

ORDINANCE NO. O-2019-42

AN ORDINANCE AMENDING ORDINANCE E-3730, E-3822, F-0340, F-0385, F-0771, F-0858 AND F-1249, "AN ORDINANCE AMENDING THE WHEATON ZONING MAP AND GRANTING A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS LOT 30 IN KEIM'S RESUBDIVISION OF WHEATON PARK MANOR (NORTHEAST CORNER OF ROOSEVELT AND COUNTY FARM ROADS) - TARGET STORES" DATED OCTOBER 14, 1991"

LA FITNESS

WHEREAS, on October 14, 1991, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. E-3730 recorded on November 8, 1991, as Document No. R91-149804, at the DuPage County Recorder of Deeds Office, "AN ORDINANCE AMENDING THE WHEATON ZONING ORDINANCE MAP AND GRANTING A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS LOT 30 IN KEIM'S RESUBDIVISION OF WHEATON PARK MANOR (NORTHEAST CORNER OF ROOSEVELT AND COUNTY FARM ROAD) – TARGET STORES", DATED OCTOBER 14, 1991 ("original ordinance"), authorizing the issuance of a special use permit for a planned unit development for the construction and use of an approximately 270,000 square foot shopping center on the property legally described on Exhibit "A" attached hereto and commonly known as Lot 30 in Keim's Resubdivision of Wheaton Park Manor (northeast corner of Roosevelt and County Farm Roads), Wheaton, Illinois; and

WHEREAS, on September 21, 1992 the City enacted Ordinance No. E-3822 recorded on October 16, 1992 as Document No. R-92-197934 at the DuPage County Recorder of Deeds Office ("first amending ordinance") which amended the site plan and building envelope plan referred to in section 3 of the original ordinance to accommodate a 74,964 square foot Kohl's store in lieu of a 65,000 grocery store on the plan; and

WHEREAS, on May 3, 1999 the City enacted Ordinance No. F-0340 recorded on June 11, 1999 as Document No. R1999-131161 at the DuPage County Recorder of Deeds ("second amending ordinance") which further amended the site plan and building envelope plan referred to in section 3 of the original ordinance, and the first amending ordinance to accommodate a 65,000 square foot grocery store in lieu of the 65,000 square foot multi-tenant retail space on the plan; and

WHEREAS, on September 7, 1999, the City enacted Ordinance No. F-0385 recorded on September 30, 1999 as Document R1999-208452 at the DuPage County Recorder of Deeds Office ("third amending ordinance") which further amended the site plan, landscaping plan, and building elevation plan referred to in the second amending ordinance to allow a special use permit for a drive-up pharmacy pick up window on the east side of the proposed grocery store; and

WHEREAS, on November 4, 2002, the City enacted Ordinance No. F-0771 recorded on January 16, 2003 as Document No. R2003-019124 at the DuPage County Recorder of Deeds Office ("fourth amending ordinance") which further amended the site plan and building envelope plan referred to in Section 3 of the first amending ordinance to accommodate a 14,410 square foot building expansion of Kohl's Department Store and the removal of 59 parking spaces; and

WHEREAS, on November 18, 2003, the City enacted ORDINANCE NO. F-0858 recorded on January 14, 2004 as Document No. R2004-011653 at the DuPage County Recorder of Deeds Office (fifth amending ordinance) which further amended the site plan and building envelope plan referred to in Section 3 of the original ordinance to accommodate a 5,400 square foot expansion of the existing Target store and the removal of 26 parking spaces; and

WHEREAS, On January 16, 2007, the City enacted Ordinance No. F-1249 recorded on February 27, 2007 as Document No. R2007-0355597 at the DuPage County Recorder of Deeds Office ("sixth amending ordinance") which further amended the site plan, landscaping plan, and building elevation plan referred to in the second and third amendments to accommodate a 1,846 square foot expansion of the grocery store (former Cub Foods Supermarket), removal of the drive-up pharmacy pick up window, and relocation of 8 parking spaces; and

WHEREAS, following the enactment of the original ordinance, the first, second, third, fourth, fifth and sixth amending ordinance, an application has been made to further amend the site plan and building elevation plan referred to in the second, third, and fourth amendments to permit the demolition of the west 27,000 sf of the former Ultra Foods building to redevelop it as a single tenant, 40,000 sf building; and the City has determined that the requested amendment is a major amendment and may be implemented without public hearing, pursuant to the provisions of Section 5.11F of the Wheaton Zoning Ordinance.

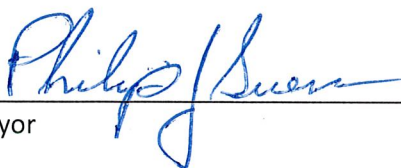
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, as follows:

Section 1: An amendment to the original ordinance, the first amending ordinance, the second amending ordinance, the third amending ordinance, fourth amending ordinance, fifth amending ordinance and sixth amending ordinance is hereby granted to permit the demolition of the west 27,000 sf of the former Ultra Foods building to redevelop it as a single tenant, 40,000 sf building, legally described herein as Attachment "A", in substantial compliance with the plans, attached herein as Attachment "B" entitled *"07 – Concept Elevations – Wheaton, IL LA Fitness Signature Club"*, dated 08/09/19, *"Proposed Site Plan for Demolition Wheaton, IL"* dated 07/03/19 Prepared by Design Studio 24 LLC, and *"02 – Concept Floor Plan – Wheaton, IL LA Fitness Signature Club"* dated 08/05/19 subject to the owner submitting a landscape plan for the former building site that is subject to the requirements of Article 6.7 of the Wheaton Zoning Ordinance prior to the issuance of a Site Development Permit.

