

FRED BUCHOLZ
DUPAGE COUNTY RECORDER
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ORDINANCE NO 5866

**AMENDING ORDINANCE NUMBER 4132, ADOPTED
MARCH 7, 1996, GRANTING A CONDITIONAL USE FOR
A PLANNED DEVELOPMENT IN THE O OFFICE
DISTRICT**

**Addresses: 200, 222 & 230 E. Roosevelt Road;
273, 277 & 281 E. Ann Street; and
16 N. Hammerschmidt Avenue Lombard**

PINs: 06-17-305-047; 06-17-312-001, 004-005, 028 & 029

Return To:

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

ORDINANCE NO. 5866

**AN ORDINANCE AMENDING ORDINANCE NUMBER 4132, ADOPTED
MARCH 7, 1996, GRANTING A CONDITIONAL USE FOR A PLANNED
DEVELOPMENT IN THE O OFFICE DISTRICT**

(PC 06-14: 200 E. Roosevelt Road; National University of Health Sciences)

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 subject property is zoned O PD Office District – Planned Development; and,

WHEREAS, an application has been filed requesting the amendment of the National University of Health Sciences (formerly National College of Chiropractic) Planned Development, adopted on March 7, 1996, as Ordinance Number 4132, in order to amend the conditions of approval; and,

WHEREAS, a public hearing on such application for a Planned Development amendment has been conducted by the Village of Lombard Plan Commission on April 17, 2006, 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 Planned Development amendment described herein; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard have reviewed the request and find it would be in the best interest of the Village to grant said approval subject to the terms and conditions established by this Ordinance, and in accordance with the findings and recommendations of the Plan Commission which are incorporated herein by reference.

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 an amendment to the conditional use for the National University of Health Sciences (formerly National College of Chiropractic) is hereby granted, subject to the provisions noted in Section 2 below; and

SECTION 2: That Section 3, Item D of the National University of Health Sciences (formerly National College of Chiropractic) Planned Development (Ordinance 4132) is hereby amended to read in entirety as follows:

D. It is the intent of the National University of Health Sciences and the Village of Lombard to vacate the following rights-of-way: Hammerschmidt Avenue between Roosevelt Road and Central Avenue; Ann Street between Stewart Avenue and Hammerschmidt Avenue; Morris Avenue immediately west of Stewart Avenue; and Edward Street between Stewart Avenue and Hammerschmidt Avenue. The vacation of these rights-of-way shall comply with the following procedures and conditions:

1. Further consideration of said plats of vacation shall be made by the Village of Lombard upon request from the National University of Health Sciences. Said requests shall be made at such time that all property abutting both sides of the right-of-way segments described above is owned by the National University of Health Sciences. The request for vacation shall comply with the procedures established by Section 154.203 (F) of the Lombard Village Code.
2. Having previously received specific requests for vacation, and having met the requirements above, the following rights of way shall be vacated by the Village of Lombard pursuant to the Ordinances attached hereto as Exhibits A, B, and C and made part hereof:
 - a. Hammerschmidt Avenue between the north right-of-way line of Ann Street and the westerly extension of the mid-block line between Edward Avenue and Central Avenue (previously vacated per Document No. R96-054363, see attached Ordinance 4139, adopted March 7, 1996).
 - b. Morris Avenue immediately west of Stewart Avenue (previously vacated per Document No. R96-054362, see attached Ordinance 4140, adopted March 7, 1996).

- c. Hammerschmidt Avenue between the north right-of-way line of Ann Street and the north right-of-way line of Roosevelt Road; also,

Ann Street between Hammerschmidt Avenue and the northerly extension of the east lot line of Lot 21, Block 10 in Lombard Park Terrace, being a subdivision of part of the east half of the southwest quarter of Section 17, Township 39 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded September 30, 1925 as Document 195807 (see attached Ordinance).

3. The vacation of the Hammerschmidt Avenue right-of-way described in subsection "a" above shall be subject to the retention by the Village of Lombard of a utility, drainage, and pedway easement in the same location and width as the vacated right-of-way.
4. The vacation of the Hammerschmidt Avenue and Ann Street rights-of-way described in subsection "c" above shall be subject to the retention by the Village of Lombard of a utility and drainage easement in the same location and width as the vacated rights-of-way.
5. The vacation of these rights-of-way shall, in lieu of monetary compensation, be subject to the construction of a public sidewalk along the west side of Stewart Avenue between Central Avenue and the south side of the Ann Street right-of-way by the National University of Health Sciences; the cost of said construction is hereby deemed by the Village Board to be an amount reasonably related to the fair market value of the property being vacated by the Village. Said sidewalk shall comply with the Subdivision and Development Ordinance (Title 15, Chapter 154 of the Village Code) and shall be constructed within one year after the approval of this Ordinance. The final location of the sidewalk shall be subject to the review and approval of the Director of Community Development.

SECTION 3: That all other provisions of Ordinance 4132 not amended by this Ordinance shall remain in full force and effect.

SECTION 4: This ordinance is limited and restricted to the property generally located at 200, 222 & 230 E. Roosevelt Road; 273, 277 & 281 E. Ann Street; & 16 N. Hammerschmidt Avenue, Lombard, Illinois, and legally described as follows:

Lot 1 in National College of Chiropractic Consolidation Plat, being a subdivision of a part of the Southwest Quarter of Section 17, Township 39 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded July 3, 1996, as Document Number R1996-111346, in DuPage County, Illinois.

Also: Lots 13 through 21 in Block 10 in Lombard Park Terrace, being a subdivision of a part of the East half of the Southwest Quarter of Section 17, Township 39 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded July 8, 1925, as Document Number 195807, in DuPage County, Illinois.

SECTION 5: That 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 May, 2006.

First reading waived by action of the Board of Trustees this ____ day of _____, 2005.

Passed on second reading this 18th day of May, 2006.

Ayes: Trustees Gron, O'Brien, Seby, Florey and Söderstrom

Nayes: None

Absent: Trustee Tross

Approved this 18th, day of May, 2006.

Ordinance No. 5866

Re: PC 06-14

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William J. Mueller, Village President

ATTEST:



Brigitte O'Brien, Village Clerk

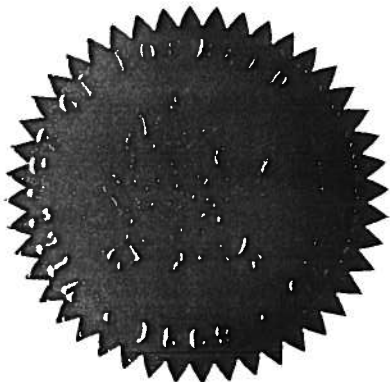


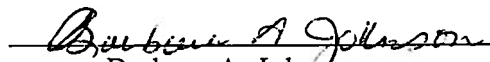
I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the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

I further certify that attached hereto is a true and correct copy of ORDINANCE 5866
AN ORDINANCE AMENDING ORDINANCE NUMBER
4132, ADOPTED MARCH 7, 1996, GRANTING A
CONDITIONAL USE FOR A PLANNED
DEVELOPMENT IN THE O OFFICE DISTRICT IN
REGARD TO THE PROPERTY LOCATED AT 200 E.
ROOSEVELT ROAD; NATIONAL UNIVERSITY OF
HEALTH SCIENCES, LOMBARD, DUPAGE COUNTY,
ILLINOIS.

of the said Village as it appears from the official records of said Village duly passed on May 18, 2006.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 26th day of June, 2006.




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