



FRED BUCHOLZ
DUPAGE COUNTY RECORDER
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OTHER 06-20-106-051
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ORDINANCE 6211

**GRANTING CONDITIONAL USES FOR A PLANNED
DEVELOPMENT WITH COMPANION VARIATIONS AND
DEVIATIONS AND CONDITIONAL USES FOR A
BANK/FINANCIAL INSTITUTION, A MULTIPLE TENANT
RETAIL CENTER A DRIVE THROUGH ESTABLISHMENT
AND OUTDOOR DINING/SERVICE, AND A USE EXCEPTION
FOR A STORAGE CENTER**

Address: 351 E. Roosevelt Road and 19W471 E. Roosevelt Road

PIN: 06-20-106-050 and 06-20-106-051

Return To:

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



MEMORANDUM

DATE: December 22, 2008

TO: Whom It May Concern

FROM: Village of Lombard

SUBJECT: ORDINANCE 6211
351 E. Roosevelt Road and 19W471 E. Roosevelt Road, Lombard

On September 27, 2008 the Village of Lombard recorded with the Recorder of Deeds of DuPage County Ordinance 6211 which became known as Document No. R2008-141125. After reviewing our files, it was noted that the wrong ordinance had been recorded. Therefore we are attaching and recording the correct ordinance and request that **Document No. R2008-141125 be disregarded in its entirety.**

ORDINANCE NO. 6211

**AN ORDINANCE GRANTING CONDITIONAL USES FOR A
PLANNED DEVELOPMENT WITH COMPANION VARIATIONS AND DEVIATIONS
AND CONDITIONAL USES FOR A BANK/FINANCIAL INSTITUTION, A MULTIPLE
TENANT RETAIL CENTER A DRIVE THROUGH ESTABLISHMENT AND
OUTDOOR DINING/SERVICE, AND A USE EXCEPTION FOR A STORAGE CENTER**

(PC 08-13: 19W471 Roosevelt Road and 351 E. Roosevelt Road (Lombard Crossings))

(See also Ordinance No.(s)_____)

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 President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Sign Ordinance, otherwise known as Title 15, Chapter 153 of the Code of Lombard, Illinois; and,

WHEREAS, the subject property is zoned B4A Roosevelt Road Corridor District; and,

WHEREAS, an application has heretofore been filed requesting approval of a conditional use for a planned development to provide for the construction of a five (5) lot planned development commonly referred to as Lombard Crossings, conditional uses for a bank/financial institution, drive-through facilities, outdoor dining establishment and a multiple-tenant retail center, a use exception for a storage center in the B4A District, and variations and deviations from the Lombard Zoning Ordinance (Title 155 of the Village Code), Subdivision and Development Ordinance (Title 154 of the Village Code) and Sign Ordinance (Title 153 of the Village Code) as set forth in Section 1 below, on the property described in Section 2 below; and subject to the conditions set forth in Section 3 below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on May 19, 2008 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 petition as 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 conditional uses for a planned development with the following conditional uses, variations, deviations, and use exception as set forth below are hereby granted for the Subject Property legally described in Section 2, subject to the conditions set forth in Section 3:

1. For Lot 1 (Parcel A):
 - a. Conditional uses pursuant to Sections 155.417(G)(2)(b)(2) and 155.417(G)(2)(b)(6) of the Zoning Ordinance for a bank/financial institution with a drive-through facility;
 - b. A deviation from Section 153.505(B)(19)(a)(2) of the Sign Ordinance to allow for more than one wall sign per street frontage;
 - c. A deviation from Section 155.417(G)(3) of the Zoning Ordinance to reduce the minimum lot area from 40,000 square feet to 36,400 square feet;
 - d. A deviation from Section 155.417(G)(4) of the Zoning Ordinance to reduce the minimum lot width from 150 feet to 137 feet.
2. For Lot 2 (Parcel B):
 - a. A conditional use pursuant to Section 155.417(G)(2)(c)(7) of the Zoning Ordinance for a shopping center, consisting of more than one principal business on a zoning lot;
 - b. A deviation from Section 155.417(G)(5)(c) of the Zoning Ordinance reducing the required east interior side yard from ten feet (10') to one foot (1').

