

**J.P. "RICK" CARNEY**

**DUPAGE COUNTY RECORDER**

OCT. 10, 2002

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OTHER

06-05-100-027

**008 PAGES**

**R2002-266868**

**ORDINANCE NO. 5083**

**AMENDING ORDINANCE 4566, ADOPTED NOVEMBER  
19, 1998, GRANTING A CONDITIONAL USE FOR A  
PLANNED DEVELOPMENT**

**ADDRESSES: 641-685 N. Charlotte Street and  
2-27 E. LeMoyne  
Lombard, IL**

**PINs: ~~06-05-100-005, 06-05-100-006, 06-05-100-007,~~  
~~06-05-100-008, 06-05-100-024(pt.), 06-05-100-025(pt.) and~~  
**06-05-100-026****

*06-05-100-027 thru 050  
06-05-124-001 thru 010*

**Return To:**

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

ORDINANCE NO. 5083

**AN ORDINANCE AMENDING ORDINANCE NUMBER 4566,  
ADOPTED NOVEMBER 19, 1998, GRANTING A CONDITIONAL USE  
FOR A PLANNED DEVELOPMENT**

(PC 02-02: 641-685 N. Charlotte St. and 2-27 E. LeMoyne Ave.)  
(See also Ordinances 4564, 4565, 4566, and 4772)

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, on November 19, 1998, the President and Board of Trustees adopted Ordinance 4566, approving a Conditional Use for a Planned Development in the R2 Single-Family Residence District for the property legally described herein pursuant to Title 15, Chapter 155, Section 155.501 et seq. of the Code of Lombard; and,

WHEREAS, on April 6, 2000, the President and Board of Trustees adopted Ordinance 4772, amending the Conditional Use for a Planned Development in the R2 Single-Family Residence District for the property legally described herein pursuant to Title 15, Chapter 155, Section 155.501 et seq. of the Code of Lombard; and,

WHEREAS, Title 15, Chapter 155, Section 155.504 allows for amendment of an ordinance granting a conditional use for a Planned Development after a public hearing before the Village's Plan Commission; and,

WHEREAS, pursuant to an application to further amend Ordinance 4566, proper and legal notice was provided and a public hearing was held before the Village's Plan Commission on February 18, 2002; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the amendment 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.

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Re: PC 02-02

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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 Ordinance 4566 shall be further amended to read in its entirety as follows:

Section 1: That conditional use approval is hereby granted for a Planned Development with a use exception for the property described in Section 2 below and pursuant to Sections 501-510 of the Lombard Zoning Ordinance (Title 15, Chapter 155 Section 155.501-155.510 of the Lombard Village Code).

Section 2: That this ordinance is limited and restricted to the property generally located southeast of the property at the southeast corner of North Avenue and Main Street, Lombard, Illinois and legally described as follows:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER AND RUNNING THENCE SOUTH 03 DEGREES 25 MINUTES 23 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION, 103.5 FEET TO THE SOUTH LINE OF THE RIGHT-OF-WAY OF STATE HIGHWAY ROUTE 64, (ALSO KNOWN AS NORTH AVENUE); THENCE SOUTH 89 DEGREES 29 MINUTES 06 SECONDS EAST ALONG SAID SOUTH LINE 480.64 FEET TO A POINT ON A LINE THAT IS PARALLEL WITH AND 400.00 FEET EAST (MEASURED AT RIGHT ANGLES) OF THE EAST LINE OF MAIN STREET AS DEDICATED BY DOCUMENT RECORDED SEPTEMBER 11, 1928 AS NO. 265516 ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 29 MINUTES 06 SECONDS EAST ALONG SAID SOUTH LINE 288.16 FEET TO THE WEST LINE OF BLOCK ONE OF FIRST ADDITION TO HARRIS' LOMBARD HILLS, A SUBDIVISION RECORDED JULY 10, 1951 AS DOCUMENT 628133; THENCE SOUTH 03 DEGREES 20 MINUTES 20 SECONDS WEST ALONG SAID WEST LINE, AND ALONG THE WEST LINE OF BLOCK 7 IN SAID SUBDIVISION, 657.83 FEET TO THE NORTH LINE OF WESTERN BUILDERS' OF INDUSTRY, INC., ADDITION TO LOMBARD, A SUBDIVISION RECORDED OCTOBER 15, 1965 AS DOCUMENT R65-40674; THENCE NORTH 89 DEGREES 57 MINUTES 44 SECONDS WEST ALONG SAID NORTH LINE 689.96 FEET TO THE EAST LINE OF MAIN STREET, AS DEDICATED BY DOCUMENT RECORDED

