

ORDINANCE NO. F-1960

AN ORDINANCE AMENDING THE ORIGINAL AND SUBSEQUENT AMENDED ORDINANCES REGARDING PHASE FIVE OF THE TOWNHOME PORTION OF THE COURTHOUSE SQUARE PROJECT – BUILDING ELEVATIONS, PATIO WALL AND LANDSCAPING

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)” (“Original Ordinance”) 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)” (“Subsequent Amended Ordinance”) recorded as Document Number R2005-074148 on April 12, 2005 in the office of the DuPage County 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” (“Subsequent Amended Ordinance”) recorded as Document Number R2006-030243 on February 17, 2006 in the office of the DuPage County Recorder; and

WHEREAS, on November 20, 2006, the Wheaton City Council approved Ordinance No. F-1230, “AN ORDINANCE AMENDING THE PLANNED UNIT DEVELOPMENT FOR THE COURTHOUSE SQUARE PROJECT BRICK SIZE” (“Subsequent Amended Ordinance”) recorded as Document Number R2006-237031 on December 11, 2006 in the office of the DuPage County Recorder; and

WHEREAS, on January 16, 2007, the Wheaton City Council approved Ordinance No. F-1247, “AN ORDINANCE AMENDING THE PLANNED UNIT DEVELOPMENT FOR THE COURTHOUSE SQUARE PROJECT - LOT 11 LEGAL DESCRIPTION CORRECTION” (“Subsequent Amended Ordinance”); and

WHEREAS, on June 7, 2010, the Wheaton City Council approved Ordinance No. F-1495, “AN ORDINANCE AMENDING VARIOUS PLANS AS THEY PERTAIN TO THE

TOWNHOME PORTION OF THE COURTHOUSE SQUARE PROJECT” (“Subsequent Amended Ordinance”); and

WHEREAS, on October 1, 2012, the Wheaton City Council approved Ordinance No. F-1666, “AN ORDINANCE AMENDING THE ORIGINAL AND SUBSEQUENT AMENDED ORDINANCES AND TO GRANT A SPECIAL USE PERMIT TO ALLOW THE CONSTRUCTION AND USE OF A SENIOR HOUSING DEVELOPMENT ON A PORTION OF LOT 9, LOT 10, OUTLOT G AND OUTLOT F OF THE EXISTING COURTHOUSE SQUARE PROJECT IN LIEU OF THE PREVIOUSLY APPROVED CONDOMINIUM BUILDING #2 AND #3” (“Subsequent Amended Ordinance”); and

WHEREAS, on January 21, 2014, the Wheaton City Council approved Ordinance No. F-1755, “AN ORDINANCE AMENDING THE NUMBER OF TOWNHOMES WHICH MAY BE CONSTRUCTED AS PART OF THE COURTHOUSE SQUARE PROJECT” (“Subsequent Amended Ordinance”); and

WHEREAS, on August 25, 2014, the Wheaton City Council approved ORDINANCE NO. F-1809, “AN ORDINANCE AMENDING THE ORIGINAL AND SUBSEQUENT AMENDED ORDINANCES AND GRANT OF A SPECIAL USE PERMIT TO ALLOW THE CONSTRUCTION AND USE OF TWO APARTMENT BUILDINGS IN LIEU OF THE PREVIOUSLY APPROVED SENIOR HOUSING DEVELOPMENT” (“Subsequent Amended Ordinance”); and

WHEREAS, on August 3, 2015, the Wheaton City Council approved ORDINANCE NO. F-1879, "AN ORDINANCE AMENDING THE ORIGINAL AND SUBSEQUENT AMENDED ORDINANCES REGARDING THE NUMBER OF TOWNHOMES WHICH MAY BE CONSTRUCTED AS PART OF THE COURTHOUSE SQUARE PROJECT" (“Subsequent Amended Ordinance”); and

WHEREAS, following the enactment of the Original Ordinance and the Subsequent Amended Ordinances, application has been made to amend the PUD Site Plan as it pertains to the Building Elevations for Phase 5 of the townhome portion of the project and to allow for the construction of a brick wall and slightly enlarged patios along the Washington Street frontage.

