

ORDINANCE NO. 6099

**AN ORDINANCE GRANTING A
CONDITIONAL USE FOR A PLANNED DEVELOPMENT
WITH DEVIATIONS FOR WALL SIGNAGE AND CONDITIONAL USES
FOR A MOTOR VEHICLE SERVICE ESTABLISHMENT AND
FOR OUTDOOR DISPLAY AND SALES OF PRODUCTS, LOCATED
IN THE B4 CORRIDOR COMMERCIAL ZONING DISTRICT**

(PC 07-30: 345 W. Roosevelt 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, an application has heretofore been filed requesting approval of a conditional use for a planned development with a deviation from Section 153.505 (B)(19)(a)(2) to allow for more than one wall sign for a tenant space in a B4 Corridor Commercial Zoning District; and,

WHEREAS, said application also requests a conditional use, pursuant to Section 155.415 (C)(17) of the Zoning Ordinance for a motor vehicle service establishment; and

WHEREAS, said application also requests a conditional use, pursuant to Section 155.415 (C)(17) of the Zoning Ordinance, to allow for outdoor display and sales of products; and

WHEREAS, said application requests approval of aforementioned actions on the property described in Section 2 below; and,

WHEREAS, a public hearing September 17, 2007 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendation with the President and Board of Trustees recommending approval of the petition, subject to conditions; 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 a deviation from Section 153.505 (B)(19)(a)(2) of the Sign Ordinance to allow for more than one wall sign per street frontage (for up to 12 wall sign per the submitted plans), along with a conditional use, pursuant to Section 155.415 (C)(2) of the Zoning Ordinance for a motor vehicle service establishment and a conditional use, pursuant to Section 155.415 (C)(17) of the Zoning Ordinance, to allow for outdoor display and sales of products, are hereby granted for the Subject Property legally described in Section 2, subject to compliance with the conditions enumerated in Section 3.

SECTION 2: That this ordinance is limited and restricted to the property generally located at 345 W. Roosevelt Road, Lombard, Illinois, and is legally described as:

Lot 2 of Mobil's Roosevelt and Finley Subdivision, being a subdivision in the west ½ of the northeast ¼ of Section 19, Township 39 North, Range 11 east of the Third Principal Meridian, according to the plat recorded on February 27, 1990 as document R1990-024288, in DuPage County, Illinois.

Parcel Numbers: 06-19-200-012 and 013

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

1. The site shall be developed in substantial compliance with the submitted Site and Landscape Plan and Details, prepared by S. A. Miro, Inc., dated August 6, 2007, the proposed Sign Plan, prepared by Sears Holdings, dated June 25, 2007 and shall include the season garden sales area depicted on the revised site plan.

2. That the perimeter of the outdoor garden area shall be fenced, with primary access being provided through the department store.
3. Cross-access at the southwest corner of the property shall be granted to the property to the south. If this cross-access is to be used, the two parties (K-Mart and the Point West Condominiums) shall submit to the Village for approval a plan which shows how the entrance drives for the two sites can be shared.
4. A six foot solid fence shall be erected along the south property line from a point 30 feet east of Finley Road to a point east of the west wall of the K-Mart building.
5. This conditional use approval shall become null and void one (1) year from the date of approval if construction has not commenced or an extension been granted. This conditional use approval shall become null and void eighteen (18) months from the date of approval if construction has not been completed or an extension has been granted.
6. The petitioner/property owner shall submit to the Village a Plat of Easement granting cross-access to the abutting property at 303 East Roosevelt Road (06-19-200-014), prior to issuance of a certificate of occupancy, with the location of the cross-access easement subject to review and approval by the Village.

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 October, 2007.

First reading waived by action of the Board of Trustees this _____ day of _____, 2007.

Passed on second reading this 18th day of October, 2007.


Ayes: Trustees Gron, Tross, O'Brien, Moreau, Fitzpatrick and Soderstrom

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Nays: None

Absent: None

Approved this 18th day of October, 2007.


William J. Mueller, Village President

ATTEST:


Brigitte O'Brien, Village Clerk

Published by me this 23rd day of October, 2007


Brigitte O'Brien, Village Clerk