

**ORDINANCE NO. 6389**

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR A PLANNED DEVELOPMENT FOR 701 E. 22<sup>ND</sup> STREET, LOMBARD, ILLINOIS**

PC 09-24: 701 E 22<sup>nd</sup> Street

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 (the "Zoning Code"); and

WHEREAS, 701 E. 22<sup>nd</sup> Street is zoned OPD Office District – Planned Development, and legally described as follows:

Lot 2 in the 701-747 22<sup>nd</sup> Street Subdivision being part of the northeast quarter of section 29, township 39 north, range 11 east of the third principal meridian, in DuPage County, Illinois.

PIN: 06-29-200-039

(the "Subject Property"); and

WHEREAS, an application has been filed by the owner of the Subject Property requesting approval of a conditional use for a planned development with deviations and variations from the Lombard Zoning Code (Title 155 of the Village Code), as set forth in Section 2 below; and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on August 17, 2009 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 a conditional use for a planned development with deviations and variations, and Site Plan Approval, finding that such zoning relief complied with the standards of the Zoning Code.

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 Plan Commission has made its report of findings and recommendations, and such are adopted by reference as findings of this Board of Trustees as fully as if completely set forth at length herein. All exhibits submitted at the aforesaid public hearing are also incorporated herein by reference.

**SECTION 2:** That a conditional use for a planned development with the following variations, deviations, and other relief (the “Planned Development”) is hereby granted for the Subject Property, subject to the conditions set forth in Section 3:

1. A deviation from Section 155.412 (F) of the Zoning Code and a planned development variation from Section 155.508 (C)(6)(a) of the Zoning Code, to reduce the east interior side yard setback from ten feet (10’) to zero feet (0’) to provide for an existing overhead corridor and foundation walls;
2. A deviation from Section 155.412 (H) of the Zoning Code to provide for an increase in the floor area ratio above the maximum allowed 0.35 for an existing four-story office building.
3. A deviation from Section 155.412 (G) of the Zoning Code to increase the maximum building height from forty-five feet (45’) to fifty-five feet (55’) for an existing four-story office building.
4. A deviation from Section 155.412 (I) of the Zoning Code to reduce the minimum required open space from thirty-five percent (35%) to approximately twenty seven percent (27%) of the lot area.
5. A planned development variation from Section 155.508 (C)(7) of the Zoning Code to allow for the property to not provide an additional twenty-five percent (25%) open space beyond that which is required in the underlying O Office Zoning District.
6. A variation from Section 155.602, Table 6.3, of the Zoning Code to allow for a reduction in the requisite parking requirements from 4 spaces to 2.5 spaces per 1,000 square feet of gross floor area, as originally set forth in Ordinance 2590.
7. A variation from Section 155.210 (A) of the Zoning Code to allow for an increase in the maximum height for two (2) accessory structure (existing parking garages), as originally set forth in Ordinance 2189 and Ordinance 4837.
8. A variation from Section 155.210 (A) of the Zoning Code and a planned development variation from Section 155.508 (C)(6)(a) of the Zoning Code, to reduce the east interior side yard setback from ten feet (10’) to zero feet (0’) for an existing parking garage.
9. A deviation from Section 155.602 (A)(3)(e) of the Zoning Code to allow for a reduction in the parking lot front yard setback requirement from thirty feet (30’) to twenty-seven feet (27’) for an existing parking lot.

10. A variation from Section 155.706 (B) of the Zoning Code to not require interior parking lot landscaping for all existing parking lots.
11. A variation from Sections 155.706 (C) and 155.709 (B) of the Zoning Code to reduce the required perimeter parking lot and perimeter lot landscaping from five feet (5') to zero feet (0') to provide for shared vehicular cross-access.
12. A variation from Section 155.206 (B) (2) (b) of the Zoning Code to allow an existing monopole microwave tower to be one-hundred twenty foot (120') instead of the maximum allowed height of forty-five feet (45'), as originally set forth in Ordinance 2590.
13. A variation from Section 155.206 (A) (4) (b) of the Zoning Code to allow for two (2) existing ground mounted dishes and one (1) existing ground mounted antenna, for a total of three (3) instead of the maximum permitted one (1) ground mounted antenna tower or dish.
14. Site plan approval authority is granted to the Lombard Plan Commission, pursuant to Section 155.511 of the Zoning Code.
15. Grant any other relief necessary to memorialize previously granted development rights to allow for all existing improvements on the subject property as depicted on the Land Title Survey, prepared by Accurate Survey Service, dated February 7, 2007.

SECTION 3: The Planned Development shall be granted subject to compliance with the following conditions:

1. The site shall be maintained in accordance with the Land Title Survey, prepared by Accurate Survey Service, dated February 7, 2007, depicting the existing improvements for the property at 701 E 22<sup>nd</sup> Street.
2. All comments in the Inter-Departmental Review Committee Report, dated August 17, 2009, and presented to the Plan Commission, shall be satisfactorily addressed.
3. In the event traffic ingress and egress at the main entrance of the development warrants signalization of the intersection, the cost of such signalization shall be the responsibility of the property owners and after installation the Village will maintain the system.

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.

Ordinance No. 6389  
Re: PC 09-24 (701 E 22<sup>nd</sup> Street)  
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Passed on first reading this 3<sup>rd</sup> day of September, 2009.

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

Passed on second reading this 17<sup>th</sup> day of September, 2009.

Ayes: Trustees Tross, Wilson, Moreau, Fitzpatrick and Ware

Nayes: None

Absent: Trustee Gron

Approved this 17<sup>th</sup>, day of September, 2009.

  
William J. Mueller, Village President

ATTEST:

  
Brigitte O'Brien, Village Clerk