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SEPTEMBER 11, 1928 AS DOCUMENT NUMBER 265516; THENCE NORTH 03 DEGREES 25 MINUTES 23 SECONDS EAST ALONG SAID EAST LINE, 412.31 FEET TO A LINE PARALLEL WITH AND 251.00 FEET SOUTH (MEASURED AT RIGHT ANGLES) OF SAID SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY ROUTE 64; THENCE SOUTH 89 DEGREES 29 MINUTES 06 SECONDS EAST 400.52 FEET TO A LINE THAT IS PARALLEL WITH AND 400.00 FEET EAST (MEASURED AT RIGHT ANGLES) OF THE EAST LINE OF SAID MAIN STREET; THENCE NORTH 03 DEGREES 25 MINUTES 23 SECONDS EAST 251.31 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

ALSO,

LOTS 1, 2, 3, AND 4, IN WESTERN BUILDERS OF INDUSTRY, INC. ADDITION TO LOMBARD, A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 5, 1965 AS DOCUMENT R65-40674 IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS.

EXCEPT THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER AND RUNNING THENCE SOUTH 03 DEGREES 25 MINUTES 23 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION, 103.5 FEET TO THE SOUTH LINE OF THE RIGHT-OF-WAY OF STATE HIGHWAY ROUTE 64 (ALSO KNOWN AS NORTH AVENUE); THENCE SOUTH 89 DEGREES 29 MINUTES 06 SECONDS EAST ALONG SAID SOUTH LINE 480.64 FEET TO A LINE THAT IS PARALLEL WITH AND 400.0 FEET EAST (MEASURED AT RIGHT ANGLES) OF THE EAST LINE OF MAIN STREET, AS DEDICATED BY DOCUMENT RECORDED SEPTEMBER 11, 1928 AS NO. 265516; THENCE SOUTH 03 DEGREES 25 MINUTES 23 SECONDS EAST ALONG SAID PARALLEL LINE 201.31 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 03 DEGREES 25 MINUTES 23 SECONDS EAST CONTINUING ALONG SAID PARALLEL LINE 50.00 FEET; THENCE NORTH 89 DEGREES 25 MINUTES 19 SECONDS WEST 15.97 FEET; THENCE SOUTH 00 DEGREES 30 MINUTES 54 SECONDS WEST 51.54 FEET; THENCE NORTH 89 DEGREES 29

MINUTES 06 SECONDS WEST 68.79 FEET; THENCE NORTH 69 DEGREES 55 MINUTES 26 SECONDS WEST 66.86 FEET; THENCE NORTH 78 DEGREES 54 MINUTES 13 SECONDS WEST 65.11 FEET; THENCE NORTH 89 DEGREES 29 MINUTES 06 SECONDS 189.63 FEET TO SAID EAST LINE OF MAIN STREET; THENCE NORTH 03 DEGREES 25 MINUTES 23 SECONDS EAST ALONG SAID EAST LINE 17.20 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 19 SECONDS EAST 6.82 FEET; THENCE NORTH 07 DEGREES 36 MINUTES 28 SECONDS EAST 50.32 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 19 SECONDS EAST 390.02 FEET TO THE POINT OF BEGINNING IN YORK TOWNSHIP, DUPAGE COUNTY, ILLINOIS.

PIN Numbers: 06-05-100-005, 06-05-100-006, 06-05-100-007, 06-05-100-008, 06-05-100-024 (pt.), 06-05-100-025 (pt.), and 06-05-100-026.

Section 3: A use exception from the Lombard Village Code is hereby granted in conjunction with the Conditional Use for a Planned Development, subject to the conditions set forth in Section 5 below, to allow a bank with drive-through facilities, including 24-hour drive-through ATMs, on the property indicated as "Existing West Suburban Bank" on the PUD Boundary Limit plan as prepared by SpaceCo, Inc., dated October 7, 1998.

Section 4: Exceptions are hereby granted to reduce the required setbacks for individual lots within the subdivision. The minimum setbacks applicable to each lot shall be as is shown in the Applicable Setbacks Exhibit, attached hereto as Exhibit "A."

Section 5: A variation is hereby granted from the provisions of Title 15, Chapter 155, Section 155.205 (A) (1) (c) of the Lombard Zoning Ordinance, so as to allow a six-foot high fence of the front yard of detention pond Outlot "B" that fronts along North Avenue.

