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ORDINANCE NO. 4595

**AN ORDINANCE AMENDING A CONDITIONAL USE
PURSUANT TO TITLE 15, CHAPTER 155, SECTION 414
OF THE LOMBARD ZONING ORDINANCE AND GRANTING
A VARIATION PURSUANT TO TITLE 15, CHAPTER 153,
SECTION 505 OF THE LOMBARD SIGN ORDINANCE**

(PC 98-44: 299 W. Roosevelt Road, Lombard, Illinois)
(Pizzeria Uno)

(Also see Ordinance No.(s) 3710, 3891, 3972, 4192, and 4231)

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 B4 Corridor Commercial Shopping District; and,

WHEREAS, on June 22, 1993, the President and Board of Trustees adopted Ordinance 3710, granting conditional use approval to provide for more than one building on a zoning lot and for a restaurant with drive-through service and outdoor seating on the property described in Section 3 below; and,

WHEREAS, an application has been filed requesting an amendment to said conditional use approval to allow for a variation to allow an additional freestanding sign on one lot of record; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on January 18, 1999 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 use amendment and variation 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:

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SECTION 1: That Ordinance 3710, granting conditional use for two (2) buildings on one zoning lot, is hereby amended to grant a variation with conditions to allow two (2) freestanding signs on one parcel of property for the property described in Section 3 below and pursuant to Title 15, Chapter 153, Section 103.I of the Village of Lombard Sign Ordinance. That Ordinance 3710 be amended to add a new Section 4 and a new Section 5 to read in entirety as follows:

Section 4: That a variation is hereby granted for the property described in Section 2 above and pursuant to Title 15, Chapter 153, Section 103.I of the Lombard Sign Ordinance to allow two (2) freestanding signs on one parcel of property.

Section 5: That the variation listed in Section 4 is subject to the following conditions:

1. The sign shall be located in the parking lot landscape island in a manner that does not block a driver's view;
2. This variation applies only to Pizzeria Uno and no other subsequent tenants; and
3. Documentation of the location of the private watermain easement shall be provided during the sign permit process.

SECTION 2: That Section 4 of Ordinance 3710 is hereby renumbered as Section 6.

SECTION 3: That this ordinance is limited and restricted to the property generally located at 299 W. Roosevelt Road, Lombard, Illinois and legally described as follows:

Parcel 1: Lot 1 in Roosevelt Plaza, being a subdivision in the East half of Northeast Quarter of Section 19, Township 39 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded July 6, 1966 as Document R66-25777, in DuPage County, Illinois, (excepting therefrom the property described in a Dedication and Plat in favor of the Village of Lombard,

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Illinois dated April 11, 1973 and recorded June 11, 1973 as Document R73-33871 and Certificate of Correction recorded as Document R78-14380).

Parcel 2: Easement for ingress and egress for the use and benefit of Parcel 1 as created by Grant from Bernard Kron and Ferne Kron, his wife, to Frank Properties, Incorporated, a Corporation, dated April 8, 1966 and recorded April 20, 1966 as Document R66-14043, over, across and upon the following described property to wit: The South 60 feet of the North 397.80 feet of the East 592.0 feet (except that part falling in Main Street) of the Northeast Quarter of Section 19, Township 39 North, Range 11, East of the Third Principal Meridian, together with and subject to the Terms and Conditions contained in said Document, in DuPage County, Illinois.

Parcel 3: Easement for the erection and maintenance of a pylon advertising sign for the benefit of premises in question as created by Grant by Bernard Kron and Fern Kron, his wife, to Frank Properties, Incorporated, a Corporation, dated April 8, 1966 and recorded April 20, 1966 as Document R66-14044, over, across, and upon the following described property, to wit: That part of the Northeast Quarter of Section 19, Township 39 North, Range 11, East of the Third Principal Meridian, described as follows: Commencing at the Southwest corner of Roosevelt Road and Main Street as per Plat of Melody Lane Estates, Unit 1, recorded on September 18, 1964 as Document R64-34991, in the Recorder's Office of DuPage County, Illinois; thence South on the West line of said Main Street, a distance of 33.0 feet for a place of beginning of a Parcel herein being described; thence continuing South along the West line of said Main Street, a distance of 10.0 feet; thence West along a line parallel with the North line of said Northeast Quarter, a distance of 10.0 feet; thence North along a line parallel with the West line of Main Street, a distance of 10.0 feet; thence East along a line parallel with the North line of the Northeast Quarter, a distance of 10.0 feet to the place of beginning, together with and subject to the Terms and Conditions contained in said Document, in DuPage County, Illinois.

Parcel 4: Easement for ingress and egress for the use and benefit of Parcel 1 as created by Easement Agreement between West Suburban Bank, as Trustee under Trust Agreement dated January 12, 1987 and known as Trust No. 6804, Grantor, and Samuel Zell and Robert Lurie, as Trustees under Trust Agreement and Declaration of Trust made as of January 1, 1984 and known as Trust No. 7184, Grantee, over, across and upon the following described property: That part of the East 592.0 feet of the Northeast 1/4 Section 19, Township 39 North, Range 11, East of the Third Principal Meridian, which lies North of the North line of Rebecca

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Road extending West, as per Melody Lane Estates Unit No. 1 (excepting therefrom the North 337.80 feet thereof and except that part dedicated for Main Street as per said Melody Lane Estates Unit No. 1), recorded June 20, 1988 as Document R88-064510, in DuPage County, Illinois.

Parcel No. 06-19-201-021

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 4th day of February, 1999.

First reading waived by action of the Board of Trustees this _____ day of _____, 1999.

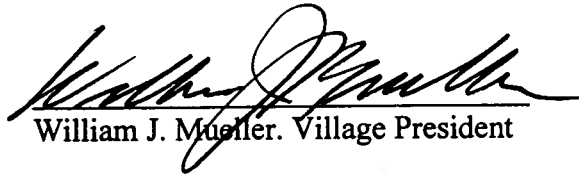
Passed on second reading this 18th day of February, 1999.

Ayes: Trustees Tross, Schaffer, Jaugilas, DeFalco and Kufrin


Nays: None

Absent: Trustee Borgatell

Approved this 18th day of February, 1999.


William J. Mueller, Village President

ATTEST:


Lorraine G. Gerhardt, Village Clerk