

ORDINANCE NO. 5355

**AN ORDINANCE GRANTING A  
CONDITIONAL USES FOR A PLANNED  
DEVELOPMENT WITH DEVIATIONS FOR  
PERIMETER AND TRANSITIONAL LANDSCAPING  
AND A THREE STORY BUILDING  
IN THE B5A DOWNTOWN PERIMETER ZONING DISTRICT**

(PC 03-25: 229 S. Main)

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, an application has heretofore been filed requesting approval of a conditional use for a planned development with a deviation from Section 155.706 ( C ) (1) of the Zoning Ordinance to reduce the perimeter landscaping area from five feet (5') to zero feet (0') in a B5A Downtown Perimeter Zoning District; and,

WHEREAS, said application also requests a deviation from Section 155.707 (B)(3)(a) of the Zoning Ordinance to reduce the distance of a transitional landscaping yard fence from eight feet (8') from the property line to zero feet (0') from the property line in a B5A Downtown Perimeter Zoning District; and

WHEREAS, said application requests approval of a aforementioned actions on the property described in Section 2 below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on August 18, 2003 pursuant to appropriate and legal notice; and,

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

Ordinance No. 5355

Re: PC 03-25

Page 2

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 a deviation from Section Section 155.706 ( C ) (1) of the Zoning Ordinance to reduce the perimeter landscaping area from five feet (5') to zero feet (0') in a B5A Downtown Perimeter Zoning District; and, a deviation from Section 155.707 (B)(3)(a) of the Zoning Ordinance to reduce the distance of a transitional landscaping yard fence from eight feet (8') from the property line to zero feet (0') from the property line in a B5A Downtown Perimeter Zoning District is hereby granted for the Subject Property legally described in Section 3, subject to compliance with the conditions enumerated in Section 4.

SECTION 2: That a conditional use for a three story building in a B5A Downtown Perimeter Zoning District is hereby granted for the Subject Property legally described in Section 3, subject to compliance with the conditions enumerated in Section 4.

SECTION 3: That this ordinance is limited and restricted to the property generally located at 229 S. Main Street, Lombard, Illinois and legally described as follows:

LOTS 21, 22, 23, 24, 25, 26, AND 27 (EXCEPT THE NORTH 50 FEET OF EACH OF SAID LOTS) IN BLOCK 26 OF RESUBDIVISION BY N. MATSON AND OTHERS, OF BLOCKS, 21, 22, 23, 24, 25, 26, 32, 33, 34, 35, AND 37 AND LOTS 16 TO 28 INCLUSIVE IN BLOCK 36, ALL IN THE ORIGINAL TOWN OF LOMBARD, A SUBDIVISION IN SECTION 5, 6, 7, 8, AND 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 13, 1873 AS DOCUMENT 16948 IN DU PAGE COUNTY, ILLINOIS.

Parcel No. 06-08-121-011

Ordinance No. 5355

Re: PC 03-25

Page 3

SECTION 4: This ordinance shall be granted subject to compliance with the following conditions:

1. That the petitioner shall develop the site in accordance with the site plans prepared by Cesario Builders dated July 14, 2003 and submitted as part of this request.
2. That the petitioner shall provide the requisite stormwater improvements for any additional impervious areas on the property, consistent with the IDRC comments.
3. That the petitioner's building improvements shall be designed and constructed consistent with Village Code and shall also address the comments included within the IDRC report.
4. That the petitioner's occupancy of the retail/office space shall meet the parking requirements established in the Zoning Ordinance.
5. That the petitioner shall provide the following improvements as part of the project:
  - a. The petitioner shall provide a cross access easement between the subject property and the property to the north. The abutter shall absorb the cost of redesigning the parking configuration to accommodate such easement.
  - b. The petitioner shall design the Main Street access drive to prohibit left turns out of the driveway.
  - c. The petitioner shall eliminate the coach walk on Main Street and relocate the sidewalk five feet closer toward the building to allow for a parkway and parkway trees. The petitioner shall grant a pedestrian easement for the sidewalk or dedicate the sidewalk to the Village.
6. That the proposed clock be presented to the Plan Commission for site plan approval.
7. That the petitioner address the encroachment of the two (2) columns into the thirty foot (30') line of sight area.
8. That a six foot (6') board on board fence be placed along the north property line.

Ordinance No. 5355  
Re: PC 03-25  
Page 4

9. In lieu of fencing, the petitioner shall provide dense landscaping along the east property line so as to screen the neighboring property from headlights.
10. That the petitioner shall design and engineer the transitional landscape yard to minimize any stormwater run-off onto the property to the east.

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 September, 2003.

First reading waived by action of the Board of Trustees this      day of     , 2003.


Passed on second reading this 18th day of September, 2003.

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

Nays: None

Absent: None

Approved this 18th, day of September, 2003.

  
William J. Mueller, Village President

ATTEST:

  
Barbara A. Johnson, Deputy Village Clerk