

**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
JUL 27, 2005 10:13 AM  
OTHER 03-32-301-038  
009 PAGES R2005-161436

**ORDINANCE NO. 5513**

**GRANTING A CONDITIONAL USE FOR A PLANNED  
DEVELOPMENT WITH DEVIATIONS FOR WALL  
SIGNAGE, PERIMETER PARKING LOT LANDSCAPING,  
AND AN ELECTRONIC MESSAGE BOARD; AND A  
CONDITIONAL USE FOR DRIVE THROUGH FACILITY;  
ALL LOCATED IN THE B4 CORRIDOR COMMERCIAL  
DISTRICT**

**Address: 350 E. North Avenue  
Lombard, IL**

**PIN: 03-32-301-009  
now known as 03-32-301-038**

**Return To:**

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

**ORDINANCE NO. 5513**

**AN ORDINANCE GRANTING A  
CONDITIONAL USE FOR A PLANNED DEVELOPMENT  
WITH DEVIATIONS FOR WALL SIGNAGE,  
PERIMETER PARKING LOT LANDSCAPING,  
AND AN ELECTRONIC MESSAGE BOARD;  
AND A CONDITIONAL USE FOR DRIVE THROUGH FACILITY;  
ALL LOCATED IN THE B4 CORRIDOR COMMERCIAL DISTRICT**

(PC 04-20: 350 E. North Avenue)

(See also Ordinance(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, an application has heretofore been filed requesting approval of a conditional use for a planned development on the property described in Section 1 below hereinafter the "Subject Property"; and,

WHEREAS, said application requests a deviation on Lot 1 of the Subject Property from Section 153.505 (B) (17) (a) (1) (a) of the Sign Ordinance to allow for an increase in wall sign surface area from one hundred (100) square feet to one hundred and thirty-four (134) square feet in an B4 Corridor Commercial District; and,

WHEREAS, said application requests a deviation on Lot 1 of the Subject Property from Section 153.505 (B) (17) (a) (2) (a) of the Sign Ordinance to allow for an increase in the number of wall signs allowed on a street frontage in an B4 Corridor Commercial District; and,

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WHEREAS, said application requests a deviation on Lot 1 of the Subject Property from Section 153.210 (D) of the Sign Ordinance to allow for an increase in the height of an electronic message board from two (2) feet to 3.65 feet with a display screen greater than eighteen inches in height in an B4 Corridor Commercial District; and,

WHEREAS, said application also requests a deviation on Lot 1 of the Subject Property from Section 153.210 (F) of the Sign Ordinance to allow for an electronic message board that is less than twelve feet above grade in an B4 Corridor Commercial District; and,

WHEREAS, said application also requests a deviation on Lot 1 of the Subject Property from Sections 155.706 (C) and 155.709 of the Sign Ordinance reducing the required perimeter parking lot landscaping from five (5) feet to zero (0) feet to provide for shared cross-access and parking in an B4 Corridor Commercial District; and,

WHEREAS, said application also requests a deviation on Lot 2 of the Subject Property from Section 155.706 (C) and 155.709 (B) reducing the required perimeter parking lot landscape from five feet (5') to zero feet (0') to provide for shared cross-access and parking; and

WHEREAS, said application also requests a deviation on Lot 3 of the Subject Property from Section 155.415 (E), allowing for a reduction in the minimum lot width from one hundred fifty (150) feet to seventy-two (72) feet for a proposed stormwater detention outlot; and

WHEREAS, said application also requests conditional use approval on Lot 1 of the Subject Property pursuant to Section 155.415 (C)(10) of the Zoning Ordinance for a conditional use to allow for a drive-through facility on Lot 1 of the proposed subdivision in a B4 Corridor Commercial District; and

WHEREAS, said application requests approval of a aforementioned actions on the property described in Section 2 below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on June 21, 2004 pursuant to appropriate and legal notice; and,

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WHEREAS, the Plan Commission has filed its recommendation with the President and Board of Trustees recommending approval in part of the conditional uses, variations and deviations described herein, subject to conditions; 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 this ordinance is limited and restricted to the property generally located at 350 E. North Avenue, Lombard, Illinois, and is legally described as:

