

WHEATON PARK DISTRICT

RESOLUTION AUTHORIZING THE FILING OF APPLICATION WITH THE CITY OF WHEATON FOR ZONING RELIEF RELATED TO COSLEY ZOO PARKING LOT

RESOLUTION 2023-11

WHEREAS, the Wheaton Park District (the “Park District”), DuPage County, Illinois is a duly authorized and existing Park District under the laws of the State of Illinois;

WHEREAS, the Park District purposes include, but are not limited to the ability to provide both passive and active recreational activities, including revenue producing recreational facilities under, *inter alia*, 70 ILCS 1205/8-10, 70 ILCS 1205/9.3-1 and 70 ILCS 1290/1;

WHEREAS, the Park District has previously acquired the real property located in Wheaton Illinois on the east side of Gary Avenue with PIN’s 05-08-408-039, 05-08-408-014, 05-08-408-032, 05-08-408-033, 05-08-408-034, 05-08-408-035 and 05-08-409-022 on (the “Subject Property”);

WHEREAS, Cosley Zoo is an AZA-accredited zoo owned by the Park District and provides an opportunity for Wheaton residents to view and interact with animals;

WHEREAS, the Subject Property is contiguous to the Cosley Zoo which is owned by the Park District;

WHEREAS, the Commissioners of the Park District deem it advisable and in the public interest and welfare to seek to utilize the Subject Property for accessory parking to the Cosley Zoo;

WHEREAS, the Park District and the City of Wheaton currently have an Intergovernmental Agreement dated July 20, 1998 related to zoning issues on Park District owned property (the “Intergovernmental Agreement”);

WHEREAS, to utilize the Subject Property for accessory parking to the Cosley Zoo, the Park District will have to obtain zoning approval from the City of Wheaton;

WHEREAS, the Commissioners of the Park District find it to be in the best interests of the Park District and necessary and desirable for the purposes as hereinabove set forth to seek the necessary zoning approvals from the City of Wheaton related to parking for the Cosley Zoo on the Subject Property; and

WHEREAS, the Commissioners of the Park District find it to be in the best interests of the Park District not to proceed under the Intergovernmental Agreement when seeking the zoning approvals related to parking for the Cosley Zoo on the Subject Property.

NOW, THEREFORE, be it ordained by the Commissioners of the Wheaton Park District, a Park District existing under the laws of the State of Illinois as follows:

SECTION ONE: The recitals set forth hereinabove shall be and are hereby incorporated as if said recitals were fully set forth within this Section One.

SECTION TWO: It is necessary and desirable that the Park District seek zoning approval from the City of Wheaton for the use of the Subject Property as a parking lot accessory to the Cosley Zoo.

SECTION THREE: The Executive Director and the attorneys for the Park District are authorized and directed to file an application for zoning approval for the use of the Subject Property as a parking lot accessory to the Cosley Zoo (the “Zoning Application”).

SECTION FOUR: The Executive Director and the attorneys for the Park District are directed to not file and process the Zoning Application under the procedures set forth in the Intergovernmental Agreement between the Park District and the City of Wheaton dated July 20, 1998 but are instead directed to file and process the Zoning Application utilizing the zoning procedures and standards set forth in the City of Wheaton’s zoning ordinance.

SECTION FIVE: The Clerk for the Park District may provide certified copies of said Resolution upon proper request from the general public.

SECTION SIX: That all ordinances and resolutions or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

SECTION SEVEN: This Resolution shall be in full force and effect immediately upon its adoption and approval.

Adopted this 29th day of November, 2023.

AYES: Barrett, Frey, Mac, Pechasich, Vises + Kelly

NAYS:

ABSENT:

President Board of Park Commissioners
Wheaton Park District

ATTEST:

Secretary, Board of Park Commissioners
Wheaton Park District

(S E A L)