


VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda


Resolution or Ordinance (Blue) \_\_\_\_\_  
Waiver of First Requested  
Recommendations of Boards, Commissions & Committees (Green) \_\_\_\_\_  
Other Business (Pink) \_\_\_\_\_

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Huliseberg, Village Manager 

DATE: February 23, 2009 (BOT) Date: March 5, 2009

TITLE: PC 09-03: 500 E. Roosevelt Road (Westgate Lincoln Mercury)

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. This petitions requests that the Village approve/re-establish a conditional use for motor vehicle sales, service and repair on the subject property located within the B4A - Roosevelt Road Corridor District. (DISTRICT #6)

The Plan Commission recommended approval of this petition with conditions.

Please place this item on the March 5, 2009 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_  
Finance Director X \_\_\_\_\_  
Village Manager X \_\_\_\_\_  
Date \_\_\_\_\_  
Date \_\_\_\_\_  
Date \_\_\_\_\_

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



**MEMORANDUM**

**TO:** David A. Hulseberg, Village Manager  
**FROM:** William Heniff, AICP *WH*  
Director of Community Development  
**DATE:** March 5, 2009

**SUBJECT:** PC 09-03; 500 E. Roosevelt Road (Westgate Lincoln Mercury):

Attached please find the following items for Village Board consideration as part of the March 5, 2009 Village Board meeting:

1. Plan Commission referral letter;
2. IDRRC report for PC 09-03;
3. An Ordinance granting conditional use approval for motor vehicle sales, service and repair on the subject property located within the B4A - Roosevelt Road Corridor District.
4. Plans associated with the petition.

The Plan Commission recommended approval of the zoning actions associated with the petition.

VILLAGE OF LOMBARD  
255 E. Wilson Ave.  
Lombard, Illinois 60148-3931  
(630) 620-5700 Fax (630) 620-8222  
www.villageoflombard.org



March 5, 2009

Mr. William J. Mueller,  
Village President, and  
Board of Trustees

Village of Lombard

**Subject: PC 09-03; 500 E. Roosevelt Road (Westgate Lincoln Mercury):**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village approve/re-establish a conditional use for motor vehicle sales, service and repair on the subject property located within the B4A - Roosevelt Road Corridor District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on February 16, 2009.

John Moroni, 605 Midwest Club, Oak Brook, IL, stated that he is owner of subject property and owner of the former Westgate Lincoln Mercury dealership. Mr. Moroni stated that he wishes to reopen the auto dealership at 500 E. Roosevelt for used vehicle sales, light service and maintenance repairs. He added that the operation would be the same as before without the new vehicle franchise. He mentioned that there will be no structural changes, except that they will put the light poles back up on the north side of the facility that was removed. Mr. Moroni stated that they have not decided on the name of the facility – it may be called "Westgate", it may not. He added that he will let the Village know at later date. Lastly, Mr. Moroni stated that nothing will be different from before.

Chairperson Ryan opened the meeting for public comment.

Steve Benthine 1171 S. Fairfield Lombard, IL, stated that he lives directly north of the subject property and is not opposed to the dealership reopening. Mr. Benthine mentioned that he purchased the property in 2007. He added that there is a retaining wall that runs along his driveway, which the maintenance of is his biggest concern. Mr. Benthine wanted to ask the petitioner if the retaining wall will be maintained. He also added that there is some drainage issues related to the retaining wall. Mr. Benthine also mentioned the shrubbery along the retaining wall. He added that if someone drove by they would think the shrubbery is on his property. Mr. Benthine questioned whether the facade of the retaining wall

*"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses create a distinctive sense of spirit and an outstanding quality of life."*  
*"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."*

Village Manager  
David A. Hulseberg

Trustees  
Greg Alan Gron, Dist. 1  
Richard J. Tross, Dist. 2  
John "Jack" T. O'Brien, Dist. 3  
Dana L. Moreau, Dist. 4  
Laura A. Fitzpatrick, Dist. 5  
Rick Soderstrom, Dist. 6

Village President  
William J. Mueller  
Village Clerk  
Brigitte O'Brien

will be maintained and also mentioned that the petitioner did a fine job of taking care of the shrubbery after Code Enforcement was contacted.

Mr. Moroni stated that he will assure Mr. Benhine that the landscaping will be properly maintained by the petitioner's maintenance person.

Mr. Benhine questioned the lighting in the back. He added that those light shine into his kitchen and bedrooms.

Mr. Moroni assured Mr. Benhine that the lighting issue will be properly handled by the petitioner's maintenance person.

Chairperson Ryan then requested the staff report.