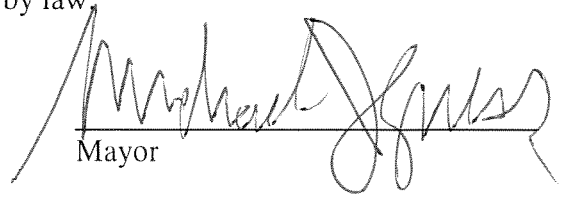
NOW THEREFORE BE IT ORDAINED, by the Mayor and City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers as follows:

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.

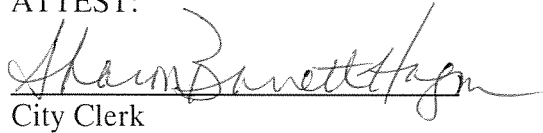
Section 2: The landscape plan entitled “Courthouse Square Landscape Plan Phase 5” dated August 18, 2016, and the building elevations plans entitled "Courthouse Square Townhomes Phase 5, Sheets A201S, A201N, A202, A203S, and A203N", all bearing a latest date of 8-29-16, prepared by Derrick Architecture a copy of which are attached as Exhibit B, are

hereby approved in lieu of those described in Section 2 of Ordinance No. F-1495 subject to stone being added on the bottom portion of the south elevation of Unit 170 to match the other townhomes south elevations.

Section 4: 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 Fitch
Councilman Prendiville
Councilman Rutledge
Mayor Pro Tem Scalzo
Councilman Saline

