

ORDINANCE NO. F-0887

**AN ORDINANCE AMENDING THE WHEATON ZONING MAP
AND GRANTING A SPECIAL USE PERMIT
FOR A BANK, OFFICE AND RETAIL BUILDING-NORTHWEST CORNER OF COUNTY
FARM AND WILLIAMS STREET-FAWELL**

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, to rezone certain real estate from the R-1 Residential zoning district to the C-5 Planned Commercial zoning district and for the issuance of a special use permit to allow the construction and use of a new 12,800 square foot bank, office, retail building consisting of a Suburban Bank branch with 4 drive-thru banking lanes and a coffee store with a drive-thru lane on the first floor, and professional office space on the second floor, all on the property legally described herein within the city limits of Wheaton, Illinois, and commonly located at the Northwest Corner of County Farm Road and Williams Street; 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 January 13 and 27, 2004, to consider the zoning amendment and issuance of the special use permit; and the Board has recommended the zoning amendment and issuance of the special use permit;

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 Zoning Map, which is attached to and forms a part of the Zoning Ordinance of Wheaton, Illinois, is amended by deleting the following-described property from the R-1 Residential District zoning classification and including it in the C-5 Planned Commercial zoning classification:

LOTS 9, 10, 11, AND 12 IN BLOCK 21 IN WHEATON PARK MANOR, A SUBDIVISION OF PART OF LOTS 1 AND 2 IN OWNER'S PLAT OF PART OF SECTION 13, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN AND FRACTIONAL SECTION 18, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID WHEATON PARK MANOR RECORDED JUNE 26, 1924 AS DOCUMENT NO. 179446, IN DUPAGE COUNTY, ILLINOIS.

LOTS 10, 11, AND 12 IN BLOCK 3 IN FIRST ADDITION TO WHEATON PARK MANOR, A SUBDIVISION IN SECTION 13, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 15, 1925 AS DOCUMENT 192981, IN DUPAGE COUNTY, ILLINOIS.

PIN NO. 05-18-307-009, 05-18-307-010, 05-18-307-011, 05-18-307-020- 05-18-307-021, 05-18-307-022, 05-18-307-025

This property is commonly located at the Northwest Corner of County Farm Road and Williams Street, Wheaton, IL 60187 ("subject property").

Section 2: Pursuant to the Findings of Fact (except those pertaining to the originally requested setback variation) made and determined by the planning and Zoning Board, a special use permit is hereby issued to allow for the construction and use of a new 12,800 square foot bank, office, retail building consisting of a Suburban Bank branch with 4 drive-thru banking lanes and a coffee store with a drive-thru lane on the first floor, and professional office space on the second floor, all on the subject property in full compliance with the site plan prepared by VOA, 224 South Michigan Avenue, Suite 1400, Chicago, IL 60604, dated February 3, 2004, entitled Suburban Bank and Office Center; elevations one thru four, prepared by VOA, received February 6, 2004; and in further compliance with the following conditions, restrictions, and requirements:

1. Owner/developer shall furnish to the City a parking lot lighting plan in accordance with Article 22.5.9 of the City of Wheaton Zoning Ordinance, the plan shall be subject to the reasonable approval of the Director of Planning and Economic Development.
2. Owner/developer shall furnish to the City a final landscape plan in accordance with Article 6 of the City of Wheaton Zoning Ordinance; the plan shall be subject to the reasonable approval of the Director of Planning and Economic Development.
3. Owner/developer shall furnish to the City a sign plan in accordance with Article 23 of the City of Wheaton Zoning Ordinance; the plan shall be subject to the reasonable approval of the Director of Planning and Economic Development.
4. Owner/developer shall furnish to the City a stormwater management plan illustrating stormwater storage upon the surface of the parking facility; the plan shall be subject to the reasonable approval of the Director of Engineering.
5. Owner/developer shall construct public sidewalks along the County Farm Road, Williams Street and Knoll Street frontages of the subject property.
6. Owner/developer shall reconstruct the west portion of Williams Street to City standards.
7. In the event the owner/developer of the County Farm Executive Center fails to proceed with construction of its previously approved development or in the event the Owner/developer of the subject property receives construction permit approval prior to the owner/developer of the County Farm Executive Center, Owner/developer of the subject property shall reconstruct that portion of Knoll Street adjacent to the subject property; the reconstruction shall be in accordance with the standards of the City.
8. The owner/developer shall enter into a Fire Lane Designation and Enforcement Agreement with the City in substantial compliance with Exhibit "A".
9. In the event a traffic control signal is approved for construction at the intersection of County Farm Road and Williams Street, at any time in the future, the owner/developer of the Subject Property shall be financially responsible for a portion of the cost of the design construction and maintenance, including utility costs, of the traffic control signal. The owner/developer's share of the cost of the traffic control signal shall be based on the number of motor vehicles traveling through the intersection and generated by their use when compared to the total number of motor vehicles going to or coming from the subject property, the commercial property on the east side of County Farm Road between Fapp Circle and Roosevelt Road and the adjacent property as evidenced by a traffic study. All other motor vehicles, generally using

County Farm Road, shall not be included in this cost determination. The traffic study shall be subject to the reasonable approval of the Director of Engineering.

- 10. This special use permit, and the conditions, restrictions, and requirements recited herein, shall be considered a declaration of restrictive covenants and shall be binding upon the subject property and its Owner, its successors, assigns, and grantees; this ordinance shall be recorded in the Office of J. P. Carney, Recorder of Deeds, Du Page County, Illinois, at the expense of the Owner.

Section 4: 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 approved landscape plan.

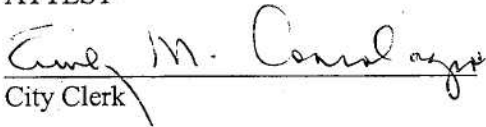
Section 5: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 6: 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 Mouhelis
 Councilman Bolds
 Councilwoman Corry
 Mayor Carr
 Councilwoman Johnson
 Councilman Mork

Nays: None

Absent: Councilman Johnson

Motion Carried Unanimously

Passed: February 17, 2004
 Published: February 18, 2004