Michael Toth, Planner I, presented the staff report. Staff has drafted this IDR/C report to submit to the public record in its entirety. Ordinance 5163, which was approved on July 18, 2002 as part of PC 02-22, granted Westgate Lincoln Mercury conditional use approvals for a planned development; the sales, service and repair of automobiles and two principal buildings on a lot of record. Westgate Lincoln Mercury has since closed their business for more than 12 months. The Zoning Ordinance states that conditional use approval shall expire if the conditional use shall cease for more than 12 months for any reason. Westgate Lincoln Mercury plans to reopen their business as it once operated; therefore, conditional use approval is required to reestablish the sales, service and repair of automobiles and maintain two principal buildings on a lot of record on the subject property.

The petitioner intends to reopen the existing car sales and automotive repair as previously granted. The petitioner has indicated that it would be for the sale of used cars only; however, new cars may come at a later date. The petitioner anticipates the sales of between 25-30 cars per month after the initial opening. Light auto repair, such as oil changes, brake and tires will also be conducted on-site as it was before. There are currently no plans to make exterior modifications, aside from new signage, which will come at a later date. The subject property has a number of previously approved signage deviations that would still apply today.

The Comprehensive Plan recommends that the subject property be developed as a Community Commercial use. The proposed use is therefore compatible with the intent of the Community Commercial designation. Mr. Toth then made reference to a number of the Standards for Conditional Uses that he believed were important to note during the hearing:

- The proposed use has been conducted on the subject property since 1970. Preserving the same automobile sales, service and repair use that has occurred for almost 40 years would maintain consistency in relation to the surrounding neighborhood.
- The petitioner plans to conduct conditional use within the confines of the existing building and current site layout as it was once approved through Ordinance 5163. From a land use perspective, the type of use being proposed is compatible with the surrounding

properties; as such, the normal and orderly development and improvement of the surrounding properties would not be adversely affected.

- The ability to provide adequate parking and loading facilities should be provided for all commercial sites. The subject property is 5.5 acres. Over 75% of the subject property is reserved as parking and staging area for the automobiles, which leaves over 4 acres for parking, staging and sales. The petitioner has indicated that the business will not contain the large sales inventory that it had prior to closing its doors.

- As is, the site conforms to all requirements set forth in the Zoning Ordinance and all other applicable ordinances. The petitioner would need to receive an updated Certificate of Occupancy/Zoning Certificate that permitted the proposed conditional uses.

Furthermore staff is recommending approval of PC 09-03, subject to the conditions outlined.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

Commissioner Olbrysh stated that he was pleased that the auto dealership would be reopening, albeit that it is a used car dealership. Commissioner Olbrysh then commended the petitioner for working with the adjacent property owner to address his concerns. He added that he does not have a problem with this petition.

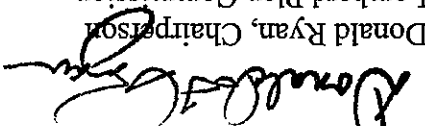
Commissioner Sweetser stated that she was pleased with Mr. Bentline's letter, which addressed the property issues. She stated that she was also pleased with the demeanor of the petitioner to work together with the adjacent property owner to resolve the issues. She added that it is rare to see people work together with such common sense and good will.

Commissioner Olbrysh motioned to approve PC 09-03. The motion was seconded by Commissioner Flint.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposed al **complies** with the standards required by the Lombard Zoning Ordinance; and, therefore, moved that the Plan Commission find that the findings included as part of the Inter-departmental Review Report be the findings of the Plan Commission and therefore, by a roll call vote of 4 to 0, recommends to the Corporate Authorities **approval** of the zoning actions associated with PC 09-03.

Respectfully,

VILLAGE OF LOMBARD

  
Donald Ryan, Chairperson  
Lombard Plan Commission

c. Petitioner

Lombard Plan Commission



**VILLAGE OF LOMBARD  
INTER-DEPARTMENTAL REVIEW GROUP REPORT**

**TO:** Lombard Plan Commission  
**FROM:** Department of Community Development  
**PREPARED BY:** Michael S. Toth  
Planner I

**TITLE**

**PC 09-03: 500 E. Roosevelt Road (Westgate Lincoln Mercury):** The petitioner requests that the Village approve/re-establish a conditional use for motor vehicle sales, service and repair on the subject property located within the B4A - Roosevelt Road Corridor District.

