

**ORDINANCE NO. 6747**

**AN ORDINANCE GRANTING APPROVAL OF AN AMENDMENT TO ORDINANCE 4026, GRANTING APPROVAL OF CONDITIONAL USE FOR A GASOLINE SERVICE STATION; A CONDITIONAL USE FOR OUTSIDE DISPLAY AND SALES OF PRODUCTS; A VARIATION TO REDUCE THE REQUIRED 30' CORNER SIDE YARD SETBACK; A VARIATION TO REDUCE THE REAR YARD SETBACK; A VARIATION TO REDUCE TRANSITIONAL BUILDING SETBACK; VARIATIONS TO REDUCE THE TRANSITIONAL LANDSCAPE YARD; A MAJOR PLAT OF RESUBDIVISION; AND A VARIATION ALLOW MORE THAN ONE WALL SIGN PER STREET EXPOSURE.**

(PC 12-14; 1150 S. Main Street (Speedway))

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Sign Ordinance, otherwise known as Title 15, Chapter 153 of the Code of Lombard, Illinois; the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the Subject Property as defined below is zoned B3 – Community Shopping District; and,

WHEREAS, an application has been filed requesting approval of an amendment to Ordinance 4026, granting approval of conditional use for a gasoline service station and canopy on the subject property; a conditional use for outside display and sales of products the sale of which is a permitted or conditional use in this district; a variation from Section 155.415(F)(2) to reduce the required 30' corner side yard setback of an accessory structure (fuel canopy); a variation from Section 155.415(F)(4) to reduce the required 30' rear yard setback of the principal structure; a variation from Section 155.415(J) to reduce the required 40' transitional building setback; variations from Sections 155.415(K) & 155.707(A)(4) to reduce the required 30' transitional landscape yard; a major plat of resubdivision; and a variation from Section 153.505(B)(19)(a)(2)(a) of the Sign Ordinance to allow more than one wall sign per street exposure.

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on July 16, 2012 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 conditional uses and subsequent variations described herein, 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 an amendment to conditional use Ordinance 4026 is hereby granted for the property described in Section 9 below to allow for the reconstruction of a gasoline service station; and,

SECTION 2: That a conditional use is hereby granted for the property described in Section 9 below pursuant to Title 15, Chapter 155, Section 415 (C)(19) of the Lombard Village Code to allow for outside display and sales of products the sale of which is a permitted or conditional use in this district; and,

SECTION 3: That a variation is hereby granted for the property described in Section 9 below pursuant to Title 15, Section 155.415(F)(2) to reduce the required 30' corner side yard setback of an accessory structure (fuel canopy); and,

SECTION 4: That a variation is hereby granted for the property described in Section 9 below pursuant to Title 15, Section 155.415(F)(4) to reduce the required 30' rear yard setback of the principal structure; and,

SECTION 5: That a variation is hereby granted for the property described in Section 9 below pursuant to Title 15, Section 155.415(J) to reduce the required 40' transitional building setback; and,

SECTION 6: That a variation is hereby granted for the property described in Section 9 below pursuant to Title 15, Sections 155.415(K) & 155.707(A)(4) to reduce the required 30' transitional landscape yard; and,

SECTION 7: That a variation is hereby granted for the property described in Section 9 below pursuant to Title 15, Section 153.505(B)(19)(a)(2)(a) to increase the permitted number of wall signs; and,

SECTION 8: That a major plat of subdivision is hereby granted for the Subject Property, as described in Section 9 below.

SECTION 9: That this Ordinance is limited and restricted to the property located at 1150 S. Main St., Lombard, Illinois and legally described as follows:

LOTS 1 AND 2 IN EMRO RESUBDIVISION, BEING A RESUBDIVISION OF PART OF ROOSEVELT CREST SUBDIVISION IN SECTION 18, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 28, 1996 AS DOCUMENT NUMBER R96-069121, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-18-417-040, -041; (the "Subject Property").

SECTION 10: The conditional use, as provided for in Section 1-9 of this Ordinance shall be granted subject to compliance with the following conditions:

1. That the petitioner shall develop the site in accordance with the plans submitted as part of this petition and referenced in this IDRC report, except as they may be changed to conform to Village Codes and Ordinances.
2. That the petitioner's building improvements shall be designed and constructed consistent with Village Code and shall also address the comments included within the IDRC report.
3. No signage shall be permitted on the western elevation of the canopy or western elevation of the building.
4. All comments and recommendations noted in the KLOA report dated July 10, 2012 shall be satisfactorily addressed.
5. That the trash enclosure screening as required by Section 155.710 of the Zoning Ordinance shall be constructed of a material consistent with the principal building.
6. The petitioner shall submit a final plat of resubdivision showing their residential lot to the west as a stormwater detention outlot, in accordance with the Village's Subdivision and Development Ordinance.
7. All rooftop mechanical equipment shall be fully screened.
8. The petitioner shall provide a stop sign at the exit onto Morris Avenue.

SECTION 11: 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 \_\_\_\_\_, 2012.  
First reading waived by action of the Board of Trustees this 6th day of September,

2012.

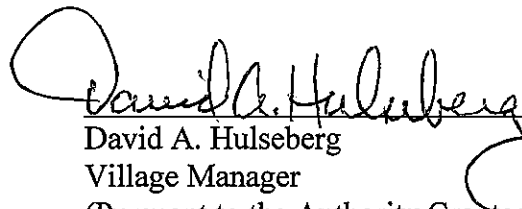
Passed on second reading this 6<sup>th</sup> day of September, 2012.

AYES: Trustees Gron, Giagnorio, Wilson, Breen, Fitzpatrick and Ware

NAYS: None

ABSENT: None

APPROVED this 6<sup>th</sup> day of September, 2012.

  
\_\_\_\_\_  
David A. Hulseberg  
Village Manager  
(Pursuant to the Authority Granted by the  
Village Board at the September 6, 2012  
Village Board Meeting)

ATTEST:

  
\_\_\_\_\_  
Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this 7th day of September, 2012.

  
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Brigitte O'Brien, Village Clerk

