

ORDINANCE NO. O-2021-28

AN ORDINANCE AMENDING THE TEXT OF THE WHEATON ZONING ORDINANCE ARTICLE 5.7.B(3).3, ARTICLE 16.6D, ARTICLE 22.1.4, AND ARTICLE 22.4.1.3(1) TO ALLOW REDUCED ON-SITE PARKING REQUIREMENTS IN THE COLLEGE AVENUE AREA

WHEREAS, the City of Wheaton, Illinois ("City"), has determined it to be appropriate to amend the City Zoning Ordinance Article 5.7.B(3).3, Article 16.6D, Article 22.1.4, and Article 22.4.1.3(1) to allow reduced on-site parking requirements in the College Avenue area in a similar manner to the Downtown Parking Overlay District (the commercial area surrounding the retail core of the Downtown); and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the City Zoning Ordinance, a public hearing was conducted by the Wheaton Planning and Zoning Board, acting as a hearing body on May 25, 2021 to consider said amendment to the text of the City Zoning Ordinance and the Planning and Zoning Board has recommended approval of the request.

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

Section 1: The Wheaton Zoning Ordinance text is amended by deleting Article 5.7.B(3).3 in its entirety and replacing it with the following:

"To reduce the applicable off-street parking or loading spaces for a property located in the Downtown Parking Overlay District or the College Avenue Parking Overlay District."

Section 2: The Wheaton Zoning Ordinance text is amended by deleting Article 16.6D in its entirety and replacing it with the following:

"Recognizing the unique character of the existing development on the south side of College Avenue from President Street to the west and the Union Pacific railroad tracks to the east, there shall be no yard requirements for a building within this block."

Section 3: The Wheaton Zoning Ordinance text is amended by deleting Article 22.1.4 in its entirety and replacing it with the following:

"Parking Overlay Districts. Except for properties in the C-2 Zoning District (where no off-street parking is required), the following off street parking requirements shall be utilized for the area bounded by Seminary Street on the north, Illinois Street on the south, Washington Street on the east, and West Street on the west, hereinafter, the "Downtown Parking Overlay District" and the area on the south side of College Avenue from President Street to the west and the Union Pacific railroad tracks to the east, hereinafter, the "College Avenue Parking Overlay District:

Medical: 1.92 parking spaces per 1,000 square feet of floor area

Office: 1.81 parking spaces per 1,000 square feet of floor area

Residential: .78 parking spaces per 1000 square feet of floor area

Restaurant: 6.88 parking spaces per 1,000 square feet of floor area

Retail: 1.05 parking spaces per 1,000 square feet of floor area

Performing Arts Theatre: .32 parking spaces per seat.

All Business and Commercial Establishments Except Those Heretofore Specified: 1.05 parking spaces per 1,000 square feet of floor area."

Section 4: The Wheaton Zoning Ordinance text is amended by deleting 22.4.1.3(1) in its entirety and replacing it with the following:

"Notwithstanding any of the provisions of this zoning ordinance to the contrary, off- street tandem parking spaces may be permitted on a parcel of land, as a special use, subject to the following conditions, restrictions, and requirements:

1. That the parcel of land be located in a Parking Overlay District or Institutional Zoning District.
2. That the tandem parking spaces be available only for and used by employees of the business or organization occupying the building or residents of the building on the parcel of property. In the case of a building devoted to religious worship, tandem parking spaces may also be used by parishioners. Appropriate signage indicating this restriction shall be provided.
3. That the parking lot be striped appropriately to identify the tandem parking spaces with paint or other such permanent marking materials. Such striping shall be maintained in a clearly visible condition."

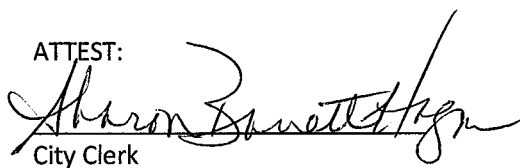
Section 5: This ordinance shall be cumulative of all provisions of the ordinances of the City of Wheaton, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 6: If any phrase, clause, sentence, paragraph or section of this ordinance is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

Section 7: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

Mayor

ATTEST:


City Clerk

Roll Call Vote

Ayes: Councilman Brown
Mayor Suess
Councilwoman Fitch
Councilwoman Robbins
Councilman Weller
Councilman Barbier
Councilwoman Bray-Parker

Nays: None

Absent: None

Motion Carried Unanimously

Passed: June 7, 2021
Published: June 8, 2021