**GENERAL INFORMATION**

**Owner/Petitioner:** JMS Partners LLC  
John Moroni, President  
Westgate Lincoln Mercury of Lombard, Inc.  
500 East Roosevelt Road  
Lombard, Illinois 60148

**PROPERTY INFORMATION**

**Existing Land Use:** Vacant (Prior use - vehicle sales, service and repair)  
**Size of Property:** 5.5 acres

**Comprehensive Plan:** Recommends Community Commercial  
**Existing Zoning:** B4A - Roosevelt Road Corridor District

**Surrounding Zoning and Land Use:**

**North:** R2 Single Family Residence District - developed as single family homes  
**South:** B4APD - Roosevelt Road Corridor District Planned Development - developed as High Point Shopping Center  
**East:** B4A - Roosevelt Road Corridor District - developed as a strip shopping center  
**West:** B4A - Roosevelt Road Corridor District - developed as a fast food restaurant (Buona Beef)

## ANALYSIS

### SUBMITTALS

This report is based on the following documentation, which was filed with the Department of Community Development on February 26, 2009:

1. Petition for Public Hearing
2. Letter of Intent, dated February 9, 2009.

### DESCRIPTION

Ordinance 5163, which was approved on July 18, 2002 as part of PC 02-22, granted Westgate Lincoln Mercury conditional use approvals for a planned development; the sales, service and repair of automobiles and two principal buildings on a lot of record. Westgate Lincoln Mercury has since closed their business for more than 12 months. Section 155.103(F)(12) of the Zoning Ordinance states that conditional use approval shall expire if the conditional use shall cease for more than 12 months for any reason. Westgate Lincoln Mercury plans to reopen their business as it once operated; therefore, conditional use approval is required to reestablish the sales, service and repair of automobiles and maintain two principal buildings on a lot of record on the subject property.

### INTER-DEPARTMENTAL REVIEW COMMENTS

#### ENGINEERING

The PES Division of Community Development has no comments on this petition.

#### PUBLIC WORKS

Public Works Engineering has no comments at this time.

#### FIRE AND BUILDING

Since the structure has been vacant for more than 12 months, the Fire Prevention inspectors and BIS inspectors will need to re-inspect the premises to ensure that it is still in good structural condition and that all the life safety devices are fully operational and up to code. This will include, but not limited to fire suppression, fire alarm system, emergency/exit lighting and require means of egress.



## PLANNING

### Zoning History

The portion of the subject property along Roosevelt Road was originally developed under DuPage County jurisdiction as an automobile sales use (Lombard Lincoln Mercury) in 1970. The Village as part of an annexation, annexation agreement and rezoning petition in 1985 (Ordinances 2763, 2764 and 2765) approved a further expansion of this use. The annexation agreement was established for a ten-year period and essentially recognized the existing functions, design and operations of the existing business as permissible during the life of the agreement. As the agreement has since expired, any structures or uses on the property was considered legal non-conforming.

When the property was annexed in 1985, automobile repair was a permitted use in the B4 District. In 1990, a Zoning Ordinance text amendment was adopted that changed the classification of automobile repair in the B4 District from a permitted use to a conditional use. At that time, the automobile sales service and repair activities became a legal nonconforming use.

In 2002, conditional use approval was granted (as part of PC 02-22) to allow for the sales, service and repair of automobiles on the subject property. The intent of PC 02-22 was to ultimately construct a 5,000 square foot addition to the existing facility; however, the proper conditional use approvals were necessary to bring the business into legal conforming status. Conditional use approval was also granted to establish the subject property as a planned development.

### Compatibility with the Zoning Ordinance/Planned Development

The petitioner intends to reopen the existing car sales and automotive repair as previously granted. The petitioner has indicated that it would be for the sale of used cars only; however, new cars may come at a later date. The petitioner anticipates the sales of between 25-30 cars per month after the initial opening. Light auto repair, such as, oil changes, brake and tires will also be conducted on-site as it was before. There are currently no plans to make exterior modifications, aside from new signage, which will come at a later date. The subject property has a number of previously approved signage deviations that would still apply today. Those approvals are discussed later as part of this IDR/C Report.

### Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends that the subject property be developed as a Community Commercial use. The Comprehensive Plan definition of a Community Commercial area is that it is a commercial area which provides services extending beyond daily living needs and includes comparison shopping goods which includes motor vehicles. The proposed use is therefore compatible with the intent of the Community Commercial designation.

**Compatibility with the Sign Ordinance**

The petitioner has not formally submitted a signage plan for the subject business; however, there have been a number of signage deviations granted in the past that would allow the petitioner to install wall and freestanding signage beyond that permitted by the Sign Ordinance. The following is a brief synopsis of the previously approved signage deviations:

*Wall Signage*

PC 02-22 granted approval to allow for more than one wall sign per street frontage. More specifically, approval was granted to allow five (5) wall signs on the south elevation of the principal dealership building. An additional "used cars" wall sign was also approved for the used car office, which is located to the east of the principal dealership building.

