

**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
JUN.07.2011 10:36 AM  
OTHER 06-29-201-010  
006 PAGES R2011-068334

**ORDINANCE 6616**

**GRANTING AN AMENDMENT TO ORDINANCE 4497  
GRANTING A CONDITIONAL USE FOR A PLANNED  
DEVELOPMENT WITH A USE EXCEPTION AND  
COMPANION CONDITIONAL USES, LOCATED IN THE O  
OFFICE ZONING DISTRICT**

**PIN: 06-29-201-010**

**Address: 717 E. Butterfield Road, Lombard IL 60148**

**Return To:  
Village of Lombard  
255 E. Wilson Avenue  
Lombard, IL 60148**

**ORDINANCE NO. 6616**

**AN ORDINANCE GRANTING AN AMENDMENT TO ORDINANCE 4497  
GRANTING A CONDITIONAL USE FOR A PLANNED DEVELOPMENT  
WITH A USE EXCEPTION AND COMPANION CONDITIONAL USES,  
LOCATED IN THE O OFFICE ZONING DISTRICT**

(PC 11-09: 717 E. Butterfield 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, the property legally described in Section 3 below is located at 717 E. Butterfield Road is zoned OPD Office District - Planned Development; and,

WHEREAS, On June 18, 1998, the Corporate Authorities approved Ordinance 4497 which granted approval of a conditional use for a planned development; and,

WHEREAS, an application has heretofore been filed requesting approval of an amendment to the conditional use approval for the Homestead Village Planned Development, as established by Ordinance 4497, to allow for a use exception for a drive-through associated with the proposed restaurant; and

WHEREAS, the application also requests approval of a conditional use to allow for a restaurant to replace the existing restaurant; and

WHEREAS, the application also requests approval of a conditional use for an outdoor service/dining area associated with the proposed restaurant; and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on April 18, 2011 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 of approval; and,

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Re: PC 11-09  
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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 the conditional use approval for the Homestead Village Planned Development, as established by Ordinance 4497, to allow for a use exception for a drive-through associated with the proposed restaurant is hereby granted; subject to the conditions included within Section 5 below.

SECTION 2: That a conditional use to allow for a restaurant to replace the existing restaurant is hereby granted; subject to the conditions included within Section 5 below.

SECTION 3: That a conditional use to allow for an outdoor service/dining area associated with the proposed restaurant is hereby granted; subject to the conditions included within Section 5 below.

SECTION 4: This ordinance is limited and restricted to the property generally located at 717 E. Butterfield Road, Lombard, Illinois and legally described as follows:

Lot 1 in Homestead Village Subdivision, being a subdivision in 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 DuPage County, Illinois.

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SECTION 5: This ordinance shall be granted subject to compliance with the following conditions:

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1. The petitioner shall develop the site in substantial conformance with the site plan, landscape plan, and illumination plan prepared by Woolpert, Inc., dated March 2011, sign plans prepared by Clayton Signs, dated March 16, 2011, and building elevations prepared by Chipman Design Architecture, dated March 22, 2011, except where modified by the conditions of approval.
2. The petitioner shall satisfactorily address all comments noted within the IDRC report, including the relocation of the freestanding signs, modification of the Technology Drive sidewalk, relocation of the parking lot island, parking lot striping and signage, and all other Engineering and Fire Department comments.
3. All other conditions approved by Ordinance 4497 shall remain in full force and effect.

SECTION 6: 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 \_\_\_\_\_, 2011.

First reading waived by action of the Board of Trustees this 5th day of May, 2011.

Passed on second reading this 5th day of May, 2011.

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

Nays: None

Absent: None

Approved this 5th day of May, 2011.

  
William J. Mueller, Village President

ATTEST:

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Re: PC 11-09

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

Published by me in pamphlet form this 6th day of May, 2011

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



I, **Denise R. Kalke**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

I further certify that attached hereto is a

copy of

ORDINANCE 6616

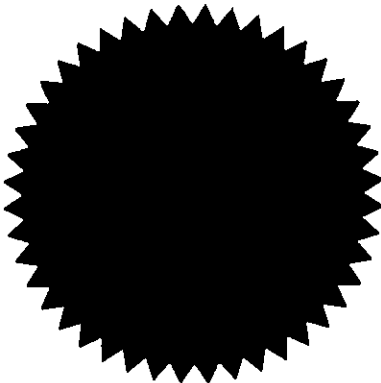
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ADDRESS : 717 E. BUTTERFIELD ROAD, LOMBARD IL

of the said Village as it appears from the official records of said Village duly approved this 5<sup>th</sup> day of May, 2011.

**In Witness Whereof**, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 11<sup>th</sup> day of May, 2011.



A handwritten signature in black ink, appearing to read "Denise R. Kalke". The signature is written in a cursive style and is positioned above the printed name.

Denise R. Kalke  
Deputy Village Clerk  
Village of Lombard  
DuPage County, Illinois