THE SOUTH 750.0 FEET, AS MEASURED ON THE WEST LINE AND PARALLEL WITH THE SOUTH LINE THEREOF, (EXCEPT THE WEST 877.74 FEET AS MEASURED ON THE NORTH AND SOUTH LINES THEROF AND EXCEPT THAT PART LYING SOUTH OF THE NORTH LINE OF LAND TAKEN BY CONDEMNATION CASE 02ED-13) OF THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 40 NORTH, RAGNE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF THE CENTER LINE OF LOMBARD ROAD (WEST LINE OF THE NORTH AVENUE MANOR, A SUBDIVISION IN SAID SECTION 32) IN DUPAGE COUNTY, ILLINOIS.

Parcel No. 03-32-301-009 now known as 03-32-301-038  
Hereinafter the "Subject Property"

SECTION 2: That a conditional use for a planned development with the following deviations is hereby granted for the Subject Property, subject to compliance with the conditions set forth in Section 4 below.

- A. For Lot 1 of the Subject Property, a deviation is hereby granted from Section 153.505 (B)(17)(a)(1) of the Sign Ordinance to allow for an increase in wall sign surface area from one hundred (100) square feet to one hundred and thirty four (134) square feet.

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- B. For Lot 1 of the Subject Property, a deviation is hereby granted from Section 153.505 (B)(17)(a)(2) of the Sign Ordinance to allow for more than one wall sign on a street frontage.
- C. For Lot 1 of the Subject Property, a deviation is hereby granted from Section 153.210 (B)(D) of the Sign Ordinance to allow for a display screen greater than eighteen inches in height, to a limit of twenty-four inches in height.
- D. For Lot 1 of the Subject Property, a deviation is hereby granted from Section 153.210 (F) of the Sign Ordinance to allow for an electronic message board that is less than twelve feet above grade.
- E. For Lot 1 of the Subject Property, a deviation is hereby granted from Section 155.706 (C) and 155.709 (B) of the Zoning Ordinance reducing the required perimeter parking lot landscape from five feet (5') to zero feet (0') to provide for shared cross-access and parking.
- F. For Lot 2 of the Subject Property, a deviation is hereby granted from Section 155.706 (C) and 155.709 (B) of the Zoning Ordinance reducing the required perimeter parking lot landscape from five feet (5') to zero feet (0') to provide for shared cross-access and parking.
- G. For Lot 3 of the Subject Property, a deviation is hereby granted from Section 155.415 (E) of the Zoning Ordinance, allowing for a reduction in the minimum lot width from one hundred fifty (150) feet to seventy-two (72) feet for a proposed stormwater detention outlet.

SECTION 3: That a conditional use is hereby granted for a drive-through facility hereby granted for Lot 1 of the Subject Property, subject to compliance with the conditions enumerated in Section 4.

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

1. That the petitioner shall develop the site in accordance with the site plans prepared by Arc Design resources, Ives/Ryan Group and Stuart Novsky Associates, dated May 18, 2004 and submitted as part of this request.
2. Any future development on the Lot 2 of the proposed subdivision, shall be subject to a separate site plan approval application.
3. That the petitioner shall modify the landscape plan for the subject property, as follows:
  - a. Additional landscape vegetation, consisting of evergreen and shrubs be placed on the proposed landscape island immediately east of the pharmacy pick-up window. The design and location of the plant materials shall be subject to the Director of Community Development.
  - b. The parkway shall be improved with parkway trees and sodded, pursuant to Section 155.706 of the Zoning Ordinance.
  - c. All internal parking lot islands shall be sodded rather than seeded, where applicable, pursuant to Section 155.706 of the Zoning Ordinance.
  - d. Detention landscaping shall be provided pursuant to Section 154.508 of the Subdivision and Development Ordinance and Section 155.709 of the Zoning Ordinance.
4. 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.
5. The maximum height of the automatic changeable copy sign proposed on the freestanding sign may not exceed 24 inches in height. The petitioner shall submit a revised sign plan reflecting that the modified sign dimensions.
6. That associated with the Lot 1 development, the petitioner shall construct the proposed northern access drive improvements on Lot 2, consisting of a left turn lane on Grace Street and an improved access driveway from Grace Street immediately across from the Adele

Avenue right-of-way to Lot 1 of the proposed development. The design shall be subject to final review by the Director of Community Development and the Village Engineer.