*Freestanding Signage*

SPA 03-02 granted site plan approval to allow for three (3) freestanding signs on the subject property. Three legal non-conforming free-standing signs existed on the property during the time of the petition, which is two more than permitted the Sign Ordinance. The petitioner was granted zoning relief in order to remove and replace one of the signs with a new sign similar in style to the proposed building elevations.

As part of SPA 03-06, site plan approval was granted to allow for a freestanding sign fronting on a state right-of-way of 144 square feet in size where a maximum of 125 square feet in sign surface area is permitted. Approval was also granted to allow for a freestanding sign fronting on a state right-of-way of 29 feet 11 inches in height where a maximum of 25 feet is permitted. The Plan Commission originally denied this petition, but the Board of Trustees overturned the Plan Commission's decision and adopted Ordinance 5338, which granted the aforementioned relief. All signage relief still applies to the subject property.

**Standards for Conditional Uses**

For a conditional use to be approved, the standards for conditional uses must be met. Staff has reviewed the petitioner's plan and the standards and offers the following comments:

1. *That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare;*

The conditional use process allows staff the opportunity to review each applicable petition in context with the surrounding area in regards to health, safety, and general welfare. As indicated in the submittal package, the major business operations associated with the proposed use were already approved as an acceptable conditional use in 2002. The site and facility are to remain the same as well as the business operation. The petitioner has also indicated that he will maintain a safe environment inside and outside of the building.

2. *That the conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood in which it is to be located;*

The proposed use has been conducted on the subject property since 1970. Preserving the same automobile sales, service and repair use that has occurred for almost 40 years would maintain consistency in relation to the surrounding neighborhood.

3. *That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;*

The petitioner plans to conduct conditional use within the confines of the existing building and current site layout as it was once approved through Ordinance 5163. From a land use perspective, the type of use being proposed is compatible with the surrounding properties; as such, the normal and orderly development and improvement of the surrounding properties would not be adversely affected.

4. *That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided;*

As the petitioner intends to utilize the vacant building on the subject property and not alter the existing site, any necessary infrastructural improvements are already in existence. Should any infrastructural improvements be deemed necessary, the Private Engineering comments provided within this report shall address such improvements.

5. *That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;*

There are four existing points of ingress/egress leading to and from the subject property – one on Roosevelt Road, one on Edgewood Avenue and two along Fairfield Avenue. No improvements to those existing drive aisles are being proposed at this time. However, two of the four are considering legal non-conforming (Roosevelt Road and Edgewood Avenue drive aisles) with respects to the minimum width requirement (24 feet); therefore, if they are to be altered, they must meet all Code requirements.

6. *That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard; and,*

The Comprehensive Plan recommends that the subject property be developed as a Community Commercial use. The Comprehensive Plan definition of a Community Commercial area is that it is a commercial area which provides services extending beyond daily living needs and includes

comparison shopping goods which includes motor vehicles. The proposed use is therefore compatible with the intent of the Community Commercial designation.

*Encourage property owners to maintain and enhance the overall condition of existing industrial, business and office developments.*

This policy refers to the development in a property maintenance context. Not only would the petitioner need to demonstrate proper property stewardship, future property maintenance must also be carried on through the life of the business.

*New development shall have adequate off-street parking and loading facilities.*

The ability to provide adequate parking and loading facilities should be provided for all commercial sites. The subject property is 5.5 acres. Over 75% of the subject property is reserved as parking and staging area for the automobiles, which leaves over 4 acres for parking, staging and sales. The petitioner has indicated that the business will not contain the large sales inventory that it had prior to closing its doors.

*7. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission.*

Staff has reviewed the petition and if it were to be approved, the applicable code issues and/or conditions of approval would be addressed during the permit review process. As is, the site conforms to all requirements set forth in the Zoning Ordinance and all other applicable ordinances. The petitioner would need to receive an updated Certificate of Occupancy/Zoning Certificate that permitted the proposed conditional uses.

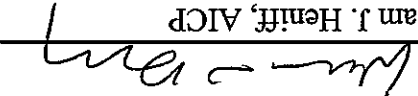
## FINDINGS AND RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition subject to the conditions as outlined:

Based on the submitted petition and the testimony presented, the proposed ordinance amendment does comply with the standards required by the Lombard Zoning Ordinance and that the planned development amendment enhances the development and is in the public interest; and, therefore, I move that the Plan Commission adopt the findings included within the Inter-department Group Report as the findings of the Lombard Plan Commission, and recommend to the Corporate Authorities **approval** of the PC 09-03, subject to the following conditions:

1. That the petitioner shall satisfactorily address the comments included within the IDRRC report.
2. The conditions of approval outlined in Section 2, Ordinance 5163, adopted July 18, 2002 shall remain in full effect for the subject property.
3. All property maintenance issues shall be addressed prior to the issuance of a Certificate of Occupancy.

