

ORDINANCE NO. 6801

**AN ORDINANCE GRANTING A CONDITIONAL USE PURSUANT TO
TITLE 15, CHAPTER 155, SECTION 414 OF THE
LOMBARD ZONING ORDINANCE**

(PC 13-01: 416 W. 22nd Street)

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 is zoned B3 Community Shopping District; and,

WHEREAS, an application has been filed requesting approval of a conditional use to provide for a massage establishment on the property described in Section 2 below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on January 28, 2013 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 conditional use described herein; 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 is hereby granted for the property described in Section 2 below and pursuant to Title 15, Chapter 155, Section 414 (C) 17 of the Village of Lombard Zoning Ordinance to provide a massage establishment to be located on the Subject Property legally described in Section 2 below.

SECTION 2: That this ordinance is limited and restricted to the property generally located at 416 W. 22nd Street, Lombard, Illinois and legally described as follows:

Lot 1 (except the east .62 feet as measured at right angles to the east line thereof) in Cove Plaza Subdivision, being a subdivision of Lot 1 of Finley Road Subdivision being a subdivision in the west ½ of the southeast ¼ of Section 19 and in the west ½ of the Northeast ¼ of Section 30, Township 39, North Range 11, East of the Third Principal Meridian, according to the Plat of said Cove Plaza Subdivision recorded September 30, 1975, as Document No: R75-053087 and a certificate of correction recorded October 9, 1975 as document R75-55320, in Dupage County, Illinois.

Parcel Number: 06-30-200-029

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

1. The petitioner shall operate the tenant space in accordance with the preliminary interior building sketch plan, prepared by petitioner dated December 27, 2012.
2. The conditional use for the physical culture and massage establishment is exclusively for the tenant space at 416 W. 22nd Street. Any expansion of the establishment within the existing shopping center beyond what was submitted as part of PC 13-01, shall require an amendment to the conditional use approval.
3. The massage establishment to be located on the premises shall apply for and receive a license from the Village of Lombard prior to opening. Said establishment shall meet all provisions of Chapter 12, Section 122 of the Village Code and shall keep their license in good standing. Moreover, all massage therapists employed or performing massage activity on the premises must have a current license from the State of Illinois.
4. The petitioner shall be required to apply for and receive a building permit for any improvements to the interior of the tenant space prior to starting the build-out of the tenant space.

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 7th day of February, 2013.

First reading waived by action of the Board of Trustees this _____ day of _____, 2013.

Passed on second reading this 21st day of February, 2013.

Ayes: Trustees Gron, Giagnorio, Breen, Fitzpatrick and Ware

Nays: None

Absent: Trustee Wilson

Approved this 21st day of February, 2013.



William Ware, Acting Village President

ATTEST:



Brigitte O'Brien, Village Clerk

Published in pamphlet form this 22nd day of February, 2013.



Brigitte O'Brien, Village Clerk