

**ORDINANCE NO. – F-1258**

**AN ORDINANCE AMENDING THE PLANNED UNIT DEVELOPMENT  
FOR THE WHEATON PROPERTY PARTNERS PROJECT**

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, the developer has submitted to the City a request to amend the Original Ordinance to modify the appearance and design of the proposed parking garage, the east façade of the proposed office building and the proposed on-street parking along Liberty Drive; 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:

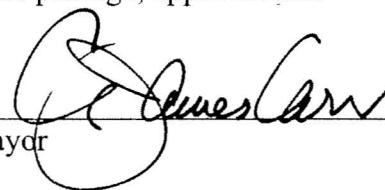
Section 1: The real property, legally described in Exhibit A, which is attached hereto and incorporated herein, has been and continues to be zoned in the C-4 CBD Perimeter zoning district classification, with a special use permit for a Planned Unit Development.

Section 2: Section 2 of the Original Ordinance shall be amended to include the use of the following plans in lieu of those described in the Original Ordinance: "the landscape plans entitled "Wheaton Property Partners", prepared by Gary R. Weber Associates, Inc., sheets 1 through 3 dated 6/28/06 and last revised 1/26/07; the plans entitled "Site Dimensional and Paving and Utility Plan", prepared by Manhard Consulting, sheets C4 of C8 dated 9/12/06 and last revised 1/24/07; and the plans entitled "01-25-07 Progress Set", prepared by Opus, sheet numbers P-A3.1, P-A3.2, P-A3.3, P-A4.1, dated 7/28/06 and bearing a last revision date of 2/07/07, and the plans entitled "Architectural Site Plan", prepared by Opus, dated 7/28/06 and bearing a last revision date of 2/07/07".

Section 3: The demolition of the existing structures to be demolished shall be authorized by this Ordinance. Demolition of said structures, however, shall be carried out in conformance with Wheaton City Code Chapter 22, Article XIV, with the exception that the Developer shall not be required to wait 30 days prior to commencing demolition from the date of submitting a demolition permit application to the Building and Code Enforcement Department, and shall not be required to hold a "neighbor meeting" at least 30 days prior to submitting an application for building demolition.

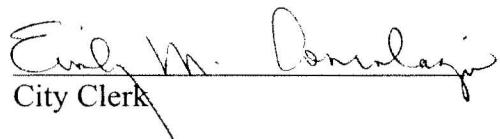
Section 4: In all other respects, the terms and conditions of the Original Ordinance are ratified and remain in full force and effect.

Section 5: This ordinance shall become effective after its passage, approval and publication in pamphlet form in the manner described by law.



\_\_\_\_\_  
Mayor Carr

ATTEST:



\_\_\_\_\_  
Cindy M. Donnay  
City Clerk

Roll Call Vote:

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

Nays: Councilman Suess

Absent: None

Motion Carried

Passed: February 20, 2007

Published: February 21, 2007