

ORDINANCE NO. F-1960

AN ORDINANCE AMENDING THE ORIGINAL AND SUBSEQUENT AMENDED ORDINANCES REGARDING PHASE FIVE OF THE TOWNHOME PORTION OF THE COURTHOUSE SQUARE PROJECT – BUILDING ELEVATIONS, PATIO WALL AND LANDSCAPING

WHEREAS, on September 20, 2004, the Wheaton City Council approved Ordinance No. F-0950, “AN ORDINANCE REZONING PROPERTY FROM I-1 INSTITUTIONAL TO R-7 RESIDENTIAL AND GRANTING A SPECIAL USE PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTY BORDERED BY THE ILLINOIS PRAIRIE PATH RIGHT-OF-WAY, WASHINGTON STREET, NAPERVILLE ROAD, WILLOW AVENUE AND REBER STREET (NATIONAL LOUIS UNIVERSITY/COURTHOUSE PROPERTY)” (“Original Ordinance”) recorded as Document Number R2004-271416 on October 21, 2004 in the office of the DuPage County Recorder; and

WHEREAS, on March 21, 2005, the Wheaton City Council approved Ordinance No. F-1014, “AN ORDINANCE AMENDING ORDINANCE NO. F-0950 ENTITLED AN ORDINANCE REZONING PROPERTY FROM I-1 INSTITUTIONAL TO R-7 RESIDENTIAL AND GRANTING A SPECIAL USE PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTY BORDERED BY THE ILLINOIS PRAIRIE PATH RIGHT-OF-WAY, WASHINGTON STREET, NAPERVILLE ROAD, WILLOW AVENUE AND REBER STREET (NATIONAL LOUIS UNIVERSITY/COURTHOUSE PROPERTY)” (“Subsequent Amended Ordinance”) recorded as Document Number R2005-074148 on April 12, 2005 in the office of the DuPage County Recorder; and

WHEREAS, on January 3, 2006, the Wheaton City Council approved Ordinance No. F-1121, “AN ORDINANCE GRANTING FINAL PUD APPROVAL FOR THE COURTHOUSE SQUARE PROJECT” (“Subsequent Amended Ordinance”) recorded as Document Number R2006-030243 on February 17, 2006 in the office of the DuPage County Recorder; and

WHEREAS, on November 20, 2006, the Wheaton City Council approved Ordinance No. F-1230, “AN ORDINANCE AMENDING THE PLANNED UNIT DEVELOPMENT FOR THE COURTHOUSE SQUARE PROJECT BRICK SIZE” (“Subsequent Amended Ordinance”) recorded as Document Number R2006-237031 on December 11, 2006 in the office of the DuPage County Recorder; and

WHEREAS, on January 16, 2007, the Wheaton City Council approved Ordinance No. F-1247, “AN ORDINANCE AMENDING THE PLANNED UNIT DEVELOPMENT FOR THE COURTHOUSE SQUARE PROJECT - LOT 11 LEGAL DESCRIPTION CORRECTION” (“Subsequent Amended Ordinance”); and

WHEREAS, on June 7, 2010, the Wheaton City Council approved Ordinance No. F-1495, “AN ORDINANCE AMENDING VARIOUS PLANS AS THEY PERTAIN TO THE

TOWNHOME PORTION OF THE COURTHOUSE SQUARE PROJECT" ("Subsequent Amended Ordinance"); and

WHEREAS, on October 1, 2012, the Wheaton City Council approved Ordinance No. F-1666, "AN ORDINANCE AMENDING THE ORIGINAL AND SUBSEQUENT AMENDED ORDINANCES AND TO GRANT A SPECIAL USE PERMIT TO ALLOW THE CONSTRUCTION AND USE OF A SENIOR HOUSING DEVELOPMENT ON A PORTION OF LOT 9, LOT 10, OUTLOT G AND OUTLOT F OF THE EXISTING COURTHOUSE SQUARE PROJECT IN LIEU OF THE PREVIOUSLY APPROVED CONDOMINIUM BUILDING #2 AND #3" ("Subsequent Amended Ordinance"); and

