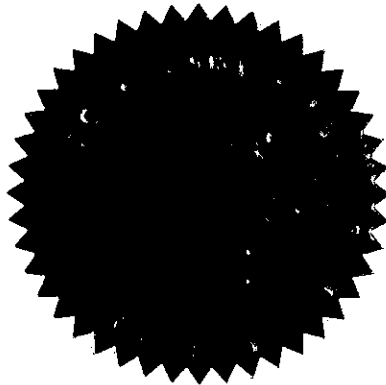


ORDINANCE 4865

PAMPHLET

FRONT OF PAMPHLET

AN ORDINANCE GRANTING A CONDITIONAL USE, AS PART OF THE FINAL DEVELOPMENT AGREEMENT FOR THE PROPERTY, TO ALLOW FOR A RETAIL STORE HAVING A BUILDING FOOTPRINT EXCEEDING 65,000 SQUARE FEET AND A GROSS FLOOR AREA EXCEEDING 130,000 SQUARE FEET, WITHIN THE HIGHLANDS OF LOMBARD B3 PLANNED DEVELOPMENT



PUBLISHED IN PAMPHLET FORM THIS 22ND DAY OF SEPTEMBER, 2000,
BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD,
DUPAGE COUNTY, ILLINOIS.

Lorraine G. Gerhardt
Lorraine G. Gerhardt
Village Clerk

**AN ORDINANCE GRANTING A CONDITIONAL USE,
AS PART THE FINAL DEVELOPMENT AGREEMENT FOR THE PROPERTY,
TO ALLOW FOR A RETAIL STORE HAVING A BUILDING FOOTPRINT
EXCEEDING 65,000 SQUARE FEET AND A GROSS FLOOR AREA EXCEEDING
130,000 SQUARE FEET, WITHIN THE HIGHLANDS OF LOMBARD B3 PLANNED
DEVELOPMENT**

(PC 00-37: 2700 Highland Avenue; Sears Great Indoors)

WHEREAS, the below described property is zoned B3 PD Community Shopping District Planned Development; and

WHEREAS, the President and Board of Trustees of the Village of Lombard approved Ordinance 4833 on June 15, 2000 providing for a Planned Development for the below described property; and

WHEREAS, the President and Board of Trustees of the Village of Lombard approved Ordinance 4834 on June 15, 2000 authorizing the execution of a Second Amendment to the Development Agreement for the below described property; and

WHEREAS, a condition of the terms of the a Second Amendment to the Development Agreement requires conditional use approval to allow for a retail store having a building footprint that exceeds 65,000 square feet in size and a gross floor area which exceeds 130,000 square feet, to be located within the Highlands of Lombard Planned Development; and

WHEREAS, an application has heretofore been filed requesting approval of a conditional use for a planned development to provide for a retail store exceeding the gross square footage requirements noted above, all on the property described in Section I below; and,

WHEREAS, a public hearing on such application was conducted by the Village of Lombard Plan Commission on August 21, 2000 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 for a retail store having a

building footprint that exceeds 65,000 square feet in size and a gross floor area which exceeds 130,000 square feet, to be located within the Highlands of Lombard B3 Planned Development; 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, the President and Board of Trustees of the Village of Lombard have reviewed the request and find it would be in the best interest of the Village to grant said conditional use subject to the terms and conditions established by this ordinance.

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 this ordinance is limited and restricted to the property generally located at the northwest corner of Butterfield Road and Highland Avenue, Lombard, Illinois, and legally described as follows:

THAT PART OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ AND THE NORTHWEST ¼ OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST ¼ OF THE NORTHWEST ¼; THENCE SOUTH 02 DEGREES, 24 MINUTES, 55 SECONDS EAST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER 1330.35 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 29; THENCE SOUTH 02 DEGREES 27 MINUTES 12 SECONDS EAST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 349.35 FEET TO THE POINT OF BEGINNING; THENCE NORTH 87 DEGREES, 55 MINUTES, 59 SECONDS EAST 775.27 FEET; THENCE SOUTH 02 DEGREES, 27 MINUTES, 12 SECONDS EAST 452.25 FEET; THENCE SOUTH 75 DEGREES, 13 MINUTES, 26 SECONDS WEST 167.17 FEET; THENCE SOUTH 87 DEGREES, 53 MINUTES, 28 SECONDS WEST 351.91 FEET; THENCE NORTH 73 DEGREES, 50 MINUTES, 23 SECONDS WEST 112.89 FEET TO A POINT OF CURVATURE; THENCE NORTH 02 DEGREES 27 MINUTES 12 SECONDS WEST 78.85 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY 31.42 FEET ALONG AN ARC OF A CIRCLE CONCAVE WEST WITH A RADIUