

FRED BUCHOLZ

DUPAGE COUNTY RECORDER

NOV. 23, 2005

10:45 AM

OTHER

06-07-212-024

008 PAGES

R2005-261865

ORDINANCE 5421

**GRANTING A CONDITIONAL USE FOR A PLANNED
DEVELOPMENT WITH DEVIATIONS AND VARIATIONS
IN A CR CONSERVATION RECREATION DISTRICT**

PIN: 06-07-212-024, 029, 034, 040

**Common Address: 110, 126, 130 W. M APLE ST.,
LOMBARD, ILLINOIS**

Return To:

**Village of Lombard
Department of Community Development
255 E. Wilson Avenue
Lombard, IL 60148**

ORDINANCE NO. 5421
AN ORDINANCE GRANTING A CONDITIONAL USE
FOR A PLANNED DEVELOPMENT WITH DEVIATIONS AND VARIATIONS
IN A CR CONSERVATION RECREATION DISTRICT

(PC 03-42; 110, 126, & 130 W. Maple Street)

(See also Ordinance No.(s) 5418, 5419 and 5421)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the subject property is zoned CR Conservation Recreation District; and,

WHEREAS, an application has heretofore been filed requesting approval of: a conditional use for a planned development in a CR Conservation Recreation District; and

WHEREAS, said planned development includes a deviation from Section 155.404 (D) of the Lombard Zoning Ordinance reducing the minimum required lot area from 2 acres (87,120 square feet) to 1.23 acres (53,417 square feet); and

WHEREAS, said planned development includes a deviation from Section 155.404(E) of the Lombard Zoning Ordinance reducing the minimum required lot width; and

WHEREAS, said planned development includes a variation from Section 155.404 (F) (1) and Section 155.508 (C) (6) of the Lombard Zoning Ordinance to reduce the minimum required front yard setback from 50 feet to 15.98 feet; and

WHEREAS, said planned development includes a variation from Section 155.404 (F) (3) and Section 155.508 (C) (6) of the Lombard Zoning Ordinance to reduce the minimum required interior side yard setback from 50 feet to 5 feet; and

WHEREAS, said planned development includes a variation from Section 155.404 (F) (4) and Section 155.508 (C) (6) of the Lombard Zoning Ordinance to reduce the minimum required rear yard setback from 50 feet to 21 feet; and

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WHEREAS, said planned development includes a variation from Section 155.404 (H) (1) and Section 155.508 (C) (7) of the Lombard Zoning Ordinance to reduce the minimum required open space from 93.75 percent to 27 percent; and

WHEREAS, said planned development includes a variation from Section 155.705 of the Lombard Zoning Ordinance to reduce the required number of parkway trees from 8 trees to 5 trees; and

WHEREAS, said planned development includes a variation from Section 155.706 (B) of the Lombard Zoning Ordinance to reduce the required interior parking lot landscaping; and

WHEREAS, said planned development includes a variation from Section 155.706 (C) of the Lombard Zoning Ordinance to reduce the required perimeter parking lot landscaping; and

WHEREAS, said planned development includes a variation from Section 155.602 (C), Table 6.3 of the Lombard Zoning Ordinance to reduce the number of requisite parking spaces; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on November 17, 2003 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the conditional use, deviations, and variations described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That a conditional use for a planned development with the following deviations and variations is hereby granted for the Subject Property legally described in Section 2 below, subject to the conditions set forth in Section 3 below:

- a. A deviation from Section 155.404 (D), reducing the minimum required lot area from 2 acres (87,120 square feet) to 1.23 acres (53,417 square feet);
- b. A deviation from Section 155.404 (E), reducing the minimum required lot width;
- c. A variation from Section 155.404 (F) (1) and Section 155.508 (C) (6), reducing the minimum required front yard setback from 50 feet to 15.98 feet;
- d. A variation from Section 155.404 (F) (3) and Section 155.508 (C) (6), reducing the minimum required interior side yard setback from 50 feet to 15 feet for the west side yard;
- e. A variation from Section 155.404 (F) (3) and Section 155.508 (C) (6), reducing the minimum required interior side yard setback from 50 feet to 5 feet for the east side yard;
- f. A variation from Section 155.404 (F) (4) and Section 155.508 (C) (6), reducing the minimum required rear yard setback from 50 feet to 21 feet;
- g. A variation from Section 155.404 (H) and Section 155.508 (C) (7), reducing the minimum required open space from 93.75 percent to 27 percent;
- h. A variation from Section 155.705, reducing the required number of parkway trees from 8 trees to 5 trees;
- i. A variation from Section 155.706 (B), reducing the required interior parking lot landscaping;
- j. A variation from Section 155.706 (C), reducing the required perimeter parking lot landscaping; and
- k. A variation from Section 155.602 (C), Table 6.3 reducing the number of requisite parking spaces to 138 spaces.

