

ORDINANCE NO. F-0957

**AN ORDINANCE AMENDING ORDINANCE NO. E-3406 AS AMENDED,
GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT
FOR A SPORTS FACILITY ON PROPERTY COMMONLY
KNOWN AS THE WHEATON SPORTS CENTER**

WHEREAS, on December 19, 1988, the City of Wheaton, Illinois (“City”) enacted City Ordinance No. E-3406, “an Ordinance Amending the Wheaton Zoning Ordinance Map and Granting a Special Use Permit for a Sports facility on a Certain Piece of Property Commonly Known as the Wheaton Sports Center” recorded on May 12, 1989 as Document No. R89-056055 in the Office of the DuPage County Recorder of Deed (“Original Ordinance”), authorizing a Special Use Permit to allow the construction of a Sports Facility on property legally described as Exhibit A, attached hereto and incorporated herein as a fully set forth, and commonly known as 1000 W. Prairie Avenue, Wheaton, Illinois; and

WHEREAS, amendments to the Original Ordinance have been enacted by: Ordinance E-367-1 (Recording No. R92-0079757); Ordinance E-3852 (Recording No. R92-228612); E-4002 (Recording No. R94-149550); E-4003 (Recording No. R94-149551); E-4062 (Recording No. R95-19781); F-0048 (Recording No. R96-133905); F-0473 (Recording No. R2000-101131) and Ordinance No. F-0664 (Recording No. R2002-046737); and

WHEREAS, application has been made seeking approval to construct and utilize an additional 109 space parking facility immediately south of a 38 space parking facility approved by Ordinance No. (F-0664); and

WHEREAS, pursuant to notices required by the Illinois Municipal Code, and the Wheaton Zoning Ordinance, a public hearing was conducted by the Wheaton and Planning and Zoning Board on August 24, 2004; and

WHEREAS, the Wheaton Planning and Zoning Board voted 5-0 to recommend approval of the PUD Amendment to allow expansion of the parking lot by the construction of a new 109 space parking facility; and

WHEREAS, the City Council of the City of Wheaton has received the record before the Wheaton Planning and Zoning Board and its recommendation.

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. Pursuant to the finding of fact determined by the City, Section 2 of the “Original Ordinance” and the Special Use Permit granted therein are hereby amended by adding the following subsection to the Original Ordinance:

- bb. A 109 space parking facility may be constructed west of the Wheaton Sports Center Building in conformance with the site plan and engineering plan prepared by Bollinger, Lach and Associates, Inc., Oak Brook, Illinois, bearing a final revision date of October 4, 2004, and consisting of 6 pages, and a landscape plan prepared by Gary R. Weber and Associates, bearing a final revision date of September 30, 2004 consisting of 1 page all of which are attached hereto and incorporated herein as group Exhibit A. It shall be a condition precedent, and continuing condition, to the effectiveness of this Ordinance that the Owner of the subject property comply with the following additional revisions and requirements:
 - 1. The landscape plan shall be revised to replace the gro-low sumac with a minimum 2 foot tall hedge proposed for the parking lot island located between the proposed lot and the existing 38 space lot. The revised landscape plan shall be subject to the reasonable approval of the Director of Planning and Economic Development; and
 - 2. Parking lot lighting shall not be installed or maintained in the proposed parking lot.

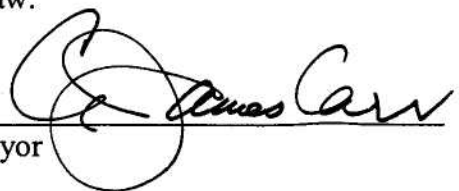
SECTION 2. In all other respect, the terms and provision of the Original Ordinance and Ordinance No. E-367-1 (Recording No.R92-0079757) Ordinance E-3852 (Recording No. R92-228612), E-4002 (Recording No. R94-149550), E-4003 (Recording No. R94-149551), E-4062

Ord. F-0957

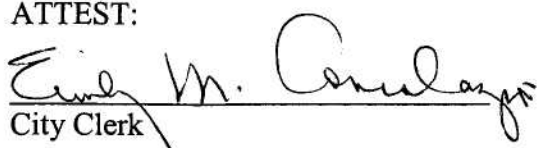
(Recording No. R95-19781), F-0048 (Recording No. R96-133905), and F-0473 (Recording No. R2000-101131), and Ordinance No. F-0664 (Recording No. R2002-046737), which amend the Original Ordinance are ratified and shall remain in full force and effect.

SECTION 3. All Ordinance or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 4. This Ordinance shall become effective from and after its passage, approval and publication in pamphlet form in the manner prescribed at law.


Mayor

ATTEST:


City Clerk

Roll Call Vote

Ayes: Councilwoman Johnson
Councilman Mouhelis
Councilwoman Corry
Councilman Johnson
Mayor Pro Tem Mork

Nays: None

Absent: Mayor Carr
Councilman Bolds

Motion Carried Unanimously

Passed: October 18, 2004
Published: October 19, 2004