Nays: None

Absent: Mayor Gresk
Councilman Suess

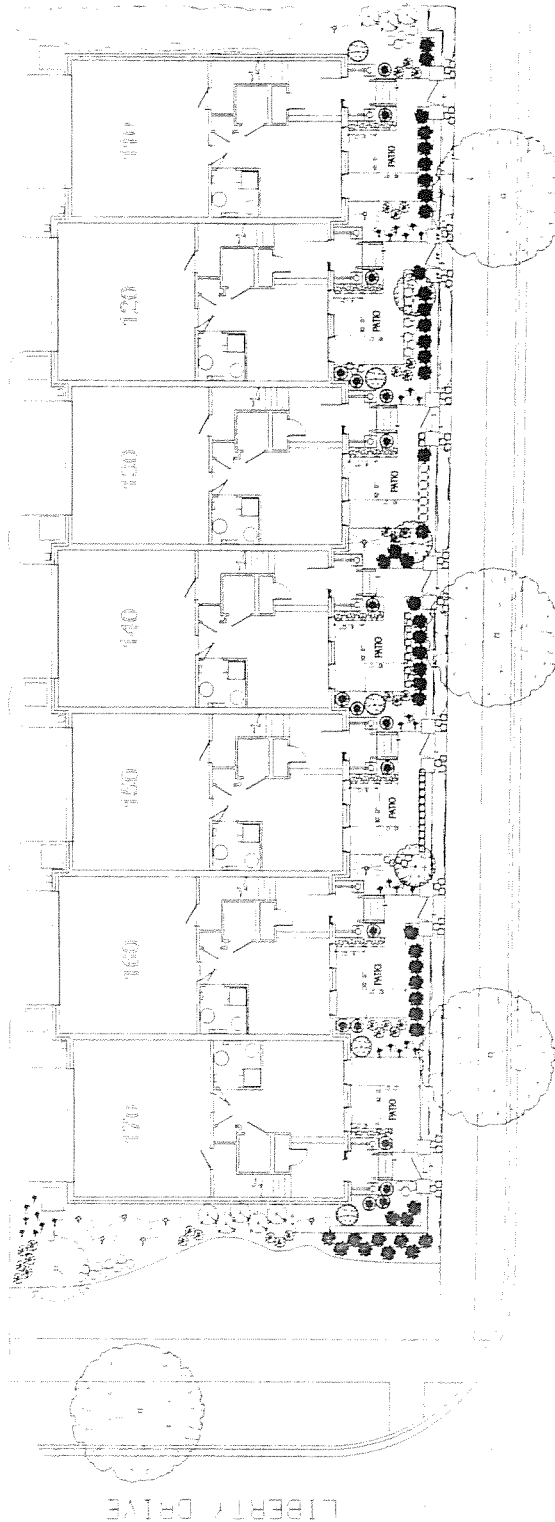
Motion Carried Unanimously

Passed: September 6, 2016
Published: September 7, 2016

EXHIBIT A

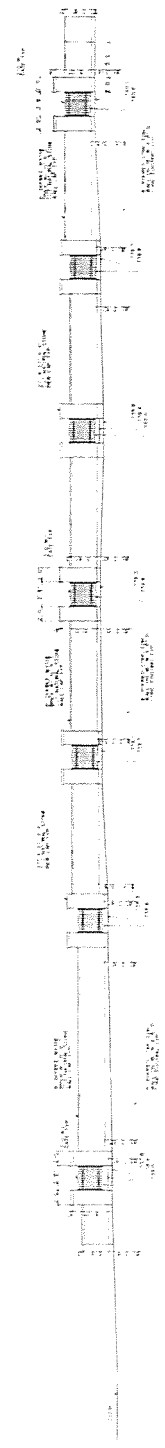
BUILDING LOT G IN THE COURTHOUSE SQUARE RESUBDIVISION PHASE 3 BEING A RESUBDIVISION OF PART OF THE SOUTHWEST QUARTER AND PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS RECORDED ON FEBRUARY 22, 2013 AS DOCUMENT NO R2013-028572 IN THE DUPAGE COUNTY RECORDERS OFFICE. PIN# 05-16-425-002

