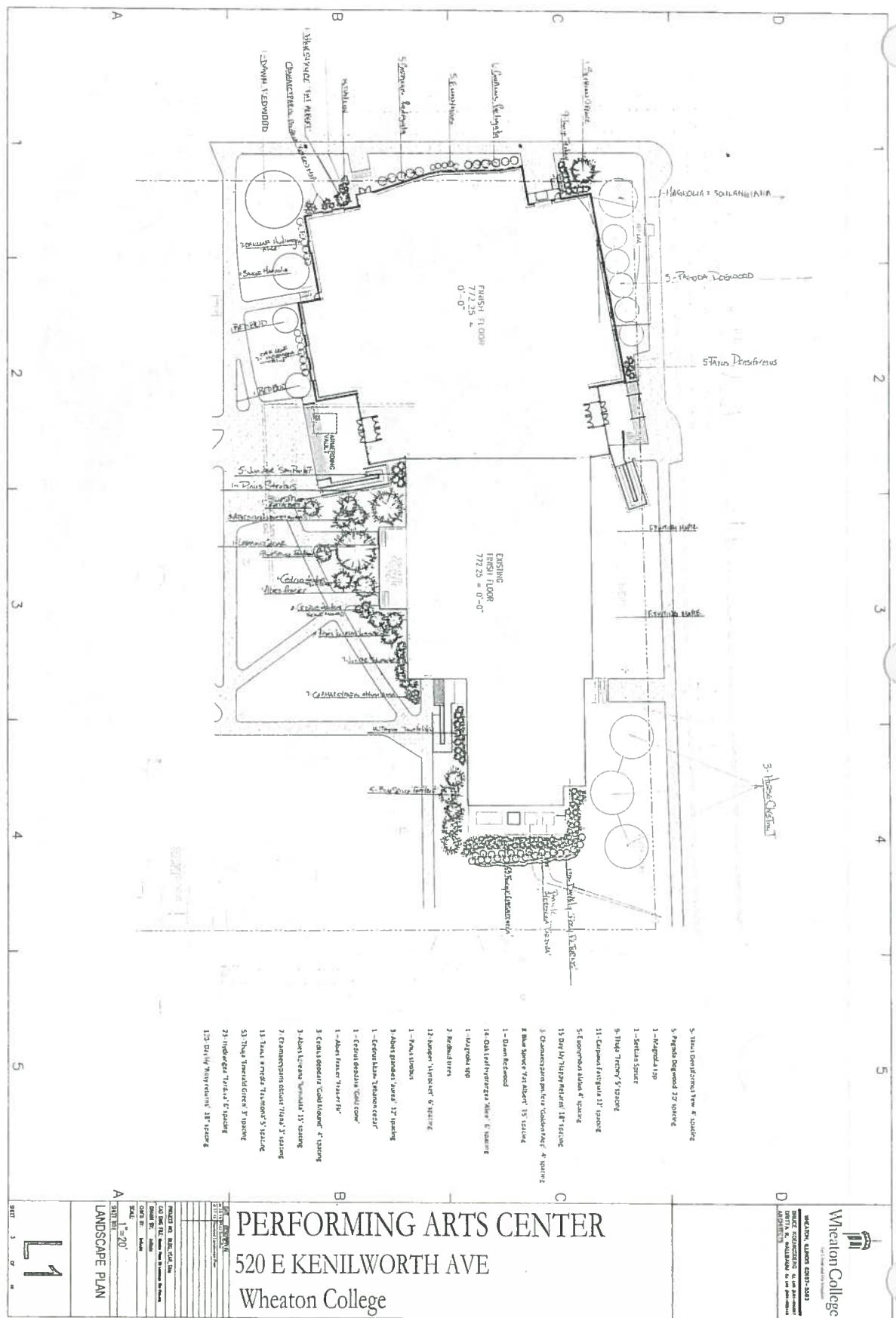
Land Surveyors Civil Engineers Landscaping Architects  
Engineering Architects Interior Designers  
3007 South Milwaukee Road, Elgin, Illinois 60137  
Phone: 847/823-1111 Fax: 847/823-1112  
E-mail: [info@wmaelgin.com](mailto:info@wmaelgin.com) Web: [www.wmaelgin.com](http://www.wmaelgin.com)

