

ORDINANCE NO. F-1993

**AN ORDINANCE AMENDING ORDINANCE NOS. E-2045, E-3264, F-0140, F-0791, F-1219 AND
RESOLUTION NO. R-22-07 GRANTING A SPECIAL USE PERMIT FOR A MOTHER AND
INFANT SUPPORT CENTER TO OPERATE OUT OF THE EXISTING BUILDING LOCATED AT
301 W. ROOSEVELT ROAD - THE BUTTERFLY GARDEN NFP**

WHEREAS, on October 1, 1984, the City of Wheaton (“City”) enacted Ordinance No. E-2045, “AN ORDINANCE AMENDING THE WHEATON ZONING ORDINANCE MAP AND GRANTING A SPECIAL USE PERMIT ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS 622 SOUTH WHEATON AVE-WHEATON INN” (“Original Ordinance”); and

WHEREAS, on September 21, 1987, the City enacted Ordinance No. E-3264, “AN ORDINANCE AMENDING THE ORIGINAL ORDINANCE TO ALLOW FOR THE USE AND OPERATION OF MEETING ROOMS IN THE LOWER LEVEL OF THE WHEATON INN BY NON-GUESTS OF THE WHEATON INN AND TO FURTHER ALLOW THE SERVING OF FOOD IN THE MEETING ROOMS SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS, AS PROVIDED IN ORDINANCE NO. E-3264” (“First Amended Ordinance”); and

WHEREAS, on June 2, 1997, the City enacted Ordinance No. F-0140, “AN ORDINANCE AMENDING THE ORIGINAL ORDINANCE AND THE ORDINANCE OF AMENDMENT TO ALLOW SERVING OF PUBLIC BRUNCHES IN THE FIRST FLOOR BREAKFAST DINING FACILITY OF THE WHEATON INN” (“Second Amended Ordinance”); and

WHEREAS, on February 18, 2003, the City enacted Ordinance No. F-0791, “AN ORDINANCE AMENDING ORDINANCE NOS. E-2045, E-3264, F-0140, F-0791 TO ALLOW THE CONSTRUCTION OF A ONE-STORY, 118 SQUARE FOOT PANTRY ADDITION TO THE WHEATON INN-301 WEST ROOSEVELT ROAD” (“Third Amended Ordinance”); and

WHEREAS, on November 6, 2006, the City enacted Ordinance No. F-1219, “AN ORDINANCE AMENDING THE WHEATON ZONING MAP AND GRANTING ZONING VARIATIONS FOR CERTAIN PARCELS OF PROPERTY COMMONLY KNOWN AS 629 AND 625 SOUTH WEST STREET - BOND”; and

WHEREAS, on March 19, 2007, the City enacted Resolution No. R-22-07, “A RESOLUTION APPROVING THE POWER SHARES PLAT OF CONSOLIDATION (301 W. ROOSEVELT ROAD); and

WHEREAS, following the enactment of the Original Ordinance, First Amended Ordinance, Second Amended Ordinance, Third Amended Ordinance, Ordinance No. F-1219 and Resolution No. R-22-07, an application has been made to further amend the special use permit to allow a Mother and Infant Support Center to operate out of the existing building located at 301 W. Roosevelt Road; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the City of Wheaton Zoning Ordinance, a public hearing was conducted by the Wheaton Planning and Zoning Board on November 8, 2016 to consider the special use permit amendment and the Wheaton Planning and Zoning Board has recommended approval of the amendment.

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 legally described property has been, and continues to be zoned and classified in the O-R Office Research zoning district classification:

LOT 1 IN POWER SHARES PLAT OF CONSOLIDATION IN THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL

MERIDIAN, SAID PLAT RECORDED AUGUST 23, 2007 AS DOCUMENT NUMBER R2007-157061, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 05-16-335-020

The subject property is commonly known as 301 West Roosevelt Road, Wheaton, IL 60187.

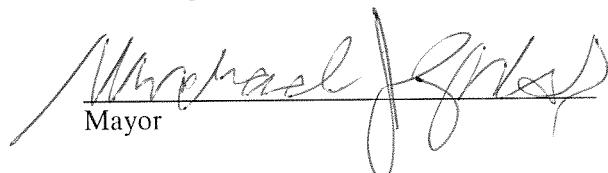
Section 2: An amendment to the Original Ordinance, First Amended Ordinance, Second Amended Ordinance, Third Amended Ordinance, Ordinance No. F-1219, Resolution No. R-22-07, and a Special Use Permit is hereby granted to allow a "Mother and Infant Support Center" to operate in the existing building located at 301 W. Roosevelt Road, in substantial compliance with the plans entitled "301 West Roosevelt Road - Floor Plans" sheets 1-4, dated October 17, 2016, and subject to the following conditions:

1. Subject to weather conditions, but no later than nine months from the effective date of this Ordinance, the owner shall complete installation of landscaping required by previously approved plans for the subject property and replace any required landscaping that has died or is dying; and
2. The Mother and Infant Support Center shall have no more than a combined total of twelve (12) resident pregnant women and mothers of infants.
3. The Mother and Infant Support Center shall be operated in conformance with all applicable laws.

Section 3: In all other respects, the terms and provisions of the original ordinance are ratified and remain in full force and effect.

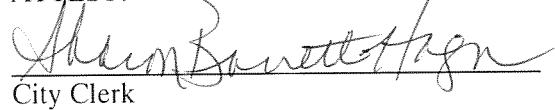
Section 4: All ordinances and parts of ordinances in conflict with these provisions are hereby repealed.

Section 5: This ordinance shall become effective after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Michael J. Gresk
Mayor

ATTEST:



Alan Bennett
City Clerk

Roll Call Vote

Ayes:	Councilman Saline Councilman Scalzo Councilman Suess Councilman Prendiville Councilman Rutledge Mayor Gresk
Nays:	None
Absent:	Councilwoman Fitch <u>Motion Carried Unanimously</u>

Passed: January 17, 2017

Published: January 18, 2017