EXHIBIT B



WASHINGTON STREET

LIBERTY DRIVE



Freestanding Brick Wall Elevation

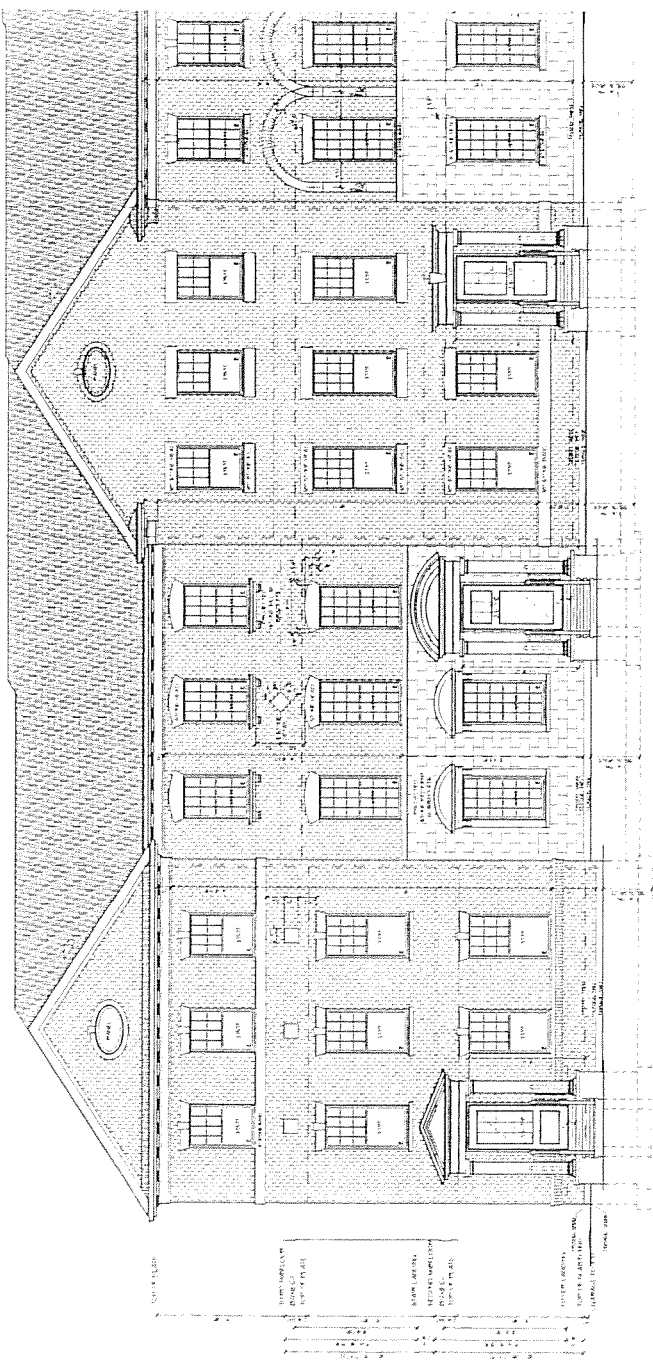


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 TEL: 773.399.3000

AIRHART CONSTRUCTION
 500 EAST ROOSEVELT RD.
 WEST CHICAGO, IL 60659
 TEL: 773.399.3000
 Courthouse Square Townhomes
 Phase 5
 170-170



UNIT 150

UNIT 160

UNIT 170

Front Elevation - South
 SCALE: 1/8" = 1'-0"

170	160	150	140	130	120	110
UNIT 170	UNIT 160	UNIT 150	UNIT 140	UNIT 130	UNIT 120	UNIT 110

KEY PLAN

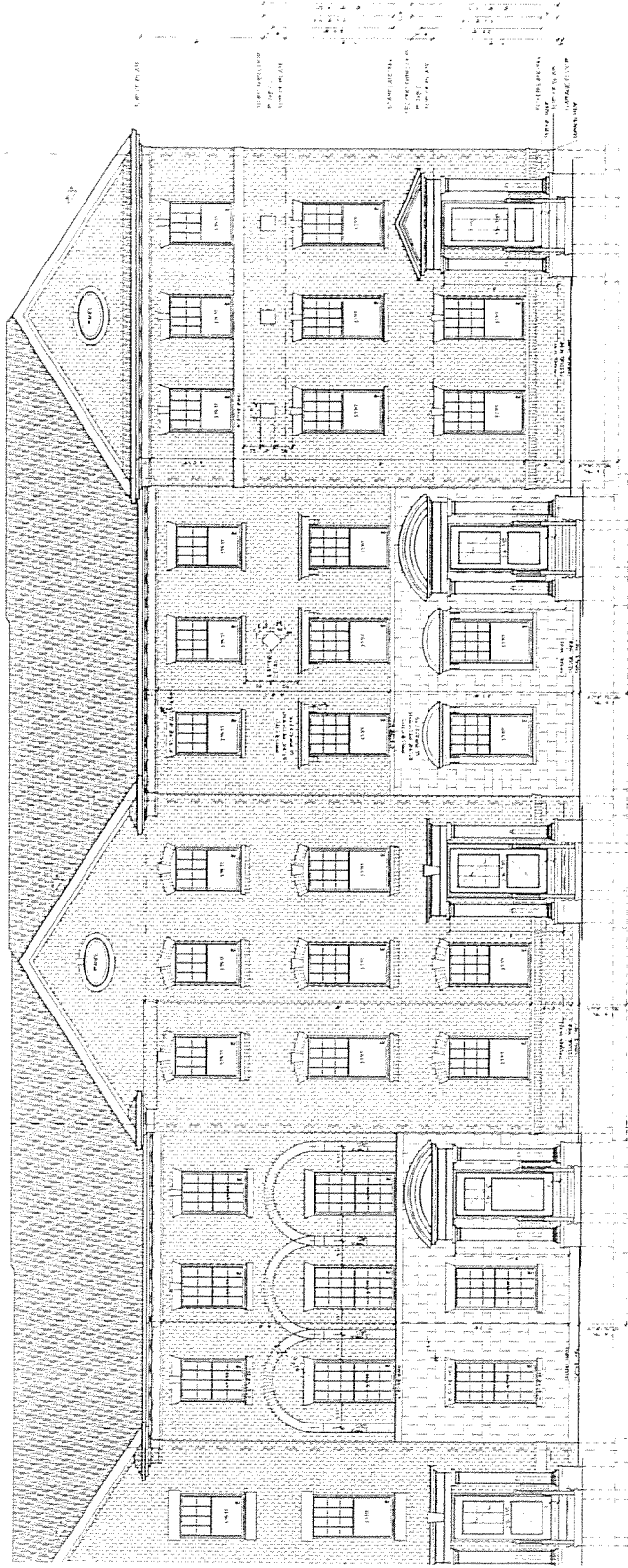
A201S
 SHEET NUMBER

Front Elevation - South
 Looking West

PROJECT NO.
 PROJECT NO.

