

**ORDINANCE 8210
PAMPHLET**

**PC-23-21: 717 E. BUTTERFIELD ROAD – CHICK-FIL-A DRIVE THROUGH
MODIFICATION AND CANOPY**



PUBLISHED IN PAMPHLET FORM THIS 17TH DAY OF NOVEMBER, 2023, BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS.

A handwritten signature in black ink that reads "Elizabeth Brezinski".

Elizabeth Brezinski
Village Clerk

ORDINANCE NO. 8210

AN ORDINANCE GRANTING A MAJOR CHANGE PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.504 OF THE LOMBARD ZONING ORDINANCE FOR A PARCEL LOCATED IN THE HOMESTEAD VILLAGE PLANNED DEVELOPMENT, AS ESTABLISHED BY ORDINANCE 4497 AND AMENDED BY ORDINANCES 6616 AND 6672, TO ALLOW FOR A MODIFICATION OF A USE EXCEPTION AND APPROVAL OF A SETBACK DEVIATION

(PC 23-21: 717 E. Butterfield Road – Chick-fil-A drive-through restaurant)

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

WHEREAS, the Subject Property, as described in Section 2 below, is zoned O Office District Planned Development; and

WHEREAS, an application has heretofore been filed by HR Green Development, LLC, (“Petitioner”) requiring approval, pursuant to the Lombard Zoning Ordinance, of a major change to a planned development to modify a use exception for a drive-through restaurant and approve a setback deviation for the Subject Property, as described in Section 2 below; and

WHEREAS, a public hearing on the aforesaid application has been conducted by the Village of Lombard Plan Commission (“Plan Commission”) on October 16, 2023, pursuant to appropriate and legally required notice; and

WHEREAS, the Plan Commission has filed its findings and recommendations with the President and Board of Trustees recommending approval of the aforementioned modification to the use exception and setback deviation (“Findings and Recommendations”); and

WHEREAS, the President and Board of Trustees have determined that it is in the best interest of the Village to approve and adopt the Findings and Recommendations, which are hereby incorporated herein by reference as if 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 approval of the aforesaid modification to a use exception and setback deviation, all more fully as set forth below, are hereby granted for the Subject Property, subject to the conditions set forth in Section 3 below:

1. Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Homestead Village Planned Development, as established by Ordinance No. 4497, and amended by Ordinance Nos. 6616 and 6672, to approve the following:
 - a. A modification to the use exception for a drive-through restaurant, established by Ordinance No. 6616 and amended by Ordinance No. 6672; and
 - b. A deviation from Section 155.210(C)(2)(a) of the Lombard Zoning Ordinance to allow a freestanding canopy with a setback of eight (8) feet from the east property line, where a minimum setback of ten (10) feet is required.

SECTION 2: That this ordinance is limited and restricted to the subject property generally located at 717 E. Butterfield Road, Lombard, Illinois, and more specifically legally described as set forth below ("Subject Property"):

LOT 1 IN HOMESTEAD VILLAGE SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTIONS 28 AND 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 1, 1998 AS DOCUMENT R98-179522, IN DU PAGE COUNTY, ILLINOIS.

PIN: 06-29-201-010

COMMON ADDRESS AND LOCATION: 717 E. Butterfield Road, Lombard, IL

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

1. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
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;

3. That the petitioner shall apply for and receive building permits for the proposed improvements; and
4. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).

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 2nd day of November 2023.

First reading waived by action of the Board of Trustees this _____ day of _____, 2023.

Passed on second reading this 16th day of November 2023, pursuant to a roll call vote as follows:

Ayes: Trustee LaVaque, Dudek, Puccio, Honig, Militello and Bachner

Nays: None

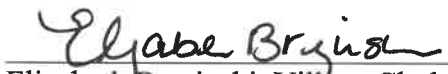
Absent: None

Approved by me this 16th day of November 2023.




Keith T. Giagnorio, Village President

ATTEST:



Elizabeth Brezinski, Village Clerk

Published by me in pamphlet from this 17th day of November, 2023.



Elizabeth Brezinski, Village Clerk