

ORDINANCE NO. F-1230

**AN ORDINANCE AMENDING THE PLANNED UNIT DEVELOPMENT
FOR THE COURTHOUSE SQUARE PROJECT
-BRICK SIZE-**

WHEREAS, on September 20, 2004, the Wheaton City Council approved Ordinance No. F-0950 "AN ORDINANCE REZONING PROPERTY FROM I-1 INSTITUTIONAL TO R-7 RESIDENTIAL AND GRANTING A SPECIAL USE PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTY BORDERED BY THE ILLINOIS PRAIRIE PATH RIGHT-OF-WAY, WASHINGTON STREET, NAPERVILLE ROAD, WILLOW AVENUE AND REBER STREET (NATIONAL LOUIS UNIVERSITY/ COURTHOUSE PROPERTY)" recorded as Document Number R2004-271416 on October 21, 2004 in the office of the DuPage County Recorder; and

WHEREAS, On March 21, 2005, the Wheaton City Council approved Ordinance No. F-1014 "AN ORDINANCE AMENDING ORDINANCE NO. F-0950 ENTITLED AN ORDINANCE REZONING PROPERTY FROM I-1 INSTITUTIONAL TO R-7 RESIDENTIAL AND GRANTING A SPECIAL USE PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTY BORDERED BY THE ILLINOIS PRAIRIE PATH RIGHT-OF-WAY, WASHINGTON STREET, NAPERVILLE ROAD, WILLOW AVENUE AND REBER STREET (NATIONAL LOUIS UNIVERSITY/COURTHOUSE PROPERTY)" recorded as Document Number R-2005-074148 on April 12, 2005 in the office of the DuPage Recorder; and

WHEREAS, On January 3, 2006, the Wheaton City Council approved Ordinance No. F-1121, "AN ORDINANCE GRANTING FINAL PUD APPROVAL FOR THE COURTHOUSE SQUARE PROJECT"; and

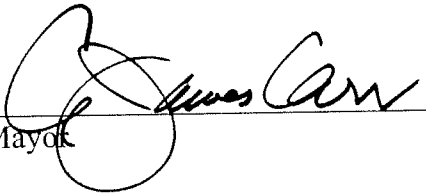
WHEREAS, the developer has submitted to the City a request to change the brick size to be utilized in the construction of the project from a standard size of 2 5/8 x 7 5/8 to a utility size of 11 5/8 x 3 5/8.

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: The real property, legally described in Exhibit A, which is attached hereto and incorporated herein, has been and continues to be zoned in the R-7 Residential Zoning District classification, with a special use permit for a Planned Unit Development.

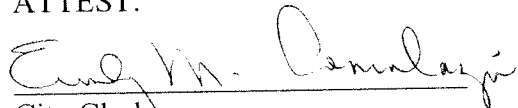
Section 2: Section 2(4) of Ordinance No. F-1121 shall be amended to include the use of a 11 5/8 x 3 5/8 size face brick manufactured by the Glen Gery Brick Company, Series #59523 06171 "Adrian", for the Phase II and Phase III condominium buildings

Section 3: This ordinance shall become effective after its passage, approval and publication in pamphlet form in the manner described by law.



Mayor

ATTEST:



City Clerk

Roll Call Vote:

Ayes: Councilwoman Corry
Councilman Johnson
Mayor Carr
Councilman Levine
Councilman Mouhelis
Councilman Sues
Councilman Bolds

Nays: None

Absent: None

Motion Carried Unanimously

Passed: November 20, 2006
Published: November 21, 2006

EXHIBIT "A"

THAT PART OF LOT 1 OF BURCKAL'S ASSESSMENT PLAT OF PART OF VACATED BLOCK 1 OF WARREN L. WHEATON'S 2ND ADDITION TO THE TOWN OF WHEATON, LYING SOUTH OF A LONE DRAWN 91 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORHT WESTERN RAILWAY, IN THE EAST ½ OF THE SOUTHWEST ¼ AND THE WEST ½ OF THE SOUTHEAST ¼ OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 1; THENCE SOUTH ALONG THE WEST LINE OF LOT 1, 50 FEET; THENCE EAST AND PARALLEL TO THE SOUTH LINE OF LOT 1, 100 FEET; THENCE NORTH AND AT RIGHT ANGLES TO THE LAST DESCRIBED LINE 75.29 FEET, MORE OR LESS TO THE NORTHERLY LINE OF LOT 1; THENCE SOUTHWESTERLY ALONG THE NORTHERLY LINE OF LOT 1 105.27 FEET MORE OR LESS TO THE NORTHWEST CORNER OF LOT 1, AND THE PLACE OF BEGINNING.

PARCEL 1: ALL THAT PROPERTY DESCRIBED AS THE COURTHOUSE BLOCK IN WARREN L. WHEATON'S 2ND ADDITION TO WHEATON IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 28, 1869 AS DOCUMENT NO. 11488.

PARCEL 2: LOT 1 (EXCEPT THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 1; THENCE SOUTH ALONG THE WEST LINE OF LOT 1, 50 FEET; THENCE EAST AND PARALLEL TO THE SOUTH LINE OF LOT 1, 100 FEET; THENCE NORTH AT RIGHT ANGLES TO LAST DESCRIBED LINE 75.29 FEET, MORE OR LESS, TO THE NORTHERLY LINE OF LOT 1; THENCE SOUTHWESTERLY ALONG THE NORTHERLY LINE OF LOT 1, 105.27 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF LOT 1 AND THE POINT OF BEGINNING) IN BURCKAL'S ASSESSMENT PLAT OR PART OF BLOCK 1 IN WARREN L. WHEATON'S SECOND ADDITION TO WHEATON, BEING A SUBDIVISION IN THE WEST ½ OF THE SOUTHEAST ¼ AND THE EAST ½ OF THE SOUTHWEST ¼ OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID BURCKAL'S ASSESSMENT PLAT RECORDED MARCH 4, 1933 AS DOCUMENT 334382, IN DUPAGE COUNTY, ILLINIOS.
P.I.N. 05-16-318-001, 05-16-319-002, 05-16-319-001

The subject property is commonly known as Courthouse Square, 200 S. Naperville Road, Wheaton, IL 60187.