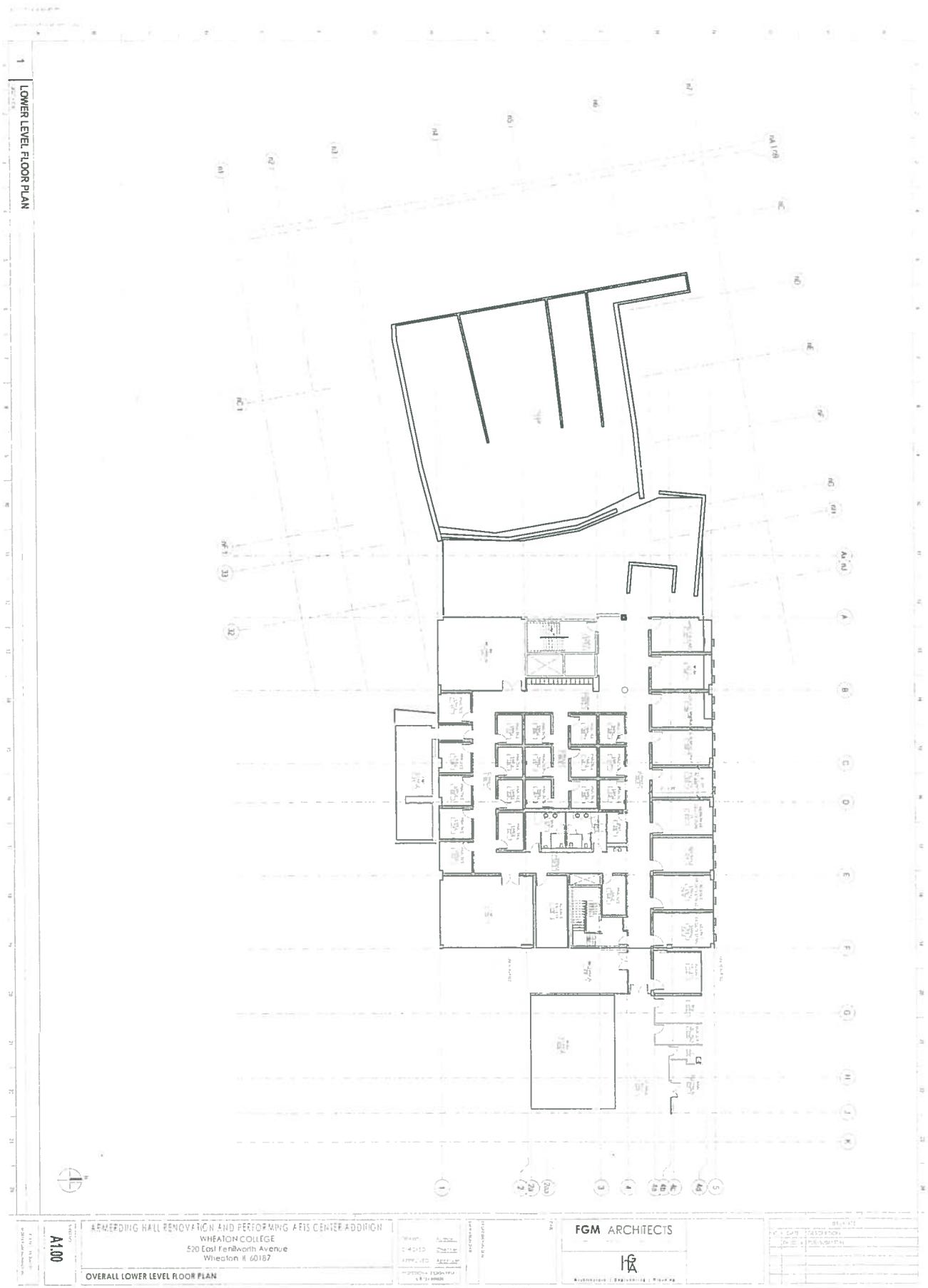
**WHEATON COLLEGE**  
**PERFORMING ARTS CENTER ADDITION**  
**520 E. KENILWORTH AVE. WHEATON, IL**