Inter-Departmental Review Group Report Approved By:

  
\_\_\_\_\_  
William J. Heniff, AICP

Director of Community Development

WJH:MST

att

c. Petitioner

# PC 09-03: 500 E. Roosevelt Rd.



• Addresses

Centerline

JURIS

--- RIVER

--- RFR

--- TOLLWAY

--- TRAIL

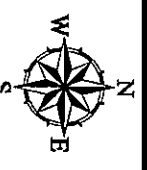
□ Parcels

□ limits-poly

• Active Cases

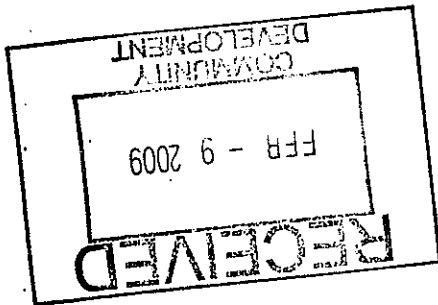
--- Boundary Agreement

266 ft



JMS Partners, LLC  
500 E. Roosevelt Road  
Lombard, IL 60148  
630 768-7937

February 9, 2009



Village of Lombard  
Plan Commission Department of Community Development  
255 East Wilson Avenue  
Lombard, Illinois 60148

RE: PROPOSED RE OPENING OF AUTO DEALERSHIP  
500 E. ROOSEVELT ROAD

Dear Plan Commissioner,

We would like to re open the car dealership located at 500 E. Roosevelt Road. We would be selling used vehicles and light service and maintenance repairs. Basically, the same as we had prior under the old Westgate Lincoln-Mercury but without a new car franchise.

There would be no need of any kind of change structurally to the existing facility other than reinstalling light poles that were removed when we closed before. Other than that, everything would be the same as before.

We have not decided yet on a name but should have that in the near future. Thank you for giving us this opportunity to reopen. I look forward to working with the village as well.

Sincerely,

JMS Partners, LLC

John Maroni - Vice President





Lombard Plan Commission

February 4, 2009

RE: Re establish use of Westgate Lincoln Mercury

Case # PC 09-03

Parcel # 06-17-404-044

Dear Commission,

My name is Steve Benthine, and I live at 1171 S. Fairfield Ave., which is the first residence directly north and behind the auto dealership. I purchased this property in June of 2007 when the dealership was closed. I was informed by the sellers agent and neighbors, that the owner of the dealership, had once owned the 1171 property as well. On the south side of my driveway is a retaining wall that extends from the sidewalk, at 0" in. in height, 267'ft east to the rear of the 1171 property, where the wall is over 6'ft in height. I was informed that the wall belonged to the owner of the dealership. There is an area approximately 5'ft wide from the retaining wall to the stockade fence; which runs along the back lot of the dealership. There are trees and shrubs planted in this area. The sides and front of the dealership property was being maintained, but not the back along my drive. I called the owner of the dealership on several occasions to ask when this vegetation would be maintained, with no response. I called Lombard Code Enforcement, and the problem was resolved promptly and has been maintained regularly; which I appreciate. My concerns are as follows.

1. On the retaining, is an attached and stained vertical cedar wood facade that is in need of repair and maintenance. The horizontal 2x4's that the vertical cedar is attached to, has come loose from the retaining wall, causing the covering to sag and fall away from the concrete retaining wall. The moisture has caused mold to begin to grow on the wood as well. I've worked to maintain my property to enhance it's value, and to keep it at a level expected by the village. I feel this facade attached to the dealerships concrete retaining wall needs to be maintained as well to accomplish this.

2. In this retaining wall, is 35-1 1/2" in. PVC drains at various heights over the length of the wall. The water from the shrub area between the back lot fence and retaining wall drains out of these holes. This causes the most damage to the wood facade as there is usually always moisture at the bottom of the retaining wall. During rains, water shoots out of these holes and runs to the area behind my garage, where it leaves the dirt and mud, then flows toward a drain in the northeast corner of the property at 1169 Fairfield. Possible re-direction of this drainage could eliminate this.