WHEREAS, on January 21, 2014, the Wheaton City Council approved Ordinance No. F-1755, "AN ORDINANCE AMENDING THE NUMBER OF TOWNHOMES WHICH MAY BE CONSTRUCTED AS PART OF THE COURTHOUSE SQUARE PROJECT" ("Subsequent Amended Ordinance"); and

WHEREAS, on August 25, 2014, the Wheaton City Council approved ORDINANCE NO. F-1809, "AN ORDINANCE AMENDING THE ORIGINAL AND SUBSEQUENT AMENDED ORDINANCES AND GRANT OF A SPECIAL USE PERMIT TO ALLOW THE CONSTRUCTION AND USE OF TWO APARTMENT BUILDINGS IN LIEU OF THE PREVIOUSLY APPROVED SENIOR HOUSING DEVELOPMENT" ("Subsequent Amended Ordinance"); and

WHEREAS, on August 3, 2015, the Wheaton City Council approved ORDINANCE NO. F-1879, "AN ORDINANCE AMENDING THE ORIGINAL AND SUBSEQUENT AMENDED ORDINANCES REGARDING THE NUMBER OF TOWNHOMES WHICH MAY BE CONSTRUCTED AS PART OF THE COURTHOUSE SQUARE PROJECT" ("Subsequent Amended Ordinance"); and

WHEREAS, following the enactment of the Original Ordinance and the Subsequent Amended Ordinances, application has been made to amend the PUD Site Plan as it pertains to the Building Elevations for Phase 5 of the townhome portion of the project and to allow for the construction of a brick wall and slightly enlarged patios along the Washington Street frontage.

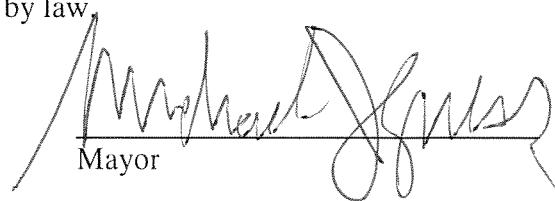
NOW THEREFORE BE IT ORDAINED, by the Mayor and City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers as follows:

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 landscape plan entitled "Courthouse Square Landscape Plan Phase 5" dated August 18, 2016, and the building elevations plans entitled "Courthouse Square Townhomes Phase 5, Sheets A201S, A201N, A202, A203S, and A203N", all bearing a latest date of 8-29-16, prepared by Derrick Architecture a copy of which are attached as Exhibit B, are

hereby approved in lieu of those described in Section 2 of Ordinance No. F-1495 subject to stone being added on the bottom portion of the south elevation of Unit 170 to match the other townhomes south elevations.

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



Mayor

ATTEST:



Shannanett Hagan
City Clerk

Roll Call Vote:

Ayes: Councilwoman Fitch
Councilman Prendiville
Councilman Rutledge
Mayor Pro Tem Scalzo
Councilman Saline