3. For Lot 3 (Parcel C):
 - a. A conditional use pursuant to Section 155.417(G)(2)(a)(5) of the Zoning Ordinance for a restaurant outside service/dining area;
 - b. A deviation from Section 153.505 (B)(19)(a)(2) of the Sign Ordinance to allow for more than one wall sign per street frontage;
 - b. A deviation from Section 155.417(G)(5)(c) of the Zoning Ordinance reducing the required east interior side yard from ten feet (10') to five feet (5').
4. For Lot 4 (Parcel D):
 - a. A deviation from Section 154.506 (D) of the Subdivision and Development Ordinance to allow for a lot without public street frontage;
 - b. A planned development use exception for a storage center in the B4A District with a variation from Section 155.508 (B)(3) of the Zoning Ordinance to allow a use exception to exceed 40% of the total floor area for the overall planned development.
 - c. A conditional use pursuant to Section 155.417(G)(2)(c)(6) of the Zoning Ordinance for a four story building, between 40 and 45 feet in height;
5. For Lot 5 (detention outlot Parcel E):
 - a. A deviation from Section 154.506 (D) of the Subdivision and Development Ordinance to allow a lot without public street frontage;
 - b. A deviation from Section 154.507 (D) of the Subdivision and Development Ordinance requiring an outlot to have at least thirty feet (30') of frontage along a public street;
 - c. A deviation from Section 155.417 (G)(3) of the Zoning Ordinance to reduce the minimum lot area from 40,000 square feet to 19,000 square feet for a detention outlot; and
 - d. A deviation from Section 155.417 (G)(4) of the Zoning Ordinance to reduce the minimum lot width from 150 feet to 131 feet.

6. For each lot, a variation from Sections 155.706 (C) and 155.709 (B) of the Zoning Ordinance reducing the required perimeter parking lot and perimeter lot landscaping from five feet (5') to zero feet (0') to provide for shared cross-access and parking.
7. A variation from Sections 155.417 (G)(7) and (9) of the Zoning Ordinance to eliminate the ten percent (10%) open space requirement for individual lots.
8. The following Sign Ordinance deviations:
 - a. A deviation from Section 153.235 (A) to allow for two shopping center signs, where one is permitted.
 - b. A deviation from Section 153.235 (E) to allow for shopping center signs to be located closer than 250 feet from each other.
 - c. A deviation from Section 153.234 (F) to allow for free-standing signs to be located closer than seventy-five feet (75') from the center line of the adjacent right-of-way; and
9. A preliminary major plat of resubdivision, with an alternate option that combines proposed Parcels B and C into a single lot of record.

SECTION 2: That this ordinance is limited and restricted to the two properties described below, which are collectively referred to as the "Subject Property".

1. The property generally located at 351 E. Roosevelt Road, Lombard, Illinois and legally described as follows:

PARCEL 1
HIGHLAND LANES SUBDIVISION (EXCEPT THE SOUTH 150 FEET THEREOF AND EXCEPT THE WEST 134.5 FEET) IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 25, 1958 AS DOCUMENT 877665, DUPAGE COUNTY ILLINOIS.

Parcel Number: 06-20-106-050

2. The property generally located at 19W471 E. Roosevelt Road, Lombard, Illinois and legally described as follows:

PARCEL 2
THE WEST 134.5 FEET OF HIGHLAND LANES SUBDIVISION (EXCEPT THE SOUTH 150 FEET THEREOF) IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 25, 1958 AS DOCUMENT 877665 IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-20-106- -051

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

1. The petitioner shall develop the site and building in accordance with the following plans submitted as part of this request, except as modified by the conditions of approval:
 - a. Site Plan (with alternate Plan B Option), prepared by Hirsh Associates LLC dated April 15, 2008 and April 28, 2008.
 - b. Landscape Plan (includes preservation plan and development plan), prepared by Hirsch Associates LLC dated March 14, 2008.
 - c. Preliminary Plat of Subdivision prepared by B.H. Suhr & Company and dated April 11, 2008.
 - d. Building Elevations for proposed retail center, prepared by Hirsch Associates LLC dated April 15, 2008.
 - e. Building Elevations for proposed bank, prepared by Hirsch Associates LLC dated April 15, 2008.
 - f. Shopping Center Signage Plan prepared by Hirsch Associates LLC dated April 15, 2008.
 - g. Signage Plan for the proposed bank prepared by Icon Identity Solutions, dated February 15, 2007.
 - h. Preliminary Engineering (site dimensional and paving plan and utility plan), prepared by Manhard Consulting LTD, and April 11, 2008.
 - i. Proposed wall and freestanding lighting elements, prepared by Winscape and Hess America, no date.