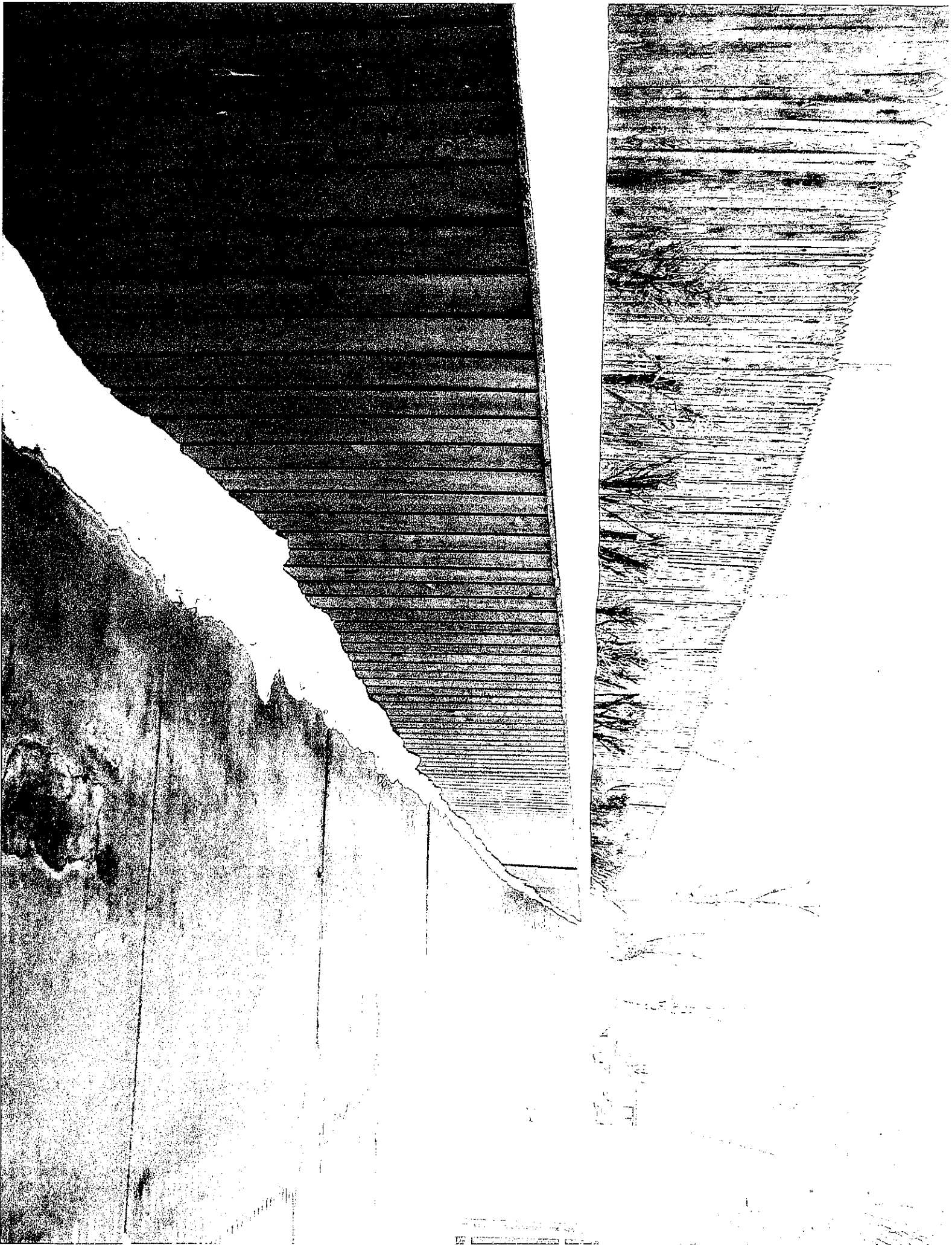
3. During recent street lighting construction in the village, the contractor used the back lot of the dealership to store material and equipment. There are a couple of bright lights on poles in the back lot pointed towards my house and shine into my kitchen and bedrooms. Could they possibly be re-aligned?

4. This past summer, I have had trash and construction debris thrown over the fence onto the roof of my garage, and several large pieces of asphalt as well, one striking a vehicle parked in my drive. Can I assume this will stop?

I will continue to work to be a good neighbor of the Westgate Lincoln Dealership as well as my other neighbors and the Village of Lombard.