Nays: None

Absent: Mayor Gresk
Councilman Suess

Motion Carried Unanimously

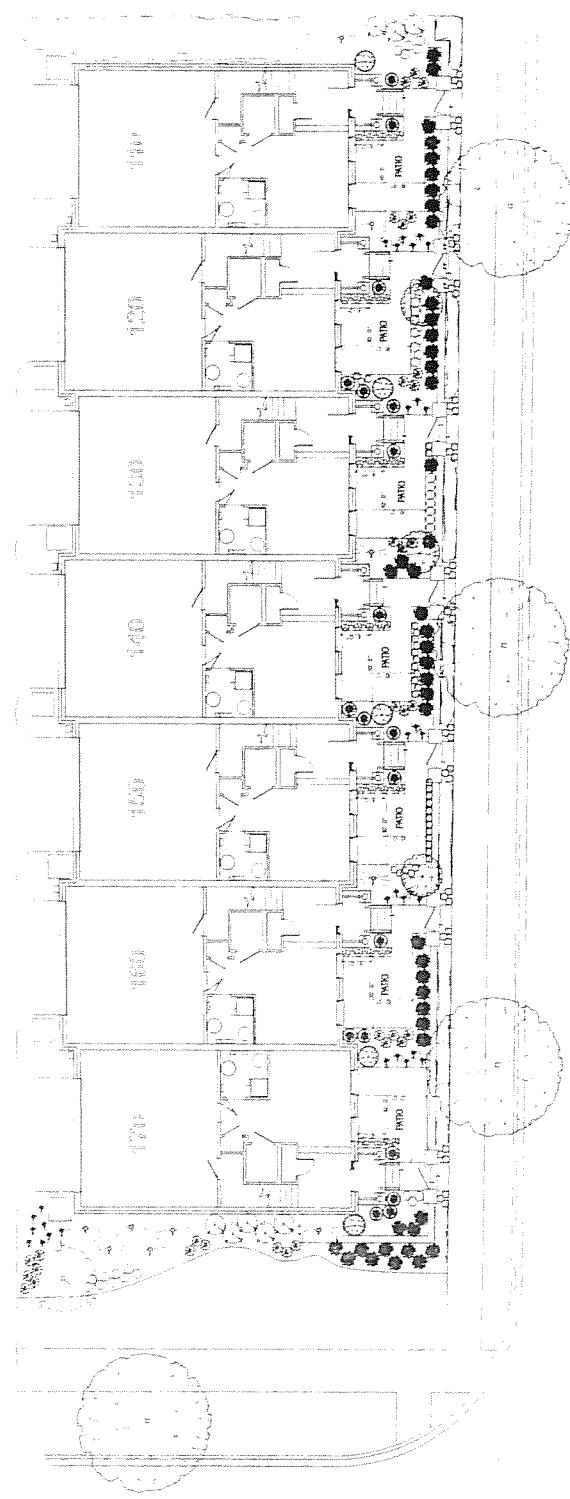
Passed: September 6, 2016

Published: September 7, 2016

EXHIBIT A

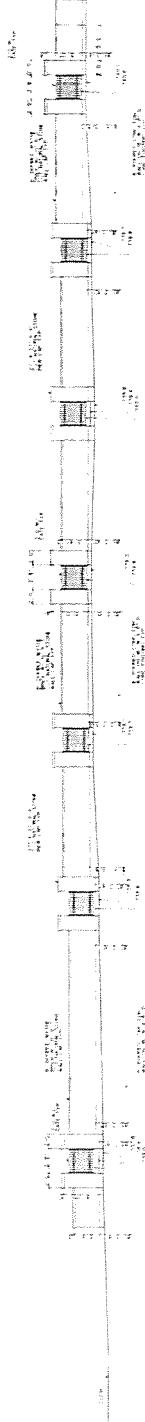
BUILDING LOT G IN THE COURTHOUSE SQUARE RESUBDIVISION PHASE 3 BEING A RESUBDIVISION OF PART OF THE SOUTHWEST QUARTER AND PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS RECORDED ON FEBRUARY 22, 2013 AS DOCUMENT NO R2013-028572 IN THE DUPAGE COUNTY RECORDERS OFFICE. PIN# 05-16-425-002

EXHIBIT B



WASHINGTON STREET

LIBERTY DRIVE

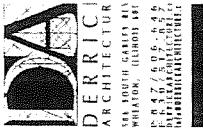


Washington Street

ARTHUR CONSTRUCTION
ONE HUNDRED AND EIGHTY EIGHT WEST 146TH STREET
NEW YORK, NEW YORK 10031
TELEPHONE: 212-549-1000
TELETYPE: 212-549-1001
FAX: 212-549-1002
Landscape plan Phase 5

