

**ORDINANCE 7342
PAMPHLET**

**PC 17-01: 400 E. ST. CHARLES ROAD
OAKVIEW ESTATES PHASE II**



PUBLISHED IN PAMPHLET FORM THIS 17th DAY OF MARCH, 2017, BY ORDER
OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE
COUNTY, ILLINOIS.



Sharon Kuderna
Village Clerk

ORDINANCE NO. 7342

AN ORDINANCE GRANTING MAJOR CHANGES TO A PLANNED DEVELOPMENT PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.504 OF THE LOMBARD ZONING ORDINANCE; APPROVING A CONDITIONAL USE TO ALLOW THREE PRINCIPAL BUILDINGS ON A LOT OF RECORD PURSUANT TO SECTION 155.208 OF THE LOMBARD ZONING ORDINANCE; AND APPROVING COMPANION VARIATIONS FOR THE PROPERTY AT 400 E. ST. CHARLES ROAD IN THE OAKVIEW ESTATES PLANNED DEVELOPMENT, AS ESTABLISHED BY ORDINANCE 5488

(PC 17-01: Oakview Estates Planned Development Phase II – 400 E. St. Charles 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 Code of Lombard, Illinois; and,

WHEREAS, the Subject Property, as described in Section 2 below, is zoned R4PD Limited General Residence District Planned Development; and,

WHEREAS, the Subject Property, as described in Section 2 below, is subject to the standards for the Oakview Estates Planned Development, as adopted by the President and Board of Trustees of the Village of Lombard by Ordinance 5488; and,

WHEREAS, an application has heretofore been filed requiring approval of the following major changes, conditional use and variations for a portion of a planned development, commonly referred to as Phase II of Oakview Estates (400 E. St. Charles Road), pursuant to the Lombard Zoning Ordinance (Title 15, Chapter 155 of the Village Code):

1. Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Oakview Estates Planned Development, as established by Ordinance No. 5488, as follows:
 - a. Change the use from condominiums to attached single-family (townhomes);
 - b. Approve a deviation from Section 155.409(F)(3)(a) and 155.508(C)(6) to reduce minimum required front yard setback from 30 feet (30') to one foot (1');
 - c. Approve a deviation from Section 155.409(F)(3)(d) and 155.508(C)(6) to reduce minimum required rear yard setback from 30 feet (30') to 20 feet (20');
 - d. Approve a deviation from Section 155.409(F)(3)(c)(ii) and 155.508(C)(6) to reduce minimum required interior side yard setback for exterior lots from 15 feet (15') to five feet (5'); and
 - e. Approve a deviation from Section 155.409(G) to increase the maximum allowable building height from 36 feet (36') to 36 feet and six inches (36'6");

2. Pursuant to Section 155.208 (number of buildings on a lot of record) of the Lombard Zoning Ordinance, approve a conditional use for three principal structures on one lot of record;
3. Pursuant to Section 155.409(K)(3) (Restrictions on attached single-family dwellings) of the Lombard Zoning Ordinance, approve a variation to reduce the minimum separation between buildings containing attached single-family dwellings from thirty feet (30') to twenty feet (20');
4. Pursuant to Section 155.602(A)(3)(e) of the Lombard Zoning Ordinance, approve a variation to allow off-street parking spaces open to the sky to be located in a required front yard;

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on February 20, 2017, 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 major changes, approval of the conditional use and approval of the deviation; 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 major changes, conditional use and variations for a portion of a planned development as set forth below are hereby granted for the Subject Property legally described in Section 2, subject to the conditions set forth in Section 3:

1. Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Oakview Estates Planned Development, as established by Ordinance No. 5488, as follows:
 - a. Change the use from condominiums to attached single-family (townhomes);
 - b. Approve a deviation from Section 155.409(F)(3)(a) and 155.508(C)(6) to reduce minimum required front yard setback from 30 feet (30') to one foot (1');
 - c. Approve a deviation from Section 155.409(F)(3)(d) and 155.508(C)(6) to reduce minimum required rear yard setback from 30 feet (30') to 20 feet (20');

- d. Approve a deviation from Section 155.409(F)(3)(c)(ii) and 155.508(C)(6) to reduce minimum required interior side yard setback for exterior lots from 15 feet (15') to five feet (5'); and
 - e. Approve a deviation from Section 155.409(G) to increase the maximum allowable building height from 36 feet (36') to 36 feet and six inches (36'6");
2. Pursuant to Section 155.208 (number of buildings on a lot of record) of the Lombard Zoning Ordinance, approve a conditional use for three principal structures on one lot of record;
 3. Pursuant to Section 155.409(K)(3) (Restrictions on attached single-family dwellings) of the Lombard Zoning Ordinance, approve a variation to reduce the minimum separation between buildings containing attached single-family dwellings from thirty feet (30') to twenty feet (20');
 4. Pursuant to Section 155.602(A)(3)(e) of the Lombard Zoning Ordinance, approve a variation to allow off-street parking spaces open to the sky to be located in a required front yard;

SECTION 2: That this ordinance is limited and restricted to the subject property generally located at 400 E. St. Charles Road, Lombard, Illinois, and more specifically legally described as set forth below:

THAT PART OF LOT 1 IN OAKVIEW ESTATES RESUBDIVISION BEING A RESUBDIVISION IN PART OF THE SOUTHEAST QUARTER OF SECTION 5, AND THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED AS DOCUMENT NUMBER R2006-038979 AND CERTIFICATE OF CORRECTION FILED APRIL 27, 2006 AS DOCUMENT R2006-077790, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT BEING THE MOST WESTERLY CORNER ON THE MOST NORTHERLY LINE OF LOT 1 AFORESAID AND RUNNING THENCE NORTH 67 DEGREES 31 MINUTES 49 SECONDS EAST ALONG SAID NORTHERLY LINE OF LOT 1, A DISTANCE OF 441.47 FEET; THENCE SOUTH 22 DEGREES 25 MINUTES 50 SECONDS EAST, A DISTANCE OF 52.24 FEET; THENCE NORTH 67 DEGREES 34 MINUTES 10 SECONDS EAST, A DISTANCE OF 25.69 FEET; THENCE SOUTH 18 DEGREES 47 MINUTES 44 SECONDS EAST, A DISTANCE OF 105.28 FEET; THENCE SOUTH 70 DEGREES 44 MINUTES 29 SECONDS WEST, A DISTANCE OF 27.98 FEET; THENCE SOUTH 77 DEGREES 19 MINUTES 05 SECONDS WEST, A DISTANCE OF 100.24 FEET; THENCE SOUTH 81 DEGREES 45 MINUTES 05 SECONDS WEST, A DISTANCE OF 90.17 FEET; THENCE SOUTH 08 DEGREES 01 MINUTE 37 SECONDS EAST, A DISTANCE OF 7.01 FEET; THENCE SOUTH 81 DEGREES 49 MINUTES 50 SECONDS WEST, A DISTANCE OF 206.98 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT

HAVING A RADIUS OF 60.00 FEET AND WHOSE CHORD BEARS NORTH 56 DEEGREES 09 MINUTES 42 SECONDS WEST, A CHORD DISTANCE OF 81.99 FEET (AN ARC DISTANCE OF 90.26 FEET) TO A POINT OF TANGENCY; THENCE NORTH 01 DEGREE 20 MINUTES 01 SECOND WEST, A DISTANCE OF 4.30 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PROPERTY COMMONLY KNOWN AS: 400 EAST ST. CHARLES RAOD, LOMBARD, ILLINOIS 60148

CONTAINING: 51,906.12 SQ. FT., 1.19 ACRES

PIN: 06-05-426-009

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. That the major changes to a planned development, conditional use approval and variations approval are valid only for the subject property (400 E. St. Charles Road) within the Oakview Estates Planned Development;
2. That the petitioner shall develop the site in accordance with the plans submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report, except as they may be changed to conform to Village Code, or as provided as part of the original planned development approval set forth in Ordinance 5488:
 - a. Civil engineering and landscape plans (with landscape plan to be revised per comments noted in this report), prepared by Craig R. Knoche & Associates, dated September 11, 2016, revised November 18, 2016 and February 1, 2017; and
 - b. Architectural plans, prepared by ECA Architects and Planners, dated November 7, 2016.
3. That the petitioner shall submit a signage plan at the permitting phase incorporating “no parking” and fire lane signage designed to keep the internal access driveway free of parked vehicles, and that such signage plan shall be subject to the approval of the Director of the Community Development Department and the Fire Marshal;
4. That the petitioner shall submit a petition to the Plan Commission for approval of a major plat of resubdivision at such time as the east portion of the subject property is deeded to the homeowners’ association at 500 E. St. Charles Road;
5. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and

6. Pursuant to the Zoning Ordinance, the project construction shall commence within one (1) year from the date of approval of the ordinance, or this approval shall become null and void unless a time extension has been granted by the Village Board.

SECTION 4: That all other relief granted by Ordinance 5488 not amended by this ordinance of approval shall remain in full force and effect.

SECTION 5: 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 2nd day of March, 2017.

First reading waived by action of the Board of Trustees this ___ day of ___, 2017.


Passed on second reading this 16th day of March, 2017.

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

Nays: None

Absent: None

Approved this 16th day of March, 2017.


Keith T. Giagnorio
Village President

ATTEST:


Sharon Kuderna
Village Clerk

Published by me in pamphlet form on this 17th day of March, 2017


Sharon Kuderna
Village Clerk