

FRED BUCHOLZ
DUPAGE COUNTY RECORDER
SEP. 17, 2008 11:59 AM
OTHER 06-20-106-050
010 PAGES R2008-141125

**CONDITIONAL USES PER ORDINANCE 6211 DATED JUNE 19,
2008 FOR CENTRUM LOMBARD, L.L.C., LOMBARD, IL**

Parcel No.: 06-20-106-050 and 051

Common Address: 19W471 and 351 E. Roosevelt Road
LOMBARD, IL 60148

After Recording Return to:

**Village of Lombard
Department of Community Development
255 E. Wilson Avenue
Lombard, IL 60148**

ORDINANCE NO. 6211

**AN ORDINANCE GRANTING CONDITIONAL USES FOR A
PLANNED DEVELOPMENT WITH DEVIATIONS AND A CONDITIONAL USE
FOR DRIVE THROUGH ESTABLISHMENTS**

(PC 07-03: 19W471 Roosevelt Road and 351 E. Roosevelt Road (Lombard Crossing))

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 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; and,

WHEREAS, the subject property is zoned B4 Corridor Commercial District and B4A Roosevelt Road Corridor District; and,

WHEREAS, an application has heretofore been filed requesting approval of a conditional use for a planned development for the subject property; and

WHEREAS, said planned development includes a use exception for a storage center in the B4 District and a variation from Section 155.508 (B)(3) of the Zoning Ordinance pertaining to the Standards for Planned Developments with Use Exceptions to allow a use exception to exceed 40% of the total floor area for the overall planned development; and,

WHEREAS, said application also includes variations from Section 155.706 (C) and 155.709 (B) of the Zoning Ordinance reducing the required perimeter parking lot landscaping from five feet (5') to zero feet (0') to provide for shared cross-access and parking; and,

WHEREAS, said application also requests approval of a conditional uses for a drive-through facilities associated with a banking facility and a fast food restaurant; and,

WHEREAS, said application also requests a deviation from Section 155.414 (F) of the Zoning Ordinance reducing the required east interior side yard from ten feet (10') to two feet (2') for Lot 2 (Parcel B) of the proposed resubdivision; and,

WHEREAS, said application also requests deviations from Section 154.506 (D) of the Subdivision and Development Ordinance to allow for a lots without public street frontage, deviations from Section 155.414 (E) of the Zoning Ordinance to reduce the minimum lot width, deviations from Section 155.414 (D) of the Zoning Ordinance to reduce the minimum lot area, and a deviation from Section 154.507 (D) of the Subdivision and Development Ordinance requiring an outlot to have at least thirty feet (30') of frontage along a public street.

WHEREAS, said planned development includes deviations from Section 153.505 (B)(17)(a)(2) of the Sign Ordinance to allow for more than one wall sign on a street frontage, A deviation from Section 153.505 (B)(6)(e) to allow for more than one freestanding sign on a property, a deviation from Section 153.235 (A) to allow for more than one shopping center sign; a deviation from Section 153.235 (E) to allow for shopping center signs to be located closer than 250 feet from each other, and a deviation from Section 153.234 (F) of the Lombard Sign Ordinance to allow for a free-standing signs to be located closer than seventy-five feet (75') from the center line of the adjacent right-of-way; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on August 20, 2007 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 variations 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; and,

WHEREAS, separate from the above mentioned petition, the President and Board of Trustees approved a map amendment rezoning the portion of the subject property generally located at 351 E. Roosevelt and legally described in Subheading 1 of Section 2 below, pursuant to Ordinance 6093;