Scale: 1/8" = 1'-0"

Sheet No. 1



DERRICK

ARCHITECTURE
101 SOUTH CARLISB
MILWAUKEE, WI
P. O. 47/600-44-6
DERRICKARCHITECTURE.C
COM

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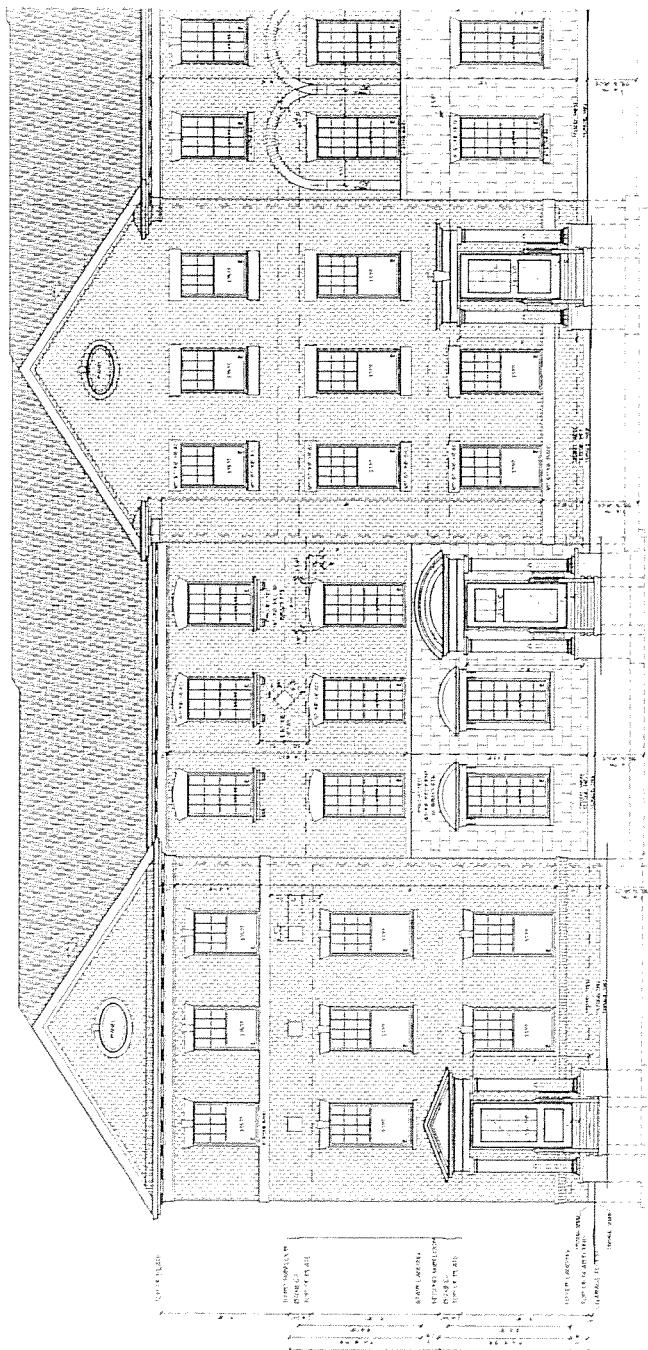
Courthouse Square Townhomes
AIRHART CONSTRUCTION
500 EAST ROOSEVELT RD, SUITE 500
WEST CHICAGO, IL 60185
PHASE 5
16301-293-3000