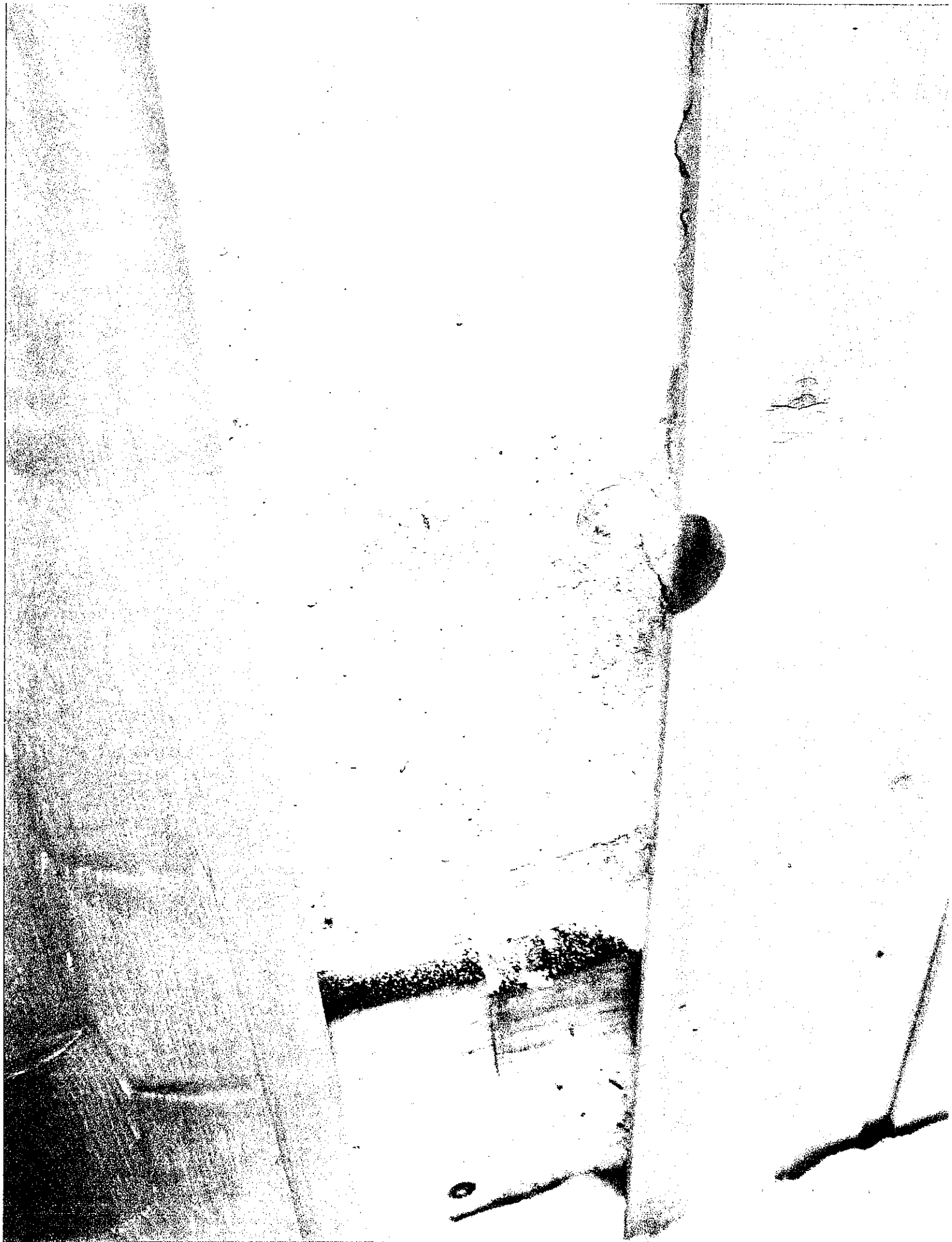
Sincerely  
Steve Benthine  
630-953-7389



