

**ORDINANCE 7279
PAMPHLET**

**PC 16-18: PARCEL 2, YORKTOWN COMMONS PLANNED DEVELOPMENT
50 YORKTOWN CENTER**



PUBLISHED IN PAMPHLET FORM THIS 7th DAY OF OCTOBER, 2016, BY ORDER
OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE
COUNTY, ILLINOIS.

Sharon Kuderna

Sharon Kuderna
Village Clerk

ORDINANCE NO. 7279

AN ORDINANCE GRANTING MAJOR CHANGES AND VARIATIONS PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.504 OF THE LOMBARD ZONING ORDINANCE, AND PURSUANT TO CHAPTER IV, SECTION IV(E) OF THE YORKTOWN COMMONS PLANNED DEVELOPMENT DESIGN GUIDELINES, FOR PARCEL 2 OF THE YORKTOWN COMMONS PLANNED DEVELOPMENT, AS ESTABLISHED BY ORDINANCE 7177, TO ALLOW FOR A BUILDING HEIGHT OF SEVEN STORIES, TO ALLOW FOR A DECREASED PARKING RATIO, TO ALLOW FOR A DECREASED PARKING STALL WIDTH, TO AMEND BUILD-TO LINES, AND TO ALLOW FOR ALTERNATIVE LANDSCAPE TREATMENTS

(PC 16-18: Yorktown Commons Planned Development Parcel 2 – 50 Yorktown Shopping Center)

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 B3 Community Shopping District Planned Development; and,

WHEREAS, the Subject Property, as described in Section 2 below, is subject to the Yorktown Commons Planned Development Design Guidelines, as adopted by the President and Board of Trustees of the Village of Lombard by Ordinance 7177; and,

WHEREAS, an application has heretofore been filed requiring approval of the following major changes and variations to a portion of a planned development, commonly referred to as Parcel 2 of Yorktown Commons, pursuant to the Lombard Zoning Ordinance (Title 15, Chapter 155 of the Village Code) and the Yorktown Commons Planned Development Design Guidelines:

1. Approve a major change to allow a seven-story building at a height of 77', where a maximum building height of six stories not exceeding 100' was established in the Design Guidelines;
2. Amend parking ratio to 1.38 spaces per unit (241 spaces) where a ratio of 1.5 per unit (263) is required by the Zoning Ordinance;
3. Reduce parking stall width to 8'3" where 9'0" is required by the Zoning Ordinance;
4. Amend the build-to line for the western elevation to a range of 21 feet to 26 feet, where a 21-foot build-to line was established in the Design Guidelines;
5. Amend the build-to line for the northern elevation to a range of 21 feet to 68 feet, where a 20-foot build-to line was established in the Design Guidelines; and
6. Approve a major change to allow use of Front Yard Type II landscaping treatment along perimeter of development where Front Yard Type I treatment is required by the Design Guidelines.

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on August 29, 2016, 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 change; 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 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. Approve a major change to allow a seven-story building at a height of 77', where a maximum building height of six stories not exceeding 100' was established in the Design Guidelines;
2. Amend parking ratio to 1.38 spaces per unit (241 spaces) where a ratio of 1.5 per unit (263) is required by the Zoning Ordinance;
3. Reduce parking stall width to 8'3" where 9'0" is required by the Zoning Ordinance;
4. Amend the build-to line for the western elevation to a range of 21 feet to 26 feet, where a 21-foot build-to line was established in the Design Guidelines;
5. Amend the build-to line for the northern elevation to a range of 21 feet to 68 feet, where a 20-foot build-to line was established in the Design Guidelines; and
6. Approve a major change to allow use of Front Yard Type II landscaping treatment along perimeter of development where Front Yard Type I treatment is required by the Design Guidelines.