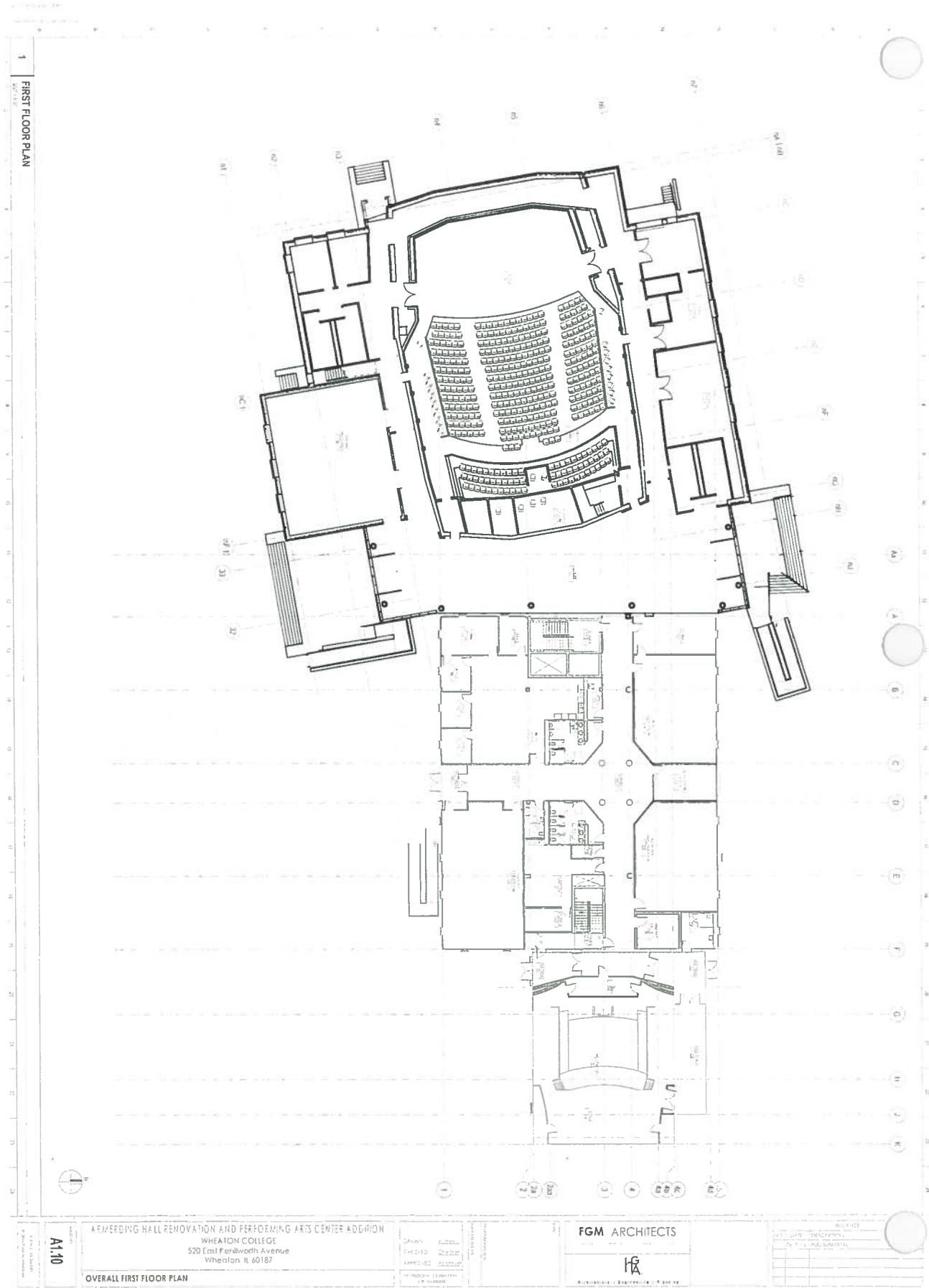
Prepared for  
FGM ARCHITECTS



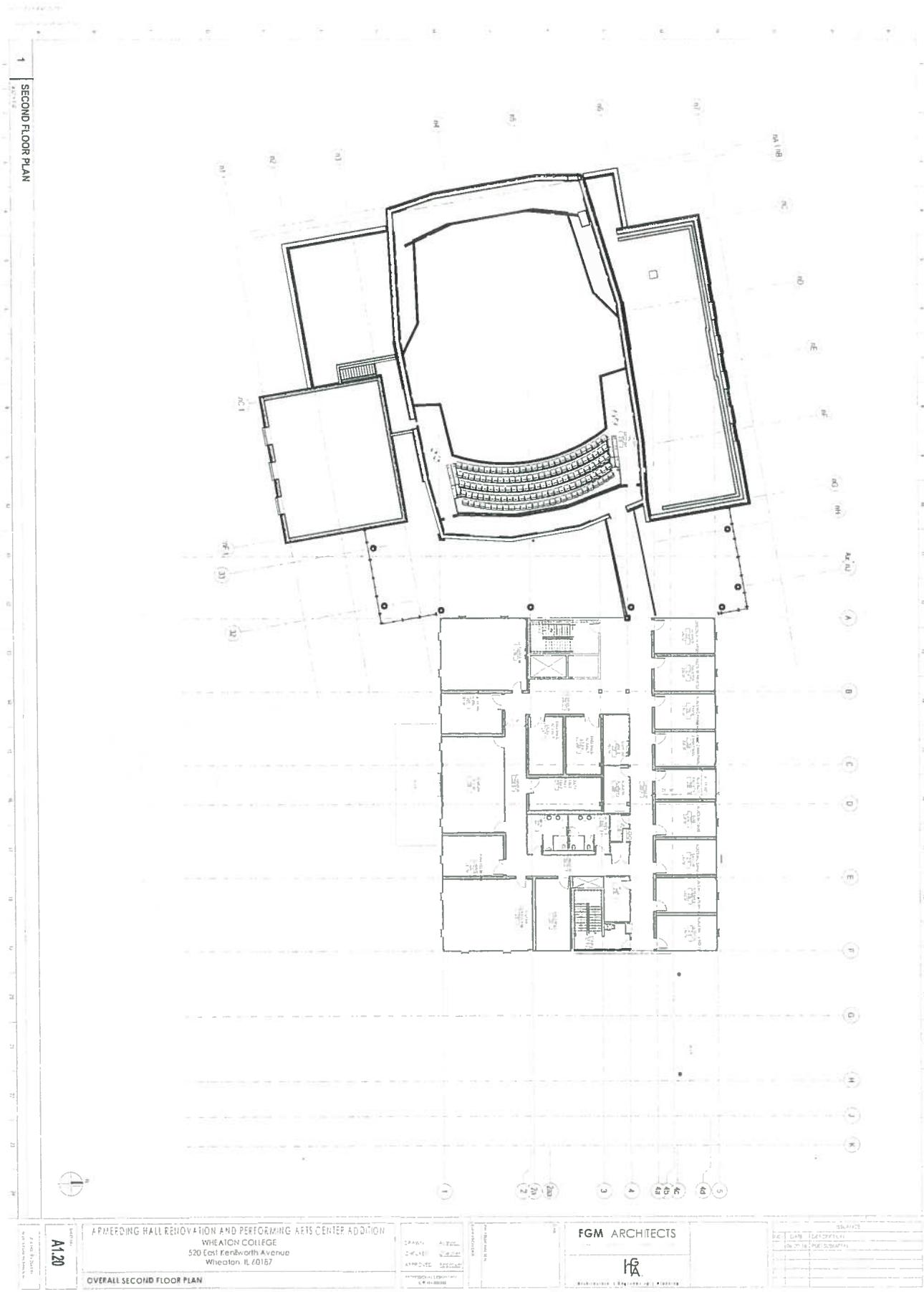


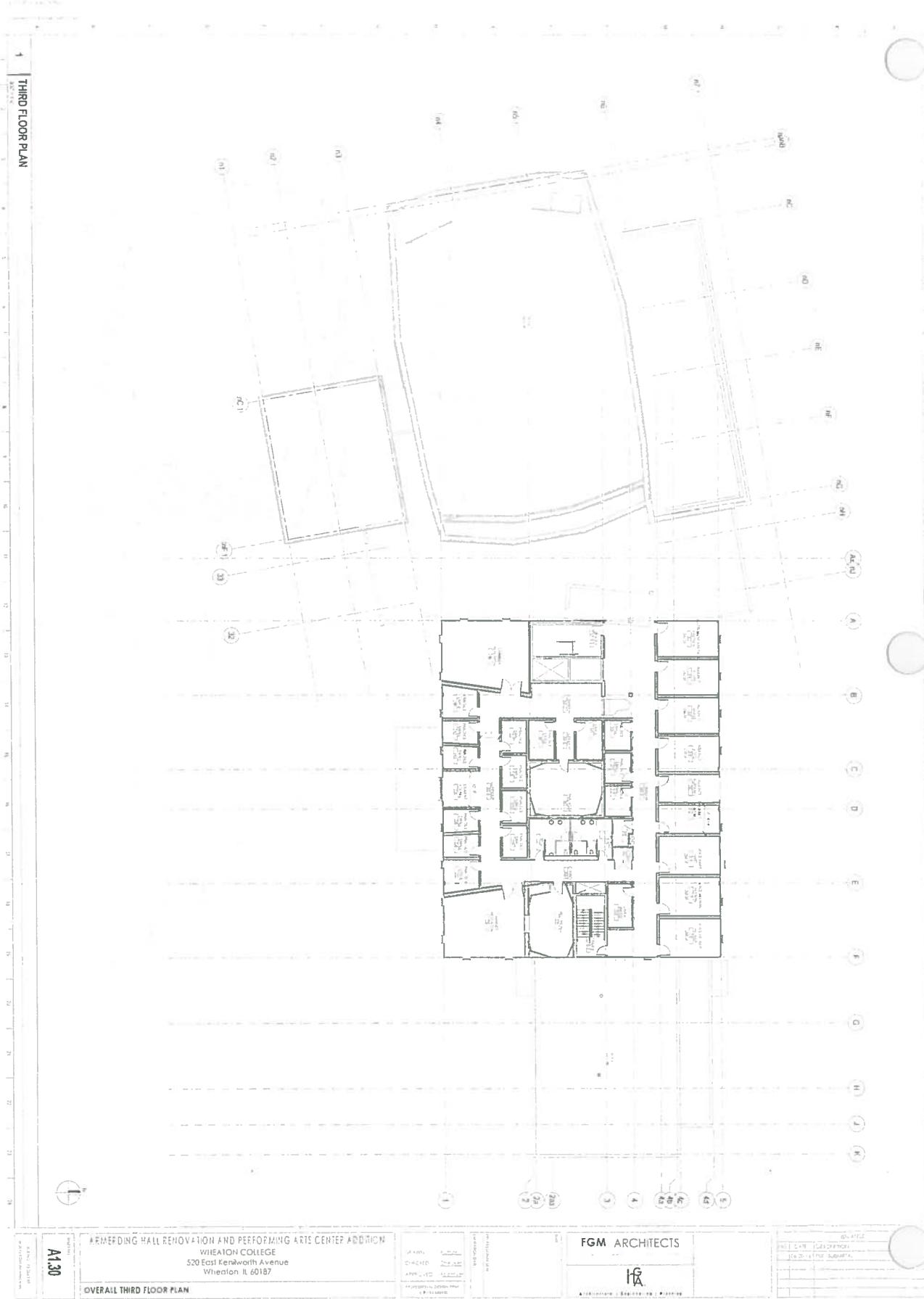






## SECOND FLOOR PLAN







**ARMEDDING HALL RENOVATION AND PERFORMING ARTS CENTER ADDITION**  
**WHEATON COLLEGE**  
**520 East Kenilworth Avenue**  
**Wheaton, IL 60187**

**SOUTH ELEVATION**

A3.20

DEPARTMENT	EDC
CHECKED	20
APPROVED	EDC
EDUCATIONAL PUBLICATIONS	
11-1480716	

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FGM ARCHITECTS  
Engineering • Planning

NO	DATE	DISPATCH
	08-25-18	PWD SUBMATERIAL

A1  
NORTH ELEVATION



ARMENDING HALL RENOVATION AND PERFORMING ARTS CENTER ADDITION  
WHEATON COLLEGE  
520 East Kenilworth Avenue  
Wheaton, IL 60187

NORTH ELEVATION

A3.30  
DRAWING NUMBER  
CLASSIFICATION  
DATE DRAWN  
BY  
CHECKED  
APPROVED  
PROFESSIONAL ENGINEER  
L. R. PERIN, PE

DRAFTER  
CHECKER  
APPROVED  
PROFESSIONAL ENGINEER  
L. R. PERIN, PE

SPONSOR  
REVIEWED  
APPROVED  
PROFESSIONAL  
ENGINEER  
L. R. PERIN, PE

DATE  
APPROVED  
PROFESSIONAL  
ENGINEER  
L. R. PERIN, PE

FGM ARCHITECTS  
Engineering | Planning  
H.A.

DATE  
APPROVED  
PROFESSIONAL  
ENGINEER  
L. R. PERIN, PE