DATE:
 DATE

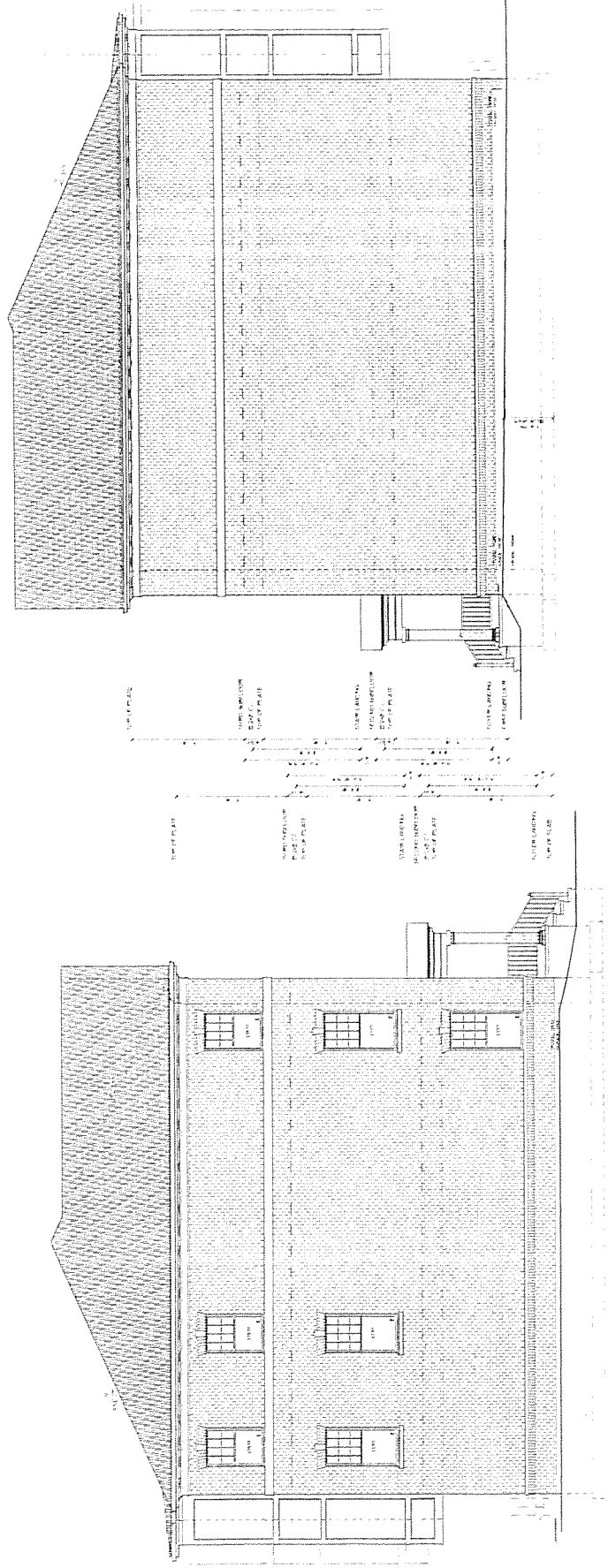
DRAWN BY:
 DRAWN BY



UNIT 140 UNIT 130 UNIT 120 UNIT 110
 North Front Elevation — North

170	160	150	140	130	120	110
UNIT 170	UNIT 160	UNIT 150	UNIT 140	UNIT 130	UNIT 120	UNIT 110

KEY PLAN



UNIT 170
 1 North_elevation - Looking_North SCALE 1/4" = 1'-0"

UNIT 110
 2 South_elevation - Looking_South SCALE 1/4" = 1'-0"

110	UNIT 110
120	UNIT 120
130	UNIT 130
140	UNIT 140
150	UNIT 150
160	UNIT 160
170	UNIT 170

170	UNIT 170
160	UNIT 160
150	UNIT 150
140	UNIT 140
130	UNIT 130
120	UNIT 120
110	UNIT 110

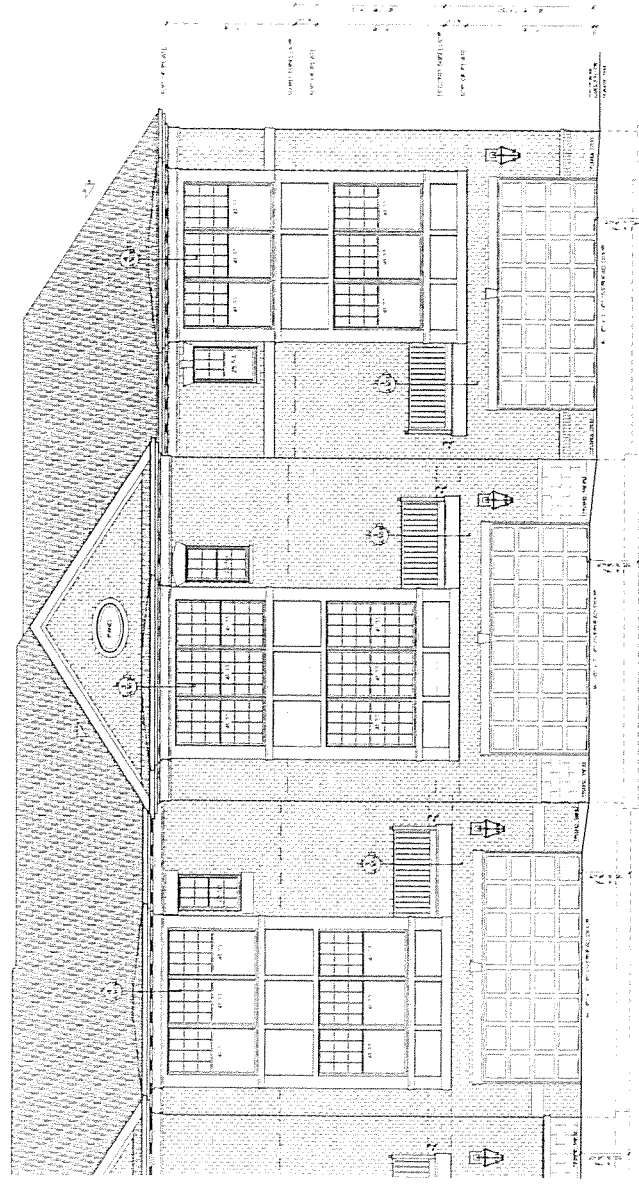


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 WEST CHICAGO, IL 60655
 (630) 293-1000

