

ORDINANCE NO. F- 1695

**AN ORDINANCE AMENDING THE PLANNED UNIT DEVELOPMENT
FOR 120 E. LIBERTY DRIVE - GENERATOR**

WHEREAS, on April 3, 2006, the Wheaton City Council approved Ordinance No. F- 1153 "AN ORDINANCE AMENDING THE WHEATON ZONING MAP BY GRANTING A SPECIAL USE PERMIT FOR PLANNED UNIT DEVELOPMENT-WHEATON PROPERTY PARTNERS/THE JEWEL PARKING LOT ON THE NORTH SIDE OF WILLOW, 110 EAST LIBERTY DRIVE & 120 EAST LIBERTY DRIVE, WHEATON, IL" (Original Ordinance); and

WHEREAS, on February 20, 2007, the Wheaton City Council approved Ordinance No. F- 1258 "AN ORDINANCE AMENDING THE PLANNED UNIT DEVELOPMENT FOR THE WHEATON PROPERTY PARTNERS PROJECT" (Amended Ordinance); and

WHEREAS, the developer has submitted to the City a request to amend the Original and Amended Ordinance in order to install a back-up generator at the southwest corner of their property; and the City has determined that the requested amendment is a minor amendment and may be implemented without public hearing, pursuant to the provisions of Section 5.10.6 of the Wheaton Zoning Ordinance.

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:

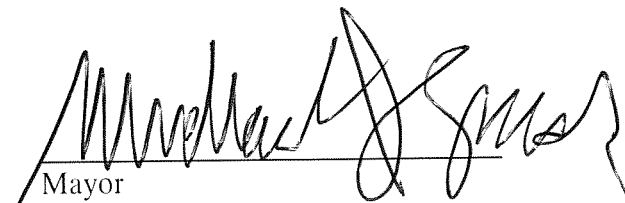
Section 1: The real property, legally described in Exhibit A, which is attached hereto and incorporated herein, has been and continues to be zoned in the C-4 CBD Perimeter zoning district classification, with a special use permit for a Planned Unit Development.

Section 2: Section 2 of the Original Ordinance shall be amended to include the following plan in addition to those described in the Original and Amended Ordinance: The plan entitled "First Trust Portfolios New 275 KW Generator", prepared by Preferred Electric, Roselle, IL, Sheet E2 dated 8/2/11 and last revised 12/4/12.

Section 3: The exhaust system on the existing generator shall be modified to include a 90 degree angle and rain-cap to direct the exhaust upward. In addition, the Owner/Developer shall, on an annual basis, clean any accumulated generator exhaust soot deposited on the parking garage. Said cleaning shall be subject to the reasonable approval of the Director of Building and Code Enforcement.


Section 4: In all other respects, the terms and conditions of the Original Ordinance are ratified and remain in full force and effect.

Section 5: 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: Councilman Mouhelis
Councilman Rutledge
Mayor Gresk
Councilwoman Pacino-Sanguinetti
Councilman Scalzo
Councilman Sues

Nays: None

Absent: None

Motion Carried Unanimously

Passed: December 17, 2012
Published: December 18, 2012