

**J.P. "RICK" CARNEY**

**DUPAGE COUNTY RECORDER**

**FEB.12,2002**

**10:30 AM**

**OTHER**

**06-29-303-009**

**006 PAGES**

**R2002-044081**

**ORDINANCE 5049-A**

**AMENDING ORDINANCE #2622 FOR A CONDITIONAL  
USE FOR A PLANNED DEVELOPMENT WITH  
VARIATIONS AND EXCEPTIONS**

**ADDRESS: 333-377 E. Butterfield Road  
Lombard, Illinois**

**PIN: 06-~~06~~-29-303-009 and 010**

**Return To:**

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

**ORDINANCE NO. 5049-A**

**AN ORDINANCE AMENDING ORDINANCE NO. 2622 FOR A CONDITIONAL USE  
FOR A PLANNED DEVELOPMENT WITH VARIATIONS AND EXCEPTIONS**

(PC 01-25: Homart/Highland Point Office Planned Development –  
333-377 East Butterfield Road)

WHEREAS, an application has been filed by the owner requesting an amendment to Ordinance 2622, granting conditional use approval for a planned development; and,

WHEREAS, the petition of the owner was subject to a public hearing before the Plan Commission on December 17, 2001; and,

WHEREAS, the Plan Commission has recommended the granting of an amendment to the Planned Development for the construction of an accessory parking structure which includes variations and deviations, subject to certain terms and conditions; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard hereby adopt the findings and recommendations of the Plan Commission as set forth herein, and make same part hereof, subject to certain revisions as more fully set forth below;

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 Ordinance No 2622, adopted August 11, 1983, is hereby amended as to allow for the construction and operation of an additional parking structure on the subject property with the following variations and bulk requirement exceptions:

- A. A variation from Section 155.508 (C) (6) to allow for a variation in the front yard setback for an accessory building;
- B. A variation from Section 155.207 (C) to allow for a building in a clear line of sight area.
- C. An exception to allow for an increase in maximum building height for an accessory structure; and

D. An exception to allow for an increase in maximum floor area ratio (F.A.R.); all of which are subject to the following conditions:

1. The site shall be developed essentially in conformance with the site plan submittal made a part of the petitioner's request.
2. That the east access drive to the existing parking garage shall be signed and striped as an entrance only.
3. The petitioner shall submit a plat of consolidation to the Village for the subject property that combines parcels one and two as shown on the plat. Should the petitioner reacquire all or a portion of the public right of way from IDOT north of the subject property, the petitioner shall also submit an additional plat of consolidation for Village approval.
4. The petitioner shall relocate the existing watermain on the east side of the subject property to a location approved by the Department of Community Development. The watermain shall be located in a dedicated utility easement at least 30 feet in width.
5. The petitioner shall also provide a striping plan for approval for any existing parking areas that are to be modified on the subject property.
6. The petitioner shall meet the codes and ordinances of the Village of Lombard.
7. The petitioner shall submit any necessary and supporting documentation as requested by the Director of Community Development to depict the location of any interim parking areas while the proposed garage is under construction.

SECTION 2: That this ordinance is limited and restricted to the property generally located at 333-377 East Butterfield Road, Lombard, Illinois and legally described as follows:

PARCEL 1: LOTS 1, 2, 3, 4, AND 5 TOGETHER WITH THE WEST ½ OF VACATED GILMORE STREET LYING EAST OF THE ADJOINING SAID LOT 1 IN WINDY HILL ACRES, BEING A SUBDIVISION IN THE SOUTHWEST ¼ OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 18, 1958 AS DOCUMENT 871168, IN DU PAGE COUNTY, ILLINOIS. (EXCEPTING THAT PART OF SAID LOTS 1, 2, 3, AND 4

CONVEYED TO NORTHERN ILLINOIS GAS COMPANY BY DEED RECORDED FEBRUARY 18, 1960 AS DOCUMENT 956157 AND ALSO EXCEPTING THAT PORTION OF SAID LOTS 1, 2, 3, 4, AND 5 CONDEMNED FOR HIGHWAY PURPOSES BY ORDER ENTERED AUGUST 27, 1968 IN DUPAGE COUNTY, ILLINOIS CIRCUIT COURT CASE NO. C68-852.)