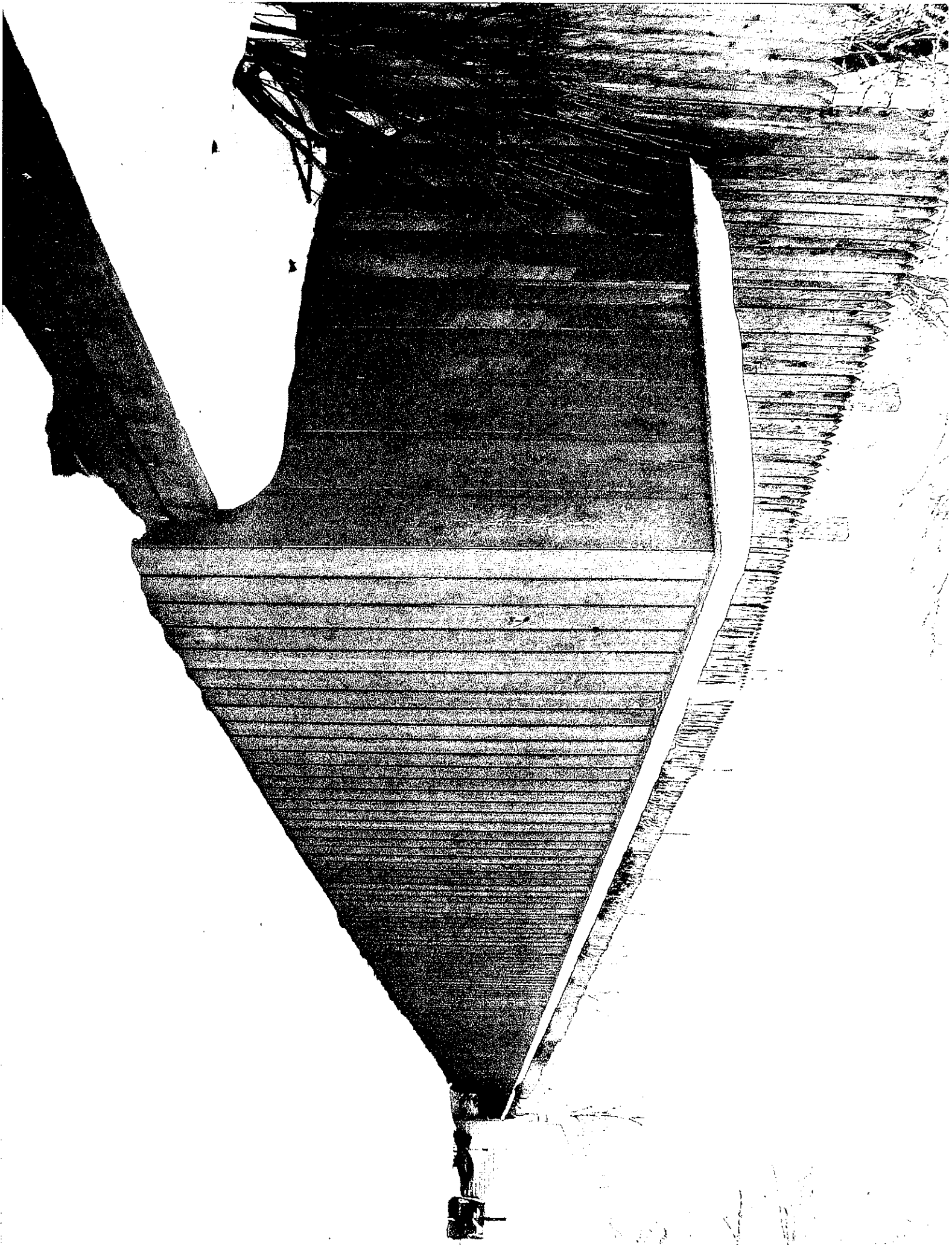


















ILLINOIS, as follows:  
BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY,  
NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND

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.

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

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on February 16, 2009 pursuant to appropriate and legal notice; and,

WHEREAS, an application has heretofore been filed requesting approval of a conditional use for motor vehicle sales, service and repair in the B4APD Roosevelt Road Corridor District Planned Development; and,

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,

(See also Ordinance \_\_\_\_\_)

(PC 09-03; 500 E. Roosevelt Road, Westgate Planned Development)

**AN ORDINANCE GRANTING  
CONDITIONAL USE FOR MOTOR VEHICLE SALES,  
SERVICE AND REPAIR  
IN THE B4APD ROOSEVELT ROAD CORRIDOR DISTRICT PLANNED  
DEVELOPMENT**

ORDINANCE NO. \_\_\_\_\_

SECTION 1: That the ordinance is limited and restricted to the property generally located at 500 E. Roosevelt Road, Lombard, Illinois, and legally described as follows:

LOT 1 OF THE LOMBARD LINCOLN MERCURY PLAT OF CONSOLIDATION, BEING A SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 15, 1988 AS DOCUMENT R88-130945, IN DU PAGE COUNTY, ILLINOIS.

Parcel Number: 06-17-404-044

SECTION 2: That the conditional use for motor vehicle sales, service and repair is hereby granted for the Subject Property, subject to compliance with the following conditions:

1. That the petitioner shall satisfactorily address the comments included within the IDRRC report.
2. The conditions of approval outlined in Section 2, Ordinance 5163, adopted July 18, 2002 shall remain in full effect for the subject property.
3. All property maintenance issues shall be addressed prior to the issuance of a Certificate of Occupancy.

SECTION 3: 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 \_\_\_\_\_, 2009.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_ Ayes:

Nays: \_\_\_\_\_  
Absent: \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published in pamphlet from this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Brigitte O'Brien, Village Clerk