

J.P. "RICK" CARNEY
DUPAGE COUNTY RECORDER
DEC.31,2003 9:41 AM
OTHER 03-32-301-007
006 PAGES R2003-485323

**ORDINANCE 5358
GRANTING A CONDITIONAL USE FOR A
PLANNED DEVELOPMENT WITH DEVIATIONS IN AN I
LIMITED INDUSTRIAL DISTRICT**

Address: 240 Progress Road, Lombard

PIN: 03-32-301-007 (part of)

Return To:

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

ORDINANCE NO. 5358

**AN ORDINANCE
GRANTING A CONDITIONAL USE
FOR A PLANNED DEVELOPMENT WITH DEVIATIONS
IN AN I LIMITED INDUSTRIAL DISTRICT**

(PC 03-27; 240 Progress Road / Terrace Lakes Subdivision Lot 1)

(See also Ordinance No.(s) 5356, 5357, 5359)

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, concurrent with a request for a map amendment approval on the subject property, an application has heretofore been filed requesting approval of a conditional use for a planned development with deviations in an I Limited Industrial District; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on August 18, 2003 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 and variations 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 a conditional use for a planned development with the following deviations is hereby granted for the Subject Property legally described in Section 2 below, subject to the conditions set forth in Section 3 below:

- A. A deviation from Section 155.418 (J) reducing the required transitional building setback yard from forty-five (45) feet to forty-one (41) feet; and
- B. A deviation from Section 155.418 (K) reducing the required transitional landscape yard from thirty (30) feet to sixteen (16) feet.

SECTION 2: The conditional use for a planned development is limited and restricted to the property located at 240 Progress Road, Lombard, Illinois, (also referenced as Lot 1 of the Terrace Lakes Subdivision) and legally described as follows:

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32 AND THE WEST RIGHT-OF-WAY OF GRACE STREET; THENCE SOUTH 89 DEGREES 51 MINUTES 48 SECONDS WEST, 1290.04 FEET ALONG SAID NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32 TO THE EAST LINE OF THE PROGRESS BUSINESS CENTER PER DOCUMENT R88-105071; THENCE SOUTH 00 DEGREES 31 MINUTES 43 SECONDS EAST, 461.62 FEET ALONG SAID EAST LINE OF THE PROGRESS BUSINESS CENTER TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 28 MINUTES 17 SECONDS EAST, 103.69 FEET; THENCE NORTH 25 DEGREES 48 MINUTES 04 SECONDS WEST, 83.62 FEET; THENCE NORTH 07 DEGREES 42 MINUTES 36 SECONDS WEST, 150.89 FEET; THENCE NORTH 53 DEGREES 17 MINUTES 01 SECONDS EAST, 91.47 FEET; THENCE NORTH 22 DEGREES 34 MINUTES 25 SECONDS EAST, 138.03 FEET TO A FLOOD CONTROL, STORM WATER DRAINAGE AND DETENTION EASEMENT RECORDED OCTOBER 13, 1993 PER DOC. R93-231749; THENCE SOUTH 73 DEGREES 10 MINUTES 54 SECONDS EAST, 221.80 FEET ALONG SAID FLOOD CONTROL, STORM WATER DRAINAGE AND DETENTION EASEMENT; THENCE SOUTH 35 DEGREES 38 MINUTES 17 SECONDS EAST, 386.43 FEET ALONG SAID FLOOD CONTROL, STORM WATER DRAINAGE AND DETENTION EASEMENT; THENCE SOUTH 54 DEGREES 21 MINUTES 43 SECONDS WEST, 459.10 FEET TO SAID FLOOD CONTROL, STORM

WATER DRAINAGE AND DETENTION EASEMENT; THENCE SOUTH 89 DEGREES 28 MINUTES 17 SECONDS WEST, 235.50 FEET ALONG SAID FLOOD CONTROL, STORM WATER DRAINAGE AND DETENTION EASEMENT TO SAID EAST LINE OF PROGRESS BUSINESS CENTER; THENCE NORTH 00 DEGREES 31 MINUTES 43 SECONDS WEST, 240.00 FEET ALONG SAID EAST LINE OF PROGRESS BUSINESS CENTER TO THE POINT OF BEGINNING. IN DU PAGE COUNTY, ILLINOIS.

Parcel Number: 03-32-301-007 (part of)

SECTION 3 The conditional use set forth in Section 1 above shall be granted subject to compliance with the following conditions:

1. That the site shall be developed in conformance with the development plans prepared by Mackie Consultants, L.L.C. and Rothbart Construction, dated January 14, 2002 as well as the Terrace Lake Building elevations and conceptual floor plans, prepared by N. Batistich, Architects, dated February 8, 2002 and submitted as part of this request.
2. That the petitioner apply for and receive permit approval for all development activity proposed for the site. Said permit application shall address the Inter-Departmental Review Committee comments.

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 4th day of September, 2003.

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

Passed on second reading this 18th day of September, 2003.

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

Nayes: None

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Absent: None

Approved this 18th, day of September, 2003.

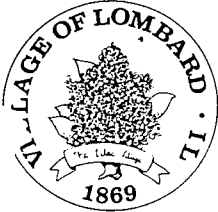


William J. Mueller, Village President

ATTEST:



Barbara A. Johnson, Deputy Village Clerk



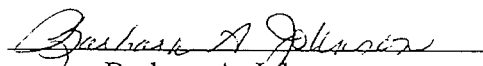
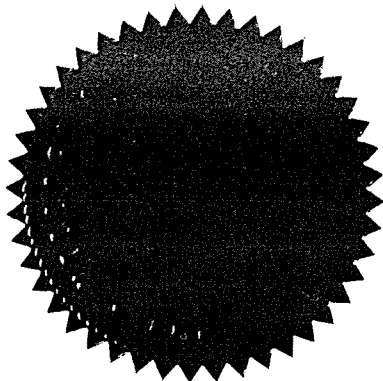
I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Village Clerk, I maintain and am safekeeper of the records and files of the President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

I further certify that attached hereto is a true and correct copy of ORDINANCE 5358

AN ORDINANCE GRANTING A CONDITIONAL
USE FOR A PLANNED DEVELOPMENT WITH
DEVIATIONS IN AN I LIMITED INDUSTRIAL
DISTRICT, 240 PROGRESS ROAD/TERRACE
LAKES SUBDIVISION, LOT 1
PIN 03-32-301-007 (PART OF)
SEE ALSO ORDINANCES 5356, 5357 AND 5359

of the said Village as it appears from the official records of said Village duly passed on September 18, 2003.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 15th day of December, 2003.



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