2. That the petitioner shall enter into an annexation agreement with the Village for the subject property.
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 any trash enclosure screening required by Section 155.710 of the Zoning Ordinance shall be constructed of material consistent with the principal building in which the enclosure is located.
5. To ensure that the proposed signage, awnings and building elevations present a favorable appearance to neighboring properties, the property shall be developed and operated as follows:
 - a. That channel lettering shall only be used for the wall signs.
 - b. That consistent with the Sign Ordinance, the awnings shall not include text in conjunction with the wall signage.
 - c. The planned development shall be limited to no more than two freestanding shopping center signs. The final placement of the signs shall be located in a manner that does not conflict with clear line of sight or utility easements.
 - d. That the fabric awnings on each of the proposed buildings shall be compatible.
 - e. All rooftop mechanical equipment shall be screened pursuant to Section 155.221 of the Zoning Ordinance.
 - f. The bank elevations shall replace the soldier course brick with the stone base proposed for the retail center and incorporate the center stone veneer proposed for the retail center.
 - g. The south building elevation of the retail center shall incorporate the similar alternating colored brick pattern as depicted on the north elevation and the stone veneer base, in order to break up the building mass.
 - h. The final building elevations for the retail center shall be limited to the minimum number of door entrances required by Village Fire Marshal.
6. To minimize parking conflicts on the property and to minimize impacts on adjacent properties, the developer/owner of the property shall allow for cross-access and cross parking between each lot within the proposed development.
7. The proposed sidewalk link shall be placed on a ramped island, with pedestrian crossing markings across the drive aisles.

8. The final development plan shall be modified to ensure that the parking stall space overhangs are in compliance with Village Code.
9. The use exception for a storage center shall only be for Lot 4 (Parcel D) of the planned development. The development of Lot 4 (Parcel D) shall be subject to site plan approval of the Village.
10. The building elevations for the proposed sit-down restaurant shall also be subject to site plan approval by the Village. The sit-down restaurant shall be permitted to have one wall sign on the north, west and east elevations, with the final design subject to site plan review.
11. Any outdoor dining areas shall be fenced around the perimeter of the dining area. The final design of the fence shall be subject to Village review and approval.
12. The petitioner shall dedicate to the Village a cross-access easement to provide access to the proposed detention outlot, with the final location to be denoted on the final plat of subdivision for the subject property.

SECTION 4: 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 5 day of June, 2008.

First reading waived by action of the Board of Trustees this _____ day of _____, 2008.

Passed on second reading this 19 day of June, 2008.

Ayes: Trustees Gron, Tross, O'Brien, Moreau, Fitzpatrick and Soderstrom

Nayes: None

Absent: None

Approved this 19, day of June, 2008.


William J. Mueller, Village President

Ordinance No. 6211
Re: PC 08-13 – Planned Development
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ATTEST:

Barbara A Johnson Deputy
Brigitte O'Brien, Village Clerk

Published by me in pamphlet from this 13 day of November, 2008

Barbara A Johnson Deputy
Brigitte O'Brien, Village Clerk

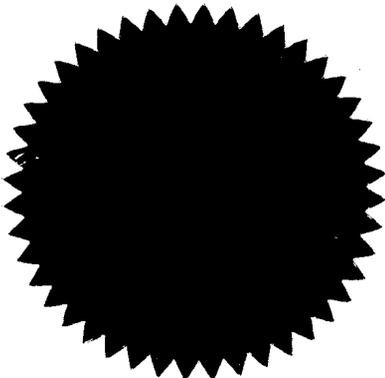


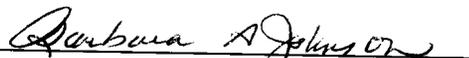
I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the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

I further certify that attached hereto is a
copy of ORDINANCE 6211
GRANTING CONDITIONAL USES FOR A
PLANNED DEVELOPMENT WITH COMPANION
VARIATIONS AND DEVIATIONS AND
CONDITIONAL USES FOR A BANK/FINANCIAL
INSTITUTION, A MULTIPLE TENANT RETAIL
CENTER A DRIVE THROUGH ESTABLISHMENT
AND OUTDOOR DINING/SERVICE, AND A USE
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of the said Village as it appears from the official records of said Village duly approved this 19th day of June, 2008.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 1st day of December, 2008.





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