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 conditional uses for a planned development with the following variation and deviations, as well as a conditional use for drive-through establishments 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. For Lot 1 (Parcel A) of the proposed resubdivision, approve:
 - a. A conditional use pursuant to Section 155.414 (C)(7) of the Zoning Ordinance for a drive-through facility;
 - b. A deviation from Section 153.505 (B)(19)(a)(2) of the Sign Ordinance to allow for more than one wall sign per street frontage;
 - c. A deviation from Section 155.414 (D) of the Zoning Ordinance to reduce the minimum lot area from 40,000 square feet to 36,549 square feet;
 - d. A deviation from Section 155.414 (E) of the Zoning Ordinance to reduce the minimum lot width from 150 feet to 137.54 feet.
2. For Lot 2 (Parcel B) of the proposed resubdivision, approve a deviation from Section 155.414 (F) of the Zoning Ordinance reducing the required east interior side yard from ten feet (10') to two feet (2').
3. For Lot 3 (Parcel C) of the proposed resubdivision, approve:
 - a. A conditional use pursuant to Section 155.414 (C)(7) of the Zoning Ordinance for a drive-through facility;
 - b. A deviation from Section 153.505 (B)(19)(a)(2) of the Sign Ordinance to allow for more than one wall sign per street frontage;
 - c. A deviation from Section 155.414 (D) of the Zoning Ordinance to reduce the minimum lot area from 40,000 square feet to 30,799 square feet;
 - d. A deviation from Section 155.414 (E) of the Zoning Ordinance to reduce the minimum lot width from 150 feet to 121.03 feet.

4. For Lot 4 (Parcel D) of the proposed resubdivision, approve:
 - a. A deviation from Section 154.506 (D) of the Subdivision and Development Ordinance to allow for a lot without public street frontage;
 - b. A planned development use exception for a storage center in the B4 District; and
 - c. A variation from Section 155.508 (B)(3) of the Zoning Ordinance pertaining to the Standards for Planned Developments with Use Exceptions to allow a use exception to exceed 40% of the total floor area for the overall planned development.
5. For Lot 5 (Parcel E) of the proposed resubdivision, approve:
 - a. A deviation from Section 154.506 (D) of the Subdivision and Development Ordinance to allow a lot without public street frontage;
 - b. A deviation from Section 154.507 (D) of the Subdivision and Development Ordinance requiring an outlet to have at least thirty feet (30') of frontage along a public street;
 - c. A deviation from Section 155.414 (D) of the Zoning Ordinance to reduce the minimum lot area from 40,000 square feet to 20,203 square feet for a detention outlet; and
 - d. A deviation from Section 155.414 (E) of the Zoning Ordinance to reduce the minimum lot width from 150 feet to 138.17 feet for a detention outlet.
6. For each of the proposed lots, grant a variation from Sections 155.706 (C) and 155.709 (B) of the Zoning Ordinance reducing the required perimeter parking lot landscaping from five feet (5') to zero feet (0') to provide for shared cross-access and parking.
7. Approve the following Sign Ordinance deviations:
 - a. A deviation from Section 153.505 (B)(6)(e) to allow for more than one freestanding sign on a property;

- b. A deviation from Section 153.235 (A) to allow for more than one shopping center sign; and
 - c. A deviation from Section 153.235 (E) to allow for shopping center signs to be located closer than 250 feet from each other.
 - d. A deviation from Section 153.234 (F) of the Lombard Sign Ordinance to allow for a free-standing signs to be located closer than seventy-five feet (75') from the center line of the adjacent right-of-way; and
8. Approve a preliminary major plat of resubdivision.

SECTION 2: That this ordinance is limited and restricted to the two properties described below, which are collectively referred to as the "Subject Property".

1. The property generally located at 351 E. Roosevelt Road, Lombard, Illinois and legally described as follows:

PARCEL 1

HIGHLAND LANES SUBDIVISION (EXCEPT THE SOUTH 150 FEET THEREOF AND EXCEPT THE WEST 134.5 FEET) IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 25, 1958 AS DOCUMENT 877665, DUPAGE COUNTY ILLINOIS.