7. That as part of the Lot 1 improvements, the petitioner shall construct the access driveway on Lot 2 pursuant to the revised plan submittal.
8. That as part of the public improvements, the petitioner shall provide full public improvements as required by Sections 154.304 and 154.306 of the Lombard Subdivision and Development Ordinance. The final design and location of all public improvements shall be reviewed and approved by the Village and/or the Illinois Department of Transportation.
9. That any trash enclosure screening on Lots 1 or 2 as required by Section 155.710 of the Zoning Ordinance shall be constructed of a material consistent with the principal building.
10. That a total of five wall signs shall be permitted on the Lot 1 principal building, with the wall sign size and placement to be consistent with the petitioner's plans, as follows:
  - a. Two "CVS Pharmacy" signs which can include the secondary tag line. Said signs shall not exceed 136 square feet in size.
  - b. Three "Drive-Thru/Pharmacy" signs, not to exceed 30 square feet in size. Any future signage changes shall be subject to a future site plan approval from the Village.
11. In the event that the property owner immediately west of the subject property shall not provide the rights to construct a shared access drive on his property, the petitioner shall develop the site consistent with the alternate site plan submittal, prepared by Arc Design Resources, dated May 18, 2004.
12. That any freestanding signage at the proposed entrance drive on North Avenue shall meet the directional signage requirements as regulated by the Lombard Sign Ordinance.

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13. That the petitioner shall provide for cross-access easements between the subject property and the property immediately west of the subject property with two points of access/egress.

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 \_\_\_\_\_ day of \_\_\_\_\_, 2004.

First reading waived by action of the Board of Trustees this 22nd day of July, 2004.


Passed on second reading this 22nd day of July, 2004.

Ayes: Trustees Tross, Koenig, Sebby and Soderstrom

Nays: None

Absent: Trustees DeStephano and Florey

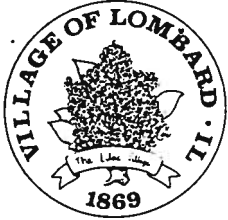
Approved this 22nd, day of July, 2004.

  
William J. Mueller, Village President

ATTEST:

  
Barbara A. Johnson, Deputy Village Clerk





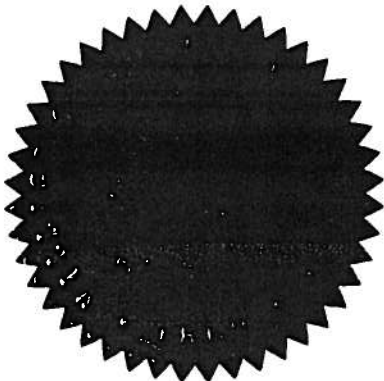
I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Village Clerk, I maintain and am safekeeper of the records and files of the President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

I further certify that attached hereto is a true and correct copy of ORDINANCE 5513

AN ORDINANCE GRANTING A CONDITIONAL USE FOR A PLANNED DEVELOPMENT WITH DEVIATIONS FOR WALL SIGNAGE, PERIMETER PARKING LOT LANDSCAPING AND AN ELECTRONIC MESSAGE BOARD; AND A CONDITIONAL USE FOR DRIVE THROUGH FACILITY; ALL LOCATED IN THE B4 CORRIDOR COMMERCIAL DISTRICT, FOR THE PROPERTY LOCATED AT 350 E. NORTH AVENUE, LOMBARD, DUPAGE COUNTY, ILLINOIS.

PIN 03-32-301-009 - now known as 03-32-301-038 of the said Village as it appears from the official records of said Village duly passed on July 22, 2004.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 22<sup>nd</sup> day of February, 2005.



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