Courthouse Square Phase 3



UNIT 170

UNIT 160

UNIT 150

Rear Elevation - South

110	120	130	140	150	160	170
REAR ELEVATION	REAR ELEVATION	REAR ELEVATION	REAR ELEVATION	REAR ELEVATION	REAR ELEVATION	REAR ELEVATION

KEY PLAN

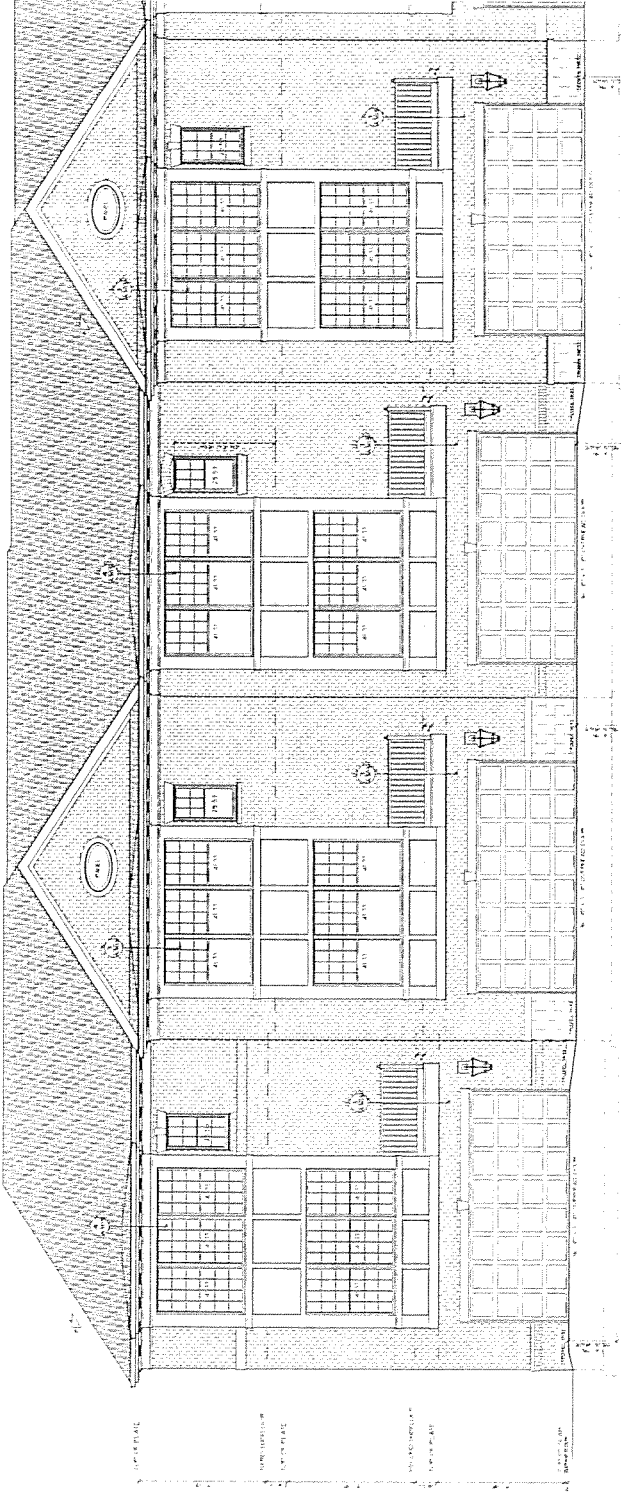
A203S

DRAWING

DATE: 07/27/2010
 PROJECT: 100

REAR ELEVATION - Looking East

PROJECT NUMBER: A203S



UNIT 140

UNIT 130

UNIT 120

UNIT 110

Rear Elevation - North
 Scale: 1/8" = 1'-0"

110	120	130	140	150	160	170
110	120	130	140	150	160	170



