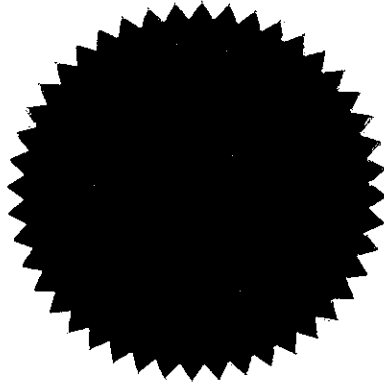


ORDINANCE 5242

PAMPHLET

CONDITIONAL USE  
DRIVE THROUGH ESTABLISHMENT IN B3 COMMUNITY SHOPPING DISTRICT

844 E. ROOSEVELT ROAD



PUBLISHED IN PAMPHLET FORM THIS 10<sup>th</sup> DAY OF February, 2003  
BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD,  
DUPAGE COUNTY, ILLINOIS.

*Suzan L. Kramer*  
Suzan L. Kramer  
Village Clerk

**ORDINANCE NO. 5242**

**AN ORDINANCE GRANTING A CONDITIONAL USE  
FOR A DRIVE THROUGH ESTABLISHMENT  
IN B3 COMMUNITY SHOPPING DISTRICT**

(PC 02-34; 844 E. Roosevelt Road)

(See also Ordinance 4456, 4457)

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 is zoned B3 Community Shopping District; and,

WHEREAS, an application has heretofore been filed pursuant to Chapter 55 Section 414 (C) (7) of the Lombard Zoning Ordinance for a conditional use to allow a drive-through establishment/service in a B3 Community Shopping District.

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on December 16, 2002 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 conditional use 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 the ordinance is limited and restricted to the property generally located at 844 E. Roosevelt Road, Lombard, Illinois, and legally described as follows:

Parcel 1: A tract of land in the Southeast Quarter of Section 17, Township 39 North, Range 11, East of the Third Principal Meridian, described as follows: Commencing at a point on the North right-of-way line of Roosevelt Road as dedicated 53 feet West of the East line of said Section 17; thence North 88 degrees 44 minutes 51 seconds West 3 feet on last said North line to a point on a curve; thence West on a curve convex to the North having a radius of 19,148.61 feet; an arc distance of 180 feet and chord bearing of North 89 degrees West; thence due North 214.87 feet to the South line of the North 2,402 feet of said Southeast Quarter; thence South 89 degrees 47 minutes 30 seconds East 208 feet along last said South line to a line 28 feet West of and parallel to the East line of said Section 17; thence South 0 degrees 00 minutes 35 seconds West 104.54 feet along last said line to a point of curve; thence Southerly on a curve convex to the East having a radius of 55 feet, an arc distance of 32.18 feet and chord bearing of South 16 degrees 52 minutes 53 seconds West to a point of reverse curve; thence continuing on a curve convex to the West having a radius of 95 feet, an arc distance of 55.54 feet and chord bearing of South 16 degrees 45 minutes 35 seconds West to a point of tangent; thence South 0 degrees 00 minutes 35 seconds West 30 feet to the place of beginning, all in DuPage County, Illinois.

Also Parcel 2: A non-exclusive easement appurtenant to Parcel 1 for ingress and egress over and across: A tract of land in the Southeast Quarter of Section 17, Township 39 North, Range 11, East of the Third Principal Meridian, described as follows: Commencing at a point on the North right-of-way line of Roosevelt Road, as dedicated, 28 feet West of the East line of said Section 17, thence North 88 degrees 44 minutes 51 seconds West 25 feet on the last said North line, thence North 0 degrees 00 minutes 35 seconds East 30 feet to a point of curve; thence Northerly on a curve convex to the West having a radius of 95 feet, an arc distance of 55.54 feet and a chord bearing of North 16 degrees 45 minutes 35 seconds East to a point of reverse curve; thence Northerly on a curve convex to the East having a radius of 55 feet, an arc distance of 32.18 feet and a chord bearing of North 16 degrees 52 minutes 53 seconds East; thence South 0 degrees 00 minutes 35 seconds West 113.34 feet to a place of beginning, all in DuPage County, Illinois. Also the West 25 feet of the East 28 feet of the Southeast Quarter of Section 17, Township 39 North, Range 11, lying North of the right-of-way line of Roosevelt Road as dedicated and South of the North 2,320 feet of said Southeast Quarter.

Parcel Number: 06-17-406-035

SECTION 2: That a conditional use for a drive through establishment is hereby granted for the Subject Property, subject to compliance with the following conditions:

1. All improvements shall substantially comply with the plan and materials submitted as part of the request and shall also address the concerns raised in the IDR comments.

2. That the petitioner shall submit an updated landscape plan to the Village for review and approval. Said plan shall include parkway trees, landscape islands and perimeter lot landscaping requirements consistent with Village Code. Said plan shall also include of the removal of one parking stall at the far west end of the existing parking lot along Roosevelt Road and replace it with landscaping.

3. That the existing damaged flagpole on the subject property be removed.  
4. That the petitioner shall submit for review and approval an administrative plat of subdivision making the lot a lot of record.

5. That the petitioner shall secure a cross-access agreement with the property owner east of the subject property.

**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 16th day of January, 2003.

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

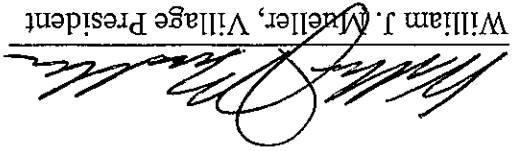
Passed on second reading this 6th day of February, 2003.

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

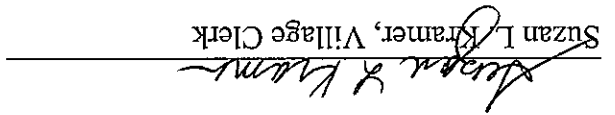
Naves: None

Absent: None

Approved this 6th day of February, 2003.

  
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William J. Mueller, Village President

ATTEST:

  
\_\_\_\_\_  
Suzan L. Kramer, Village Clerk

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