SECTION 2: That the ordinance is limited and restricted to the properties generally located 110, 126, and 130 W. Maple Street, Lombard, Illinois, and legally described as follows:

LOTS 1 AND 2 IN MUELLER'S DIVISION, BEING A SUBDIVISION OF PART OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 949142, IN DUPAGE COUNTY, ILLINOIS; AND

THAT PART LOT 1 APPROXIMATELY 10.69 FEET WIDE BY 145.12 LONG LYING WEST OF LOT 2 IN LILACIA RESUBDIVISION, AND THE ENTIRETY OF LOT 2 IN LILACIA RESUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT R1999-265299, IN DUPAGE COUNTY, ILLINOIS.

Parcel Nos. 06-07-212-024, -029, -034, -040

SECTION 3: The conditional use set forth in Section 1 above shall be granted subject to compliance with the following conditions:

1. That the exterior building elevations for the proposed library shall be submitted to the Lombard Plan Commission and then forwarded to the Lombard Board of Trustees for consideration.
2. The site shall be developed substantially in accordance with the site plans prepared by Burnidge Cassell Associates, dated October 10, 2003.
3. All comments in the Inter-Departmental Review Committee Report shall be satisfactorily addressed as part of a building permit application.
4. The parking lot shall be designed in accordance with Village Code.
5. Accessible parking spaces shall be provided in compliance with the provisions of the Illinois Accessibility Code.
6. Refuse disposal areas shall be screened in accordance with Section 155.710 of the Lombard Zoning Ordinance.
7. That the petitioner shall provide a photometric plan to the Village showing compliance with Village Code.
8. That the petitioner shall provide the Village with an updated landscape plan showing the following improvements:
 - a. Three additional parkway trees located per Village Code; and
 - b. Transitional landscape plant materials along the western property line consistent with those transitional landscape yard improvements required when business districts abut

single-family residence districts, with the review of the types and location of the plant materials as determined by the Director of Community Development.

- 9. That the library shall provide for signage for the designated parking spaces within the parking lot located at the northeast corner of Park Avenue and Main Street, with said signs denoting that the spaces are for library patrons.
- 10. That the west interior side yard setback variation shall be reduced from fifty feet to fifteen feet. No buildings shall be placed closer than fifteen feet from the west interior side lot line.

SECTION 4: The Village Board, after review by the Plan Commission, shall have Site Plan Approval authority relative to this Planned Development.

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed on first reading this 4th day of December, 2003.

First reading waived by action of the Board of Trustees this _____ day of _____, 2004.

Passed on second reading this 15th day of January, 2004.


Ayes: Trustees DeStephano, Tross, Koenig, Sebby, Florey, Soderstrom

Nayes: None

Absent: None

Approved this 15th day of January, 2004.

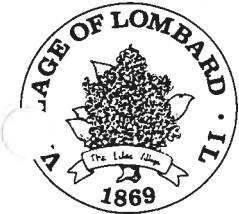
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William J. Mueller, Village President

ATTEST:


Barbara A. Johnson, Deputy Village Clerk

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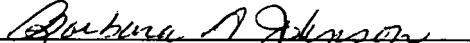
I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

I further certify that attached hereto is a true and correct copy of ORDINANCE 5421, AN ORDINANCE GRANTING A CONDITIONAL USE FOR A PLANNED DEVELOPMENT WITH DEVIATIONS AND VARIATIONS IN A CR CONSERVATION RECREATION DISTRICT IN REGARD TO THE PROPERTY LOCATED AT 110, 126 & 130 WEST MAPLE STREET, PIN 06-07-212-024 , -029, -034, AND -040

of the said Village as it appears from the official records of said Village duly passed on January 15, 2004.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 13th day of July, 2004.





Barbara A. Johnson
Deputy Village Clerk
Village of Lombard
DuPage County, Illinois