DRAUGHT BY
J. YAN
AIA
RELEASER
SHEET 3 OF 3

10/10/2010
10/10/2010
10/10/2010

Front Elevation
Looking West

A2015
SHEET 1 OF 3



UNIT 150

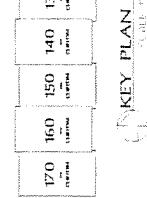
UNIT 160

UNIT 170

Front Elevation South

10/10/2010

DRAUGHT BY
J. YAN
AIA
RELEASER
SHEET 3 OF 3



KEY PLAN
10/10/2010



DERRICK

ARCHITECTURE

164 10TH AVENUE

WILMINGTON, DE 19801

P: 302 / 652.5457

F: 302 / 652.5457

E: DERRICK@WILMINGTONDE.COM

www.derrickarchitecture.com

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164 10TH AVENUE

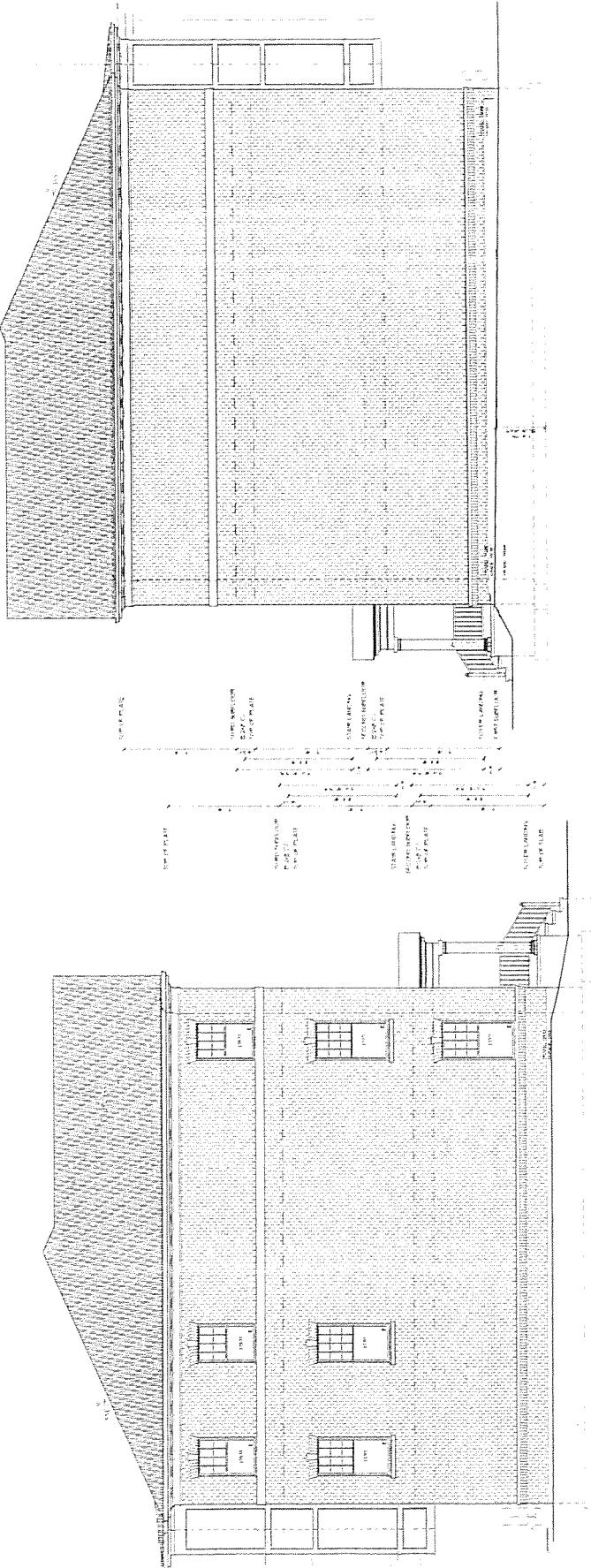
WILMINGTON, DE 19801

P: 302 / 652.5457

F: 302 / 652.5457

E: DERRICK@WILMINGTONDE.COM

www.derrickarchitecture.com

CourtHouse Square Townhomes
PHASE 5
AIRHART CONSTRUCTION
16301 29th Street
West Chester, PA 19381
500 East CHANCELLOR 5013
16301 29th-3000
WILMINGTON, DE 19801
164 10th Avenue
WILMINGTON, DE 19801
P: 302 / 652.5457
F: 302 / 652.5457
E: DERRICK@WILMINGTONDE.COM
www.derrickarchitecture.comUNIT 170
170 North elevation - looking South
170 South elevation - looking North
170 South and North Elevation