Parcel Number: 06-20-106-050

2. The property generally located at 19W471 E. Roosevelt Road, Lombard, Illinois and legally described as follows:

PARCEL 2

THE WEST 134.5 FEET OF HGIHLAND LANES SUBDIVISION (EXCEPT THE SOUTH 150 FEET THEREOF) IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 25, 1958 AS DOCUMENT 877665 IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-20-106- -051

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

1. The petitioner shall develop the site and building in accordance with the following plans submitted as part of this request, except as modified by the conditions of approval:
 - a) Site plans prepared by Carroll Associates Architects, dated August 9, 2007
 - b) Landscape plan, prepared by Carroll Associated Architects, dated August 10, 2007,
 - c) Building elevations for proposed retail center, prepared by Carroll Associates Architects, dated July 16, 2007,
 - d) Building elevations for proposed bank, prepared by Carroll Associates Architects, dated July 16, 2007
 - e) Building elevations for the fast-food restaurant , prepared by Hestrup and Associates, dated July 17, 2007.
2. That the petitioner shall enter into an annexation agreement with the Village for the subject property.
3. 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.
4. That any trash enclosure screening required by Section 155.710 of the Zoning Ordinance shall be constructed of material consistent with the principal building in which the enclosure is located.
5. To ensure that the proposed signage, awnings and building elevations present a favorable appearance to neighboring properties, the property shall be developed and operated as follows:
 - a. That channel lettering shall only be used for the wall signs.
 - b. That consistent with the Sign Ordinance, the awnings shall not include text in conjunction with the wall signage.

- c. The planned development shall be limited to no more than two freestanding shopping center signs, with the signs being in accordance with the shopping center signage plan prepared by Carroll Associates Architects dated August 3, 2007. The final placement of the signs shall be located in a manner that does not conflict with clear line of sight or utility easements.
 - d. That wall signage for the bank building and the fast-food restaurant building shall only be located on the north, east and west elevations.
 - e. That the fabric awnings on each of the proposed buildings shall be compatible.
 - f. That all rooftop mechanical equipment shall be screened pursuant to Section 155.221 of the Zoning Ordinance.
 - g. Prior to consideration by the Village Board, the petitioner shall submit modified building elevations for the fast-food restaurant on Lot 3 (Parcel C) that substitute masonry for the EFIS.
6. To minimize parking conflicts on the property and to minimize impacts on adjacent properties, the developer/owner of the property shall allow for cross-access and cross parking between each lot within the proposed development.
 7. The use exception for a storage center shall only be for Lot 4 (Parcel D) of the planned development. The development of Lot 4 (Parcel D) shall be subject to site plan approval of the Village.
 8. The petitioner shall dedicate to the Village a cross-access easement to provide access to the proposed detention outlot (Lot 5), with the final location to be denoted on the final plat of subdivision for the subject property.

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 5th day of June, 2008.

First reading waived by action of the Board of Trustees this _____ day of _____, 2008.

Ordinance No. 6211
Re: PC 07-03
Page 8

Passed on second reading this 19th day of June, 2008, pursuant to a roll call vote as follows:

AYES: Trustees Gron, Tross, O'Brien, Moreau, Fitzpatrick & Soderstrom President
Mueller

NAYS: None

ABSENT: None

APPROVED by me this 19th day of June, 2008.



William J. Mueller, Village President

ATTEST:



Brigitte O'Brien, Village Clerk




I, **Barbara A. Johnson**, 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 6211
AN ORDINANCE GRANTING CONDITIONAL USES
FOR 19W471 ROOSEVELT
ROAD AND 351 ROOSEVELT ROAD
PIN 06-20-106-051

of the said Village as it appears from the official records
of said Village duly approved June 19, 2008.

In Witness Whereof, I have hereunto affixed my official signature and
the Corporate Seal of said **Village of Lombard**, Du Page County,
Illinois this 16th day of September, 2008.


Barbara A. Johnson
Deputy Village Clerk
Village of Lombard
DuPage County, Illinois

