

**FRED BUCHOLZ**

DUPAGE COUNTY RECORDER

JUN.04,2015

8:54 AM

OTHER \$33.00 06-08-108-008

007 PAGES R2015-059168

## **ORDINANCE 7068**

**GRANTING AN AMENDMENT TO ORDINANCE NUMBER 5447  
GRANTING A CONDITIONAL USE FOR A PLANNED  
DEVELOPMENT, WITH DEVIATIONS, AND A CONDITIONAL  
USE FOR AN OPEN PARKING LOT AS A PRINCIPAL USE**

**P.I.N.: 06-08-108-008, 7 E. ST. CHARLES ROAD**

**P.I.N.: 06-08-108-012, 11-21 E. ST. CHARLES ROAD**

**ADDRESS: 7 and 11-21 E. St. Charles Road  
(Hammerschmidt Parking Lot), Lombard, IL 60148**

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



I, **Janet Downer**, 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 7068

GRANTING AN AMENDMENT TO ORDINANCE NUMBER 5447  
GRANTING A CONDITIONAL USE FOR A PLANNED DEVELOPMENT,  
WITH DEVIATIONS, AND A CONDITIONAL USE FOR AN OPEN  
PARKING LOT AS A PRINCIPAL USE

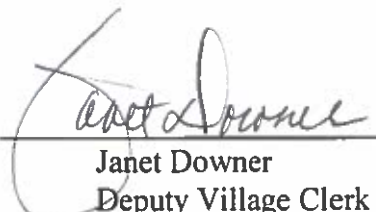
P.I.N.: 06-08-108-008, 7 E. ST. CHARLES ROAD  
P.I.N.: 06-08-108-012, 11-21 E. ST. CHARLES ROAD

ADDRESS: 7 and 11-21 E. St. Charles Road  
(Hammerschmidt Parking Lot), Lombard, IL 60148

of the said Village as it appears from the official records  
of said Village duly approved this 7th  
day of May, 2015.

**In Witness Whereof**, I have hereunto affixed my official signature and the  
Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 2nd  
day of June, 2015.



  
\_\_\_\_\_  
Janet Downer  
Deputy Village Clerk  
Village of Lombard  
DuPage County, Illinois

**ORDINANCE 7068**

**PAMPHLET**

**PC: 15-06: 7, 11-21 AND 115 E. ST. CHARLES ROAD  
PARKING LOT EXPANSION**



**PUBLISHED IN PAMPHLET FORM THIS 8<sup>th</sup> DAY OF MAY, 2015, BY ORDER OF  
THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE  
COUNTY, ILLINOIS.**

*Sharon Kuderna*

**Sharon Kuderna  
Village Clerk**

**ORDINANCE NO. 7068**

**GRANTING AN AMENDMENT TO ORDINANCE NUMBER 5447  
GRANTING A CONDITIONAL USE FOR A PLANNED  
DEVELOPMENT, WITH DEVIATIONS, AND A CONDITIONAL USE  
FOR AN OPEN PARKING LOT AS A PRINCIPAL USE**

(PC 15-06: 7 and 11-21 E. St. Charles Road (Hammerschmidt Parking Lot))

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 March 18, 2004, the Corporate Authorities approved Ordinance Number 5447 which granted approval of a conditional use for a planned development with accessory structure deviations; a parking lot; a farmer's (French) market; an accessory structure and variations to the parking lot landscape requirements; 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, an application has heretofore been filed requesting approval of an amendment to Ordinance 5447 to change the geographic boundaries of the previously approved planned development to include the properties described in Section 1 below (hereinafter the "Subject Properties") located within the B5 Central Business District; and,

WHEREAS, said application requests a deviation from the Section 155.602 (B) to reduce the required number of accessible parking spaces from seven (7) to zero (0); and,

WHEREAS, said application requests a deviation from Section 155.602 (C) to allow for a fifteen foot (15') wide parking aisle where an eighteen foot (18') parking aisle width is required for sixty-degree (60°) parking space angles; and,

WHEREAS, said application requests a deviation from Section 155.706 to reduce the required amount of parking lot landscaping (as established by Ordinance No. 5447); and,

WHEREAS, said application also requests conditional use approval pursuant to Section 155.410 (C) of the Zoning Ordinance for a conditional use for an open parking lot as the principal use of the Subject Properties; and,

WHEREAS, pursuant to the application to amend Ordinance 5447, with deviations, and a conditional use for an open parking lot as a principal use, proper and legal notice was provided and a public hearing was held before the Village's Plan Commission on April 20, 2015; and,