170	170
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150	150
160	160
170	170
180	180
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200	200

KEY PLAN
170KEY PLAN
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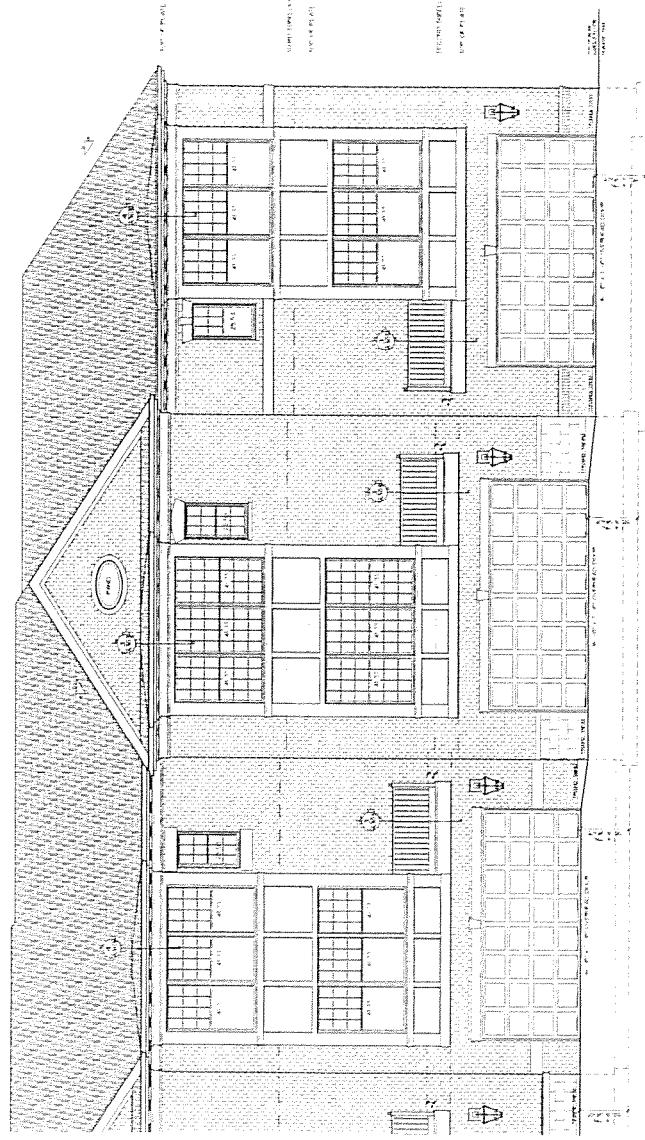
A 20'



DEADERICK
ARCHITECTS
1004 SOUTH GARDEN ST.
WHITING, INDIANA 46391

1. **ANSWER** **YES** **NO**
2. **ANSWER** **YES** **NO**
3. **ANSWER** **YES** **NO**
4. **ANSWER** **YES** **NO**
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9. **ANSWER** **YES** **NO**
10. **ANSWER** **YES** **NO**

AIRHART CONSTRUCTION
CourtHouse Square Townhomes
300 EAST ROOSEVELT RD
WEB: CHICAGO IL 60616
(630) 293-3000



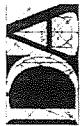
UNIT 170

UNIT 150

Fig. 1. Mean Elevation (m) for the Great South Bay, Long Island, New York, 1970.

KEY PLAN	
110	120
130	140
150	160
170	180

KEY PLAN



DERRIC

ARCHITECTURE

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DETROIT, MI 48226

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