Section 6: That the aforementioned approval is subject to the following terms and conditions:

- A. The property shall be developed in substantial compliance with the Final Plat of Subdivision, prepared by SpaceCo, Inc., dated June 28, 1999, and last revised on November 1, 1999, the PUD Boundary Limit plan, prepared by SpaceCo, Inc., dated October 7, 1998, and the Landscape Planting Plan,

prepared by Rolf C. Campbell and Associates, Inc., dated July 30, 1998, subject to the following conditions:

1. That the cul-de-sac have a minimum diameter of ninety feet (90'), measured from back-of-curb.
  2. That informed notice be provided to the buyers of Lots 20, 21, 22, and 23 that there may be an impact of vehicle headlights on their properties in the future due to 24-hour drive-through ATMs at the West Suburban Bank.
  3. That evergreen screening be provided between Lot 23 and the West Suburban Bank property to screen Lot 23 from the bank, with the final design to be approved by the Community Development Director.
  4. That all retaining walls on the site be constructed of block or masonry.
- B. That a six foot (6') tall, board-on-board fence shall be installed along the entire east property line of the subdivision (except within the corner side yard of Lot 1, where it shall be reduced to four feet (4') in height). Where a retaining wall is located adjacent to the property line, the fence shall be located on top of the retaining wall.
- C. That the bank be in substantial compliance with the Improvement Plan for the West Suburban Bank North Main Facility, as prepared by The Balsamo/Olson Engineering Company, dated October 16, 1998, and that its location be limited to the property indicated as "Existing West Suburban Bank" on the PUD Boundary Limit plan as prepared by SpaceCo, Inc., dated October 7, 1998.

Section 7: That this ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

SECTION 2: That the variation noted in the amended Section 5 above is limited and restricted to the property legally described as follows:

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OUTLOT "B" IN PRAIRIE PLACE OF LOMBARD, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 15, 1999 AS DOCUMENT NUMBER R99-258187 IN DUPAGE COUNTY, ILLINOIS.

SECTION 3: That the Ordinance amendment set forth in the amended Section 5 above shall be granted subject to compliance with the following condition:

1. Access to the outlot shall be provided by a swinging gate made of a similar material to the existing fence.

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 7th day of March, 2002.

First reading waived by action of the Board of Trustees this \_\_\_ day of \_\_\_\_\_, 2002.

Passed on second reading this 21st day of March, 2002.

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

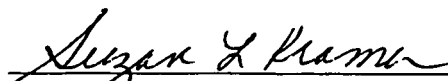
Nayes: None

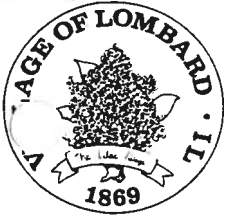
Absent: None

Approved this 21st, day of March, 2002.

  
William J. Mueller, Village President

ATTEST:

  
Suzan L. Kramer, Village Clerk



I, **Suzan L. Kramer**, hereby certify that I am the duly qualified 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.

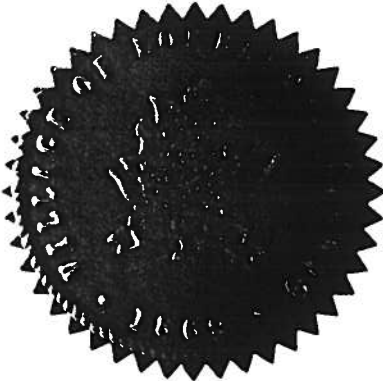
I further certify that attached hereto is a copy of ORDINANCE 5083

AN ORDINANCE AMENDING ORDINANCE  
NUMBER 4566, ADOPTED NOVEMBER 19, 1998,  
GRANTING A CONDITIONAL USE FOR A  
PLANNED DEVELOPMENT AT 641-685 N.  
CHARLOTTE STREET AND 2-27 E. LE MOYNE  
AVENUE PARCEL NUMBERS ~~06-05-100-005,~~  
~~06-05-100-006, 06-05-100-007, 06-05-100-008, 06-05-~~  
100-024(PT), 06-05-100-025(PT) 06-05-100-026.

*06-05-100-027 thru 050, 06-05-124-001 thru 010*

of the said Village as it appears from the official records of said Village, duly approved March 21, 2002

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 October, 2002.



*Suzan L. Kramer*  
 Suzan L. Kramer *Richard Johnson*  
 Village Clerk *Deputy Village Clerk*  
 Village of Lombard  
 DuPage County, Illinois