Ordinance No. 7068

Re: PC 15-06

Page 2

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the amendment, with deviations, and a conditional use for an open parking lot as a principal use, subject to seven (7) conditions; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard approve and adopt the findings and recommendation of the Plan Commission and incorporate such findings and recommendation 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, DUPAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That this Ordinance is limited and restricted to the properties located at 7 and 11-21 E. St. Charles Road, Lombard, Illinois and legally described as follows:

LOTS 11 AND 12 (EXCEPT THE WEST 28 FEET OF LOT 12) IN BLOCK 17 OF THE ORIGINAL TOWN OF LOMBARD, A SUBDIVISION OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 23, 1868, AS DOCUMENT 9483, IN DUPAGE COUNTY, ILLINOIS.

(P.I.N.: 06-08-108-008, 7 E. ST. CHARLES ROAD, LOMBARD, ILLINOIS)

AND;

LOT 1 IN ST. CHARLES CORRIDOR REDEVELOPMENT PLAT OF RESUBDIVISION OF PART OF SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED APRIL 25, 2005 AS DOCUMENT R 2005-083483, IN DUPAGE COUNTY, ILLINOIS.

(P.I.N.: 06-08-108-012, 11-21 E. ST. CHARLES ROAD, LOMBARD, ILLINOIS)

SECTION 2: That an amendment to the conditional use approval for the Hammerschmidt Parking Lot Planned Development, as established by Ordinance Number 5447, to allow for a change in the geographic boundaries of the previously existing planned development with the following deviations:

- a. Approval of a deviation from Section 155.602 (B) to reduce the required number of accessible parking spaces from seven (7) to zero (0);

Ordinance No. 7068

Re: PC 15-06

Page 3

- b. Approval of a deviation from Section 155.602 (C) to allow for a fifteen foot (15') wide parking aisle where an eighteen foot (18') parking aisle width is required for sixty-degree (60°) parking space angles; and
- c. Approval of further deviations from Section 155.706 to reduce the required amount of parking lot landscaping (as established by Ordinance No. 5447)

is hereby granted, subject to the compliance with the conditions set forth in Section 4 below.

**SECTION 3:** That a conditional use is hereby granted pursuant to Section 155.410 (C) to allow for an open parking lot as a principal use on the Subject Properties are hereby granted, subject to compliance with the conditions set forth in Section 4 below.

**SECTION 4:** This ordinance shall be granted subject to compliance with the following conditions:

1. That this relief is limited to the operation of a parking lot and any physical site improvements or alterations require approval through the Village;
2. This relief shall be valid for a period of one (1) year from the date of approval of the ordinance. If the parking lot is not established by said date, this relief shall be deemed null and void;
3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
4. That the petitioner shall develop the site in accordance with plans submitted as part of this request;
5. That associated with the proposed parking lot improvements, the Village shall prepare a final landscape plan for the subject properties to be approved by the Director of Community Development;
6. That associated with the proposed parking lot improvements, the Village shall prepare a Photometric Plan for the subject properties to be approved by the Director of Community Development; and
7. The petitioner shall be required to apply for and receive a building permit for any improvements to the site.

**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.

Ordinance No. 7068  
Re: PC 15-06  
Page 4

Passed on first reading this \_\_\_ day of \_\_\_\_, 2015.

First reading waived by action of the Board of Trustees this 7<sup>th</sup> day of May, 2015.

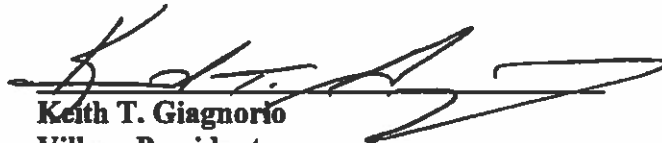
Passed on second reading this 7<sup>th</sup> day of May, 2015.

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Johnston, Pike and Ware

Nays: None

Absent: None

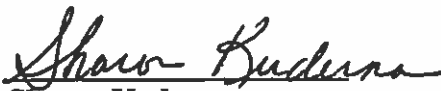
Approved this 7<sup>th</sup> day of May, 2015.

  
**Keith T. Giagnorio**  
Village President

ATTEST:

  
**Sharon Kuderna**  
Village Clerk

Published by me in pamphlet form on this 8<sup>th</sup> day of May, 2015.

  
**Sharon Kuderna**  
Village Clerk