SECTION 2: That this ordinance is limited and restricted to the subject property generally located on the southeast corner of the intersection of Grace Street and Yorktown Shopping Center ring road, Lombard, Illinois, and more specifically legally described as set forth below:

PART OF PARCEL 3 IN HIGHLAND AVENUE ASSESSMENT PLAT OF LOT 2 IN YORKTOWN, BEING A SUBDIVISION OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID HIGHLAND AVENUE ASSESSMENT PLAT RECORDED JANUARY 30, 2012 AS DOCUMENT R2012-12175, TOGETHER WITH PART OF LOT 2 IN HIGHLAND-YORKTOWN RESUBDIVISION OF LOT 4 IN YORKTOWN, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID PLAT OF HIGHLAND-YORKTOWN RESUBDIVISION RECORDED SEPTEMBER 5, 2006 AS DOCUMENT R2006-170876, AND CERTIFICATES OF CORRECTION RECORDED AS DOCUMENTS R2006-191219, R2006-219358 AND R2008-138794, ALL IN DUPAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL 3; THENCE THE FOLLOWING SEVEN (7) COURSES ALONG THE

SOUTHERLY, WESTERLY AND NORTHERLY LINES OF SAID PARCEL 3; (1) THENCE NORTH 65 DEGREES 23 MINUTES 09 SECONDS WEST 127.04 FEET; (2) THENCE SOUTH 87 DEGREES 55 MINUTES 45 SECONDS WEST 209.84 FEET TO A POINT OF CURVATURE; (3) THENCE NORTHWESTERLY ALONG THE ARC OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 18.00 FEET, A CHORD BEARING OF NORTH 47 DEGREES 22 MINUTES 03 SECONDS WEST 28.09 FEET TO A POINT OF TANGENCY; (4) THENCE NORTH 02 DEGREES 39 MINUTES 50 SECONDS WEST 26.41 FEET; (5) THENCE NORTH 17 DEGREES 21 MINUTES 56 SECONDS WEST 83.14 FEET TO A POINT OF CURVATURE; (6) THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 20.00 FEET, A CHORD BEARING OF NORTH 25 DEGREES 50 MINUTES 49 SECONDS EAST, 30.17 FEET TO A POINT OF TANGENCY; (7) THENCE NORTH 69 DEGREES 03 MINUTES 34 SECONDS EAST 81.51 FEET TO A POINT OF CURVATURE; THENCE EASTERLY ALONG AN ARC OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 310.00 FEET, A CHORD BEARING OF NORTH 88 DEGREES 10 MINUTES 51 SECONDS EAST 206.91 FEET TO A POINT OF TANGENCY; THENCE SOUTH 72 DEGREES 41 MINUTES 52 SECONDS EAST 122.87 FEET TO A POINT OF CURVATURE; THENCE EASTERLY ALONG AN ARC OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 472.00 FEET, A CHORD BEARING OF SOUTH 69 DEGREES 47 MINUTES 51 SECONDS EAST 47.78 FEET TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHEASTERLY ALONG AN ARC OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 13.50 FEET, A CHORD BEARING OF SOUTH 19 DEGREES 27 MINUTES 58 SECONDS EAST 22.35 FEET TO A POINT OF TANGENCY; THENCE SOUTH 27 DEGREES 57 MINUTES 54 SECONDS WEST 171.44 FEET TO A POINT OF NON-CURVATURE; THENCE SOUTHWESTERLY ALONG AN ARC OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 11.37 FEET, A CHORD BEARING OF SOUTH 50 DEGREES 21 MINUTES 57 SECONDS WEST 10.02 FEET TO A POINT OF NON-TANGENCY; THENCE NORTH 65 DEGREES 23 MINUTES 09 SECONDS WEST 2.29 FEET TO THE PLACE OF BEGINNING, CONTAINING 76,095 SQUARE FEET, MORE OR LESS.

Also known as Lot 2 in the Final Plat of Subdivision of Yorktown Commons Phase 1, being a re-subdivision located in part of Section 29, Township 39 North, Range 11 East of the Third Principal Meridian recorded September 1, 2016 as Document Number R2016-093310 in DuPage County, Illinois.

PIN: Parts of 06-29-200-060 and 06-29-101-041 (50 Yorktown Shopping Center)

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

1. That the major changes and variations to a planned development are valid only for Parcel 2 in the Yorktown Commons 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 7177;

3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
4. 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 be come null and void unless a time extension has been granted by the Village Board.

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 15th day of September, 2016.

First reading waived by action of the Board of Trustees this ___ day of ____, 2016.

Passed on second reading this 6th day of October, 2016.

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

Nays: None

Absent: None

Approved this 6th day of October, 2016.


Keith T. Giagnorio
Village President

ATTEST:


Sharon Kuderna
Village Clerk

Published by me in pamphlet form on this 7th day of October, 2016.


Sharon Kuderna
Village Clerk