PARCEL 2: PARCEL 1 OF ARLEY BOZICNIK PLAT OF SURVEY RECORDED OCTOBER 15, 1954, AS DOCUMENT 733706 DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN BEGINNING AT THE INTERSECTION OF THE EAST LINE OF THE SOUTHWEST  $\frac{1}{4}$  AND THE SOUTHERLY LINE OF BUTTERFIELD ROAD: THENCE SOUTH ALONG THE EAST LINE OF SAID SOUTHWEST  $\frac{1}{4}$  250.00 FEET THENCE WEST ON A LINE 90 DEGREES TO SAID EAST LINE OF SOUTHWEST  $\frac{1}{4}$  200.00 FEET; THENCE NORTH AND PARALLEL TO SAID EAST LINE OF SOUTHWEST  $\frac{1}{4}$  190.00 FEET, MORE OR LESS, TO THE SOUTHERLY LINE OF BUTTERFIELD ROAD; THENCE EASTERLY ALONG SAID SOUTHERLY LINE OF BUTTERFIELD ROAD 210.00 FEET MORE OR LESS TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS, (EXCEPTING THEREFROM THAT PART CONVEYED TO THE STATE OF ILLINOIS BY DEED RECORDED OCTOBER 22, 1968 AS DOCUMENT R-68-49027)

Parcel No. 06-29-303-009 and 010

SECTION 3: That all other provisions of Ordinance 2622 not amended by this Ordinance shall remain in full force and effect.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

First reading waived by action of the Board of Trustees this

3rd day of January, 2002.

Passed on second reading this 3rd day of January, 2002.

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Re: PC 01-25

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

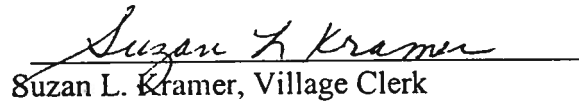
Nayes: None

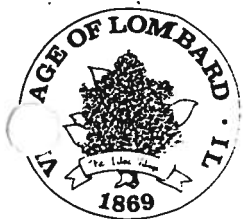
Absent: None

Approved this 3rd day of January, 2002.

  
William J. Mueller, Village President

ATTEST:

  
Suzan L. Kramer, Village Clerk

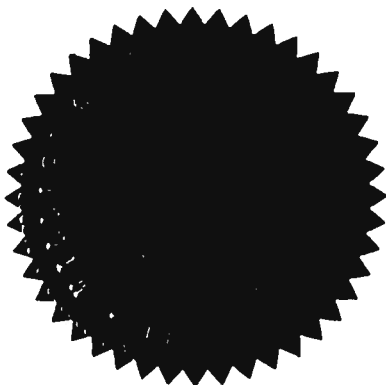


I, **Suzan L. Kramer**, hereby certify that I am the duly qualified Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Village Clerk, I maintain and am safekeeper of the records and files of the President and Board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

I further certify that attached hereto is a true and correct copy of ORDINANCE 5049-A  
AMENDING ORDINANCE # 2622 CONDITIONAL USE  
OF A PLANNED DEVELOPMENT WITH VARIATIONS  
AND EXCEPTIONS 333-337 E. BUTTERFIELD ROAD  
HOMART/HIGHLAND POINT

of the said Village as it appears from the official records of said Village duly passed on January 3, 2002.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 29th day of January, 2002.



*Suzan L. Kramer*  
Suzan L. Kramer *Deputy Clerk*  
Village Clerk *Deputy Clerk*  
Village of Lombard  
DuPage County, Illinois