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**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
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OTHER 06-29-402-016  
006 PAGES R2010-049160

**ORDINANCE 6435**

**GRANTING A CONDITIONAL USE PURSUANT TO TITLE 15,  
CHAPTER 155, SECTION 155.412(C)(3) OF THE LOMBARD  
ZONING ORDINANCE**

**PIN: 06-29-402-016**

**Address: 555 E. Butterfield Road, Lombard, Illinois 60148**

**Return To:  
Village of Lombard  
255 E. Wilson Avenue  
Lombard, IL 60148**

**ORDINANCE NO. 6435**

**AN ORDINANCE GRANTING A CONDITIONAL USE PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.412(C)(3) OF THE LOMBARD ZONING ORDINANCE**

(PC 10-01; 555 E. Butterfield Road [Comar Offices Planned Development])

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 as defined below is zoned OPD – Office District Planned Development; and,

WHEREAS, an application has been filed requesting approval of a conditional use pursuant to Section 155.412(C)(3) of the Lombard Zoning Ordinance for a university (non-boarding) as set forth herein for the property described in Section 2 below; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on January 25, 2010 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 zoning actions described herein, subject to conditions; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interest of the Village of Lombard to approve the requested zoning actions 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 is hereby granted for the property described in Section 2 below and pursuant to Title 15, Chapter 155, Section 155.412(C)(3) of the Village of Lombard Zoning Ordinance so as to allow said property to be used for a

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Re: PC 10-01  
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university (non-boarding), subject to compliance with the conditions set forth in Section 3 below:

SECTION 2: That this Ordinance is limited and restricted to the properties located at 555 E. Butterfield Road , Lombard, Illinois and legally described as follows:

THAT PART OF LOTS 1 AND 2 (TAKEN AS A TRACT) IN NAEGELE'S RESUBDIVISION, BEING A RESUBDIVISION OF PART OF LOTS 2 AND 3 IN NAEGELE'S ASSESSMENT PLAT IN SECTIONS 29 AND 32, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED SEPTEMBER 22, 1959, AS DOCUMENT 940835, DESCRIBED BY COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 14 DEGREES 01 MINUTE WEST, ALONG THE EAST LINE OF SAID LOT 2, 38.50 FEET FOR A POINT OF BEGINNING; THENCE SOUTHWESTERLY, ALONG A CURVE TO THE RIGHT, HAVING A CHORD BEARING SOUTH 77 DEGREES 50 MINUTES 12 SECONDS WEST AND A RADIUS OF 840.00 FEET FOR A DISTANCE OF 359.60 FEET ARC MEASURE, TO A POINT ON A LINE CONVEYED FOR HIGHWAY FROM LOT 1 (SAID LINE CONVEYED FOR HIGHWAY HAVING A BEARING OF SOUTH 57 DEGREES 59 MINUTES WEST AND A DISTANCE OF 100.14 FEET), SAID POINT ON SAID HIGHWAY LINE BEING 17.50 FEET FROM THE WESTERLY END OF SAID HIGHWAY LINE, AS MEASURED ALONG SAID LINE; THENCE NORTH 57 DEGREES 59 MINUTES EAST, ALONG SAID HIGHWAY LINE, 82.64 FEET; THENCE NORTH 5 DEGREES 27 MINUTES EAST, ALONG THE SOUTHEASTERLY LINE OF SAID HIGHWAY, 230.82 FEET TO A POINT IN THE WEST LINE OF SAID LOT 2, 36.31 FEET SOUTH 13 DEGREES 42 MINUTES EAST FROM THE NORTHWEST CORNER OF SAID LOT 2; THENCE NORTH 44 DEGREES 40 MINUTES EAST, ALONG THE SOUTHERLY LINE OF SAID HIGHWAY, 71.76 FEET; THENCE NORTH 55 DEGREES 10 MINUTES EAST, ALONG THE SOUTHERLY LINE OF PROPERTY CONVEYED FOR HIGHWAY, 151.51 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 14 DEGREES 01 MINUTE EAST, ALONG THE EAST LINE OF SAID LOT 2, 347.06 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-29-402-016; (the "Subject Property").

**SECTION 3:** This ordinance shall be granted subject to compliance with the following conditions:

1. Olivet Nazarene University shall not begin classes prior to 6 p.m. on Monday through Friday.
2. Olivet Nazarene University shall be limited to a maximum enrollment of eight-eight (88) students. Should they wish to increase enrollment, the university shall seek a conditional use amendment and a parking deviation along with any other necessary zoning relief. Consideration of any other requested relief shall be subject to review by the Village as part of a public hearing petition.
3. The property owner shall submit a Plat of Resubdivision to establish a Lot of Record on the subject property.
4. Prior to the issuance of a Certificate of Occupancy/Zoning Certificate for Olivet Nazarene University, all fire code violations and deficiencies shall be addressed.
5. As part of the approval, the petitioner shall also address the comments included within the IDRC Report.

**SECTION 4:** This Ordinance, upon approval, shall be recorded by the Village with the Office of County Recorder.

**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 \_\_\_\_\_ day of \_\_\_\_\_, 2010.

First reading waived by action of the Board of Trustees this 4<sup>th</sup> day of February, 2010.

Passed on second reading this 4<sup>th</sup> day of February, 2010, pursuant to a roll call vote as follows:

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Ayes: Trustees Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware

Nays: None

Absent: None

Approved by me this 4<sup>th</sup> day of February, 2010.

  
\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

  
\_\_\_\_\_  
Brigitte O'Brien, Village Clerk

Published in pamphlet from this 5<sup>th</sup> of February, 2010.

  
\_\_\_\_\_  
Brigitte O'Brien, Village Clerk



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 Deputy 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  
copy of

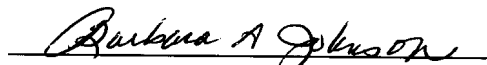
ORDINANCE 6435  
GRANTING A CONDITIONAL USE PURSUANT TO TITLE  
15, CHAPTER 155, SECTION 155.412(C)(3) OF THE  
LOMBARD ZONING ORDINANCE

PIN: 06-29-402-016

Address: 555 E. Butterfield Road, Lombard, IL

of the said Village as it appears from the official records of said Village duly approved this 4<sup>th</sup> day of February, 2010.

**In Witness Whereof**, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 1<sup>st</sup> day of March, 2010.

A handwritten signature in cursive script that reads "Barbara A. Johnson".

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