Section 2: In all other respects, the terms and provisions of the original ordinance are ratified and remain in full force and effect.

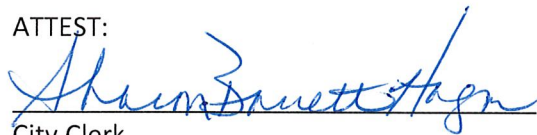
Section 3: All ordinances and parts of ordinances in conflict with these provisions are hereby repealed.

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



Mayor

ATTEST:



City Clerk

Roll Call Vote

Ayes: Councilman Rutledge
Councilman Zaruba
Councilman Barbier
Councilwoman Bray-Parker
Councilwoman Fitch
Mayor Suess

Nays: None

Absent: None

Motion Carried Unanimously

Passed: August 19, 2019
Published: August 20, 2019

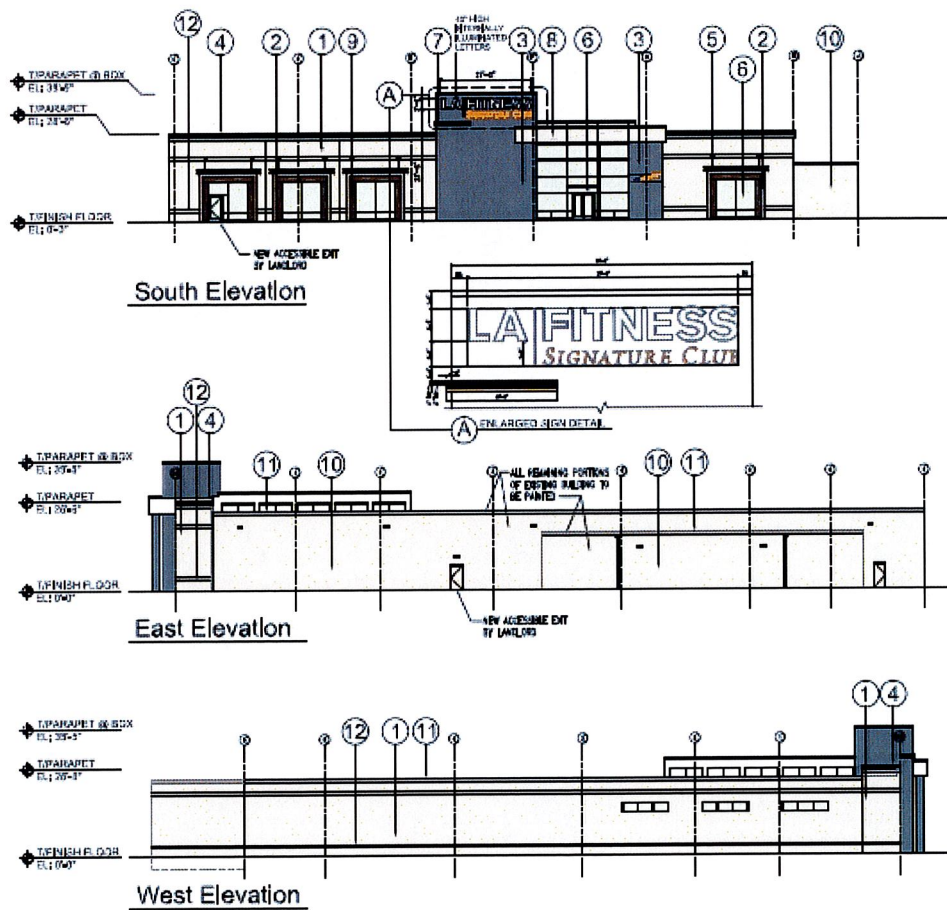
Attachment "A"

LOT 3 OF TARGET'S FIRST RESUBDIVISION, BEING PART OF THE SOUTH QUARTER OF SECTION 18,
TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT
THEREOF RECORDED ON DECEMBER 10, 1992 AS DOCUMENT R92-241058 IN DUPAGE COUNTY,
ILLINOIS.

P.I.N. 05-18-440-005

The Subject Property is commonly known as 501 S. County Farm Road, Wheaton, IL 60187.

Attachment “B”



GENERAL NOTES:

1. Information provided for design intent only. Design professional of record is responsible for verification of all applicable code requirements. Wall types illustrated are for preliminary space planning only; the design professional shall be responsible for code compliance and floor plan development per LAF's programming criteria. These plans are specifically not for use as layers to be imported into documents / files or to be used as trading underlyment(s) for construction documents / files by the professional of record for this or any other project.

MATERIAL LEGEND:

1	Split Face CMU Painted • Match PPG Paints 'Focus' #1006-1	2	Painted Concrete Panel • Match PPG Paints 'Gray By Me' #1568-4	3	Pre-finished Metal Siding • Longboard Light Natural Walnut	4	EIFS Cornice • Mason PPG Paints 'Multigrays' #1006-7 (Top Band) & PPG Paints 'Gray By Me' #1006-4 (Bottom Band)
5	Painted Metal Canopy • Mason PPG Paints 'Chromam Crunch' #1006-6	6	Curbside Wall and Entry Doors • Clear Anodized Finish w/ Dual Glazed Green Tint Glass	7	Pre-finished Aluminum Accent • Match LAF Logo Color Yellow PPG #1230	8	Painted EIFS Canopy • Mason PPG Paints 'Focus' #1006-1
9	Flashed One-Grid Aluminum Panel • Dark Bronze	10	Existing CMU Painted • Match PPG Paints 'Focus' #1006-1	11	Existing CMU & Ceiling Painted • Match PPG Paints 'Gray By Me' #1006-4	12	Smooth CMU Accent Band Painted • Match PPG Paints 'Focus' #1006-1

D-1

