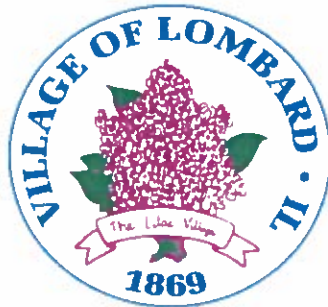


ORDINANCE 7087

PAMPHLET

PC 15-12: 707 E. BUTTERFIELD ROAD (EMBASSY SUITES HOTEL)



PUBLISHED IN PAMPHLET FORM THIS 19th DAY OF JUNE, 2015, BY ORDER OF
THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE
COUNTY, ILLINOIS.

A handwritten signature in black ink that reads "Sharon Kuderna".

Sharon Kuderna
Village Clerk

ORDINANCE NO. 7087

AN ORDINANCE GRANTING A MAJOR AMENDMENT TO A PLANNED DEVELOPMENT PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.504 OF THE LOMBARD VILLAGE CODE FOR THE EMBASSY SUITES PLANNED DEVELOPMENT, AS ESTABLISHED BY ORDINANCE NO. 3009, ADOPTED NOVEMBER 19, 1987

(PC 15-12: 707 E. Butterfield Road)

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 Lombard Village Code; and,

WHEREAS, the property legally described in Section 1 below is located at 707 E. Butterfield Road and is zoned OPD Office Planned Development; and,

WHEREAS, on November 19, 1987, the Corporate Authorities approved Ordinance Number 3009, which granted approval of a conditional use for a planned development with an increase in the floor area ratio to 1.20, a reduction in the number of required parking spaces from 297 to 288 spaces, and the right to construct a 230,000 gross square feet, ten-story, 260-suite Embassy Suites Hotel; and,

WHEREAS, Title 15, Chapter 155, Section 155.504 of the Lombard Village Code 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 a major amendment to a planned development, as established by Ordinance Number 3009, adopted November 19, 1987, to further reduce the number of required parking spaces from 288 to 268 spaces and to increase the maximum number of suites allowed from 260 to 262 as set forth in Section 1 below, on the property described in Section 1 below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on May 18, 2015 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 petition as 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 follow:

SECTION 1: That Section One of Ordinance Number 3009 is amended to read in its entirety as follows:

“Section 1: That the property legally described as follows:

Parcel 1:

LOT 1 IN SHAW-BOEGER SUBDIVISION, BEING A SUBDIVISION IN PART OF THE EAST ½ OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 24, 1988 AS DOCUMENT R88-066897, IN DUPAGE COUNTY, ILLINOIS.

Parcel 2:

PERPETUAL EASEMENT FOR INGRESS, EGRESS AND PARKING FOR THE BENEFIT OF PARCEL 1 AS CREATED BY GRANT MADE BY NORTHERN ILLINOIS GAS COMPANY, A CORPORATION OF ILLINOIS, TO BERNICE L. BOEGER AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 28, 1980 AND KNOWN AS ALBERTINA BOEGER TRUST AGREEMENT AND HARVEY W. BOEGER TRUST AGREEMENT RECORDED FEBRUARY 26, 1988 AS DOCUMENT R88-19576 AND ASSIGNED TO EMBASSY/SHAW LOMBARD VENTURE BY INSTRUMENT RECORDED FEBRUARY 26, 1988 AS COUMENT R88-19581 IN, ON, OVER AND ALONG PARCEL 4 OF BOEGER FARM ASSESSMENT PLAT OF THAT PART OF TRACT 4 IN THE PLAT OF SURVEY OF THE BOEGER FARM OF PART OF SECTIONS 28 AND 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID BOEGER FARM ASSESSMENT PLAT RECORDED FEBRUARY 26, 1988 AS DOCUMENT R88-19571, IN DUPAGE COUNTY, ILLINOIS.

TOGETHER WITH: EASEMENT ESTATE AS CREATED AND DEFINED BY THAT CERTAIN RECIPROCAL EASEMENT AGREEMENT DATED FEBRUARY 26, 1988 AND RECORDED MARCH 7, 1988 AS DOCUMENT R88-022404, MADE BY AND BETWEEN BERNICE L. BOEGER, NOT INDIVIDUALLY BUT AS SOLE TRUSTEE UNDER THE TRUST AGREEMENTS KNOWN AS THE HARVEY W. BOEGER TRUST AND THE ALBERTINA BOEGER TRUST, BOTH DATED JULY 28, 1980 AND EMBASSY/SHAW LOMBARD VENTURE, AN ILLINOIS JOINT VENTURE, FOR PURPOSES OF STORM WATER RUNOFF, AS SHOWN ON SURVEY PREPARED BY BOLLINGER, LACH & ASSOCIATES, INC., BEARING THE SEAL AND CERTIFICATION OF KENT A. NAGEL, I.P.L.S. NO 35-3410, DATED 12/19/2007, LAST REVISED ON JANUARY 8, 2008.

TOGETHER WITH: EASEMENT ESTAED AS CREATED AND DEFINED BY THAT CERTAIN ACCESS EASEMENT BY AND BETWEEN WASTE MANAGEMENT, INC. AND EMBASSY/GACL LOMBARD VENTURE, AN ILLINOIS JOINT VENTURE COMPOSED OF EMBASSY SUITES, INC. AND GAC LOMBARD, INC., RECORDED MAY 24, 1993 AS DOCUMENT R93-103156, AND AS SHOW ON SURVEY PREPARED BY BOLLINGER, LACH & ASSOCIATES, INC., BEARING

THE SEAL AND CERTIFICATION OF KENT A. NAGEL, I.P.L.S. NO 35-3410M
DATED 12/19/2007, LAST REVISED ON JANUARY 8, 2008.

Parcel Number(s): 06-29-402-023

be and is hereby granted a conditional use to increase the floor area ratio to 1.20, reduce the required parking from 297 to 268 spaces and to construct a 230,000 square feet, ten-story, 262-suite Embassy Suites Hotel subject to the following conditions:

- A. Adherence to the site plan prepared by Solomon, Cordwell, Buenz and Associates, Inc. dated 2/9/87 and most recently revised 3/3/87;
- B. Adherence to the building plans prepared by Solomon, Cordwell, Buenz and Associates, Inc. dated 2/9/87;
- C. Adherence to the landscape plans prepared by Solomon, Cordwell, Buenz and Associates, Inc. dated 2/9/87 and most recently revised 3/3/87;
- D. Subject to review and approval of final engineering by the Department of Public Works;
- E. That the petitioner continue conscientious efforts to acquire additional property for landscaping; and
- F. The conditional use shall expire one (1) year from the date of passage of this ordinance if no steps have been taken to develop the site in accordance with the conditional use.“

SECTION 2: 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 ____, 2015.

First reading waived by action of the Board of Trustees this 18th day of June, 2015.

Passed on second reading this 18th day of June, 2015.

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

Nays: None


Absent: None

Ordinance No. 7087
Re: PC 15-12
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Approved this 18th day of June, 2015.


Keith T. Giagnorio
Village President

ATTEST:


Sharon Kuderna
Village Clerk

Published by me in pamphlet form on this 19th day of June, 2015.


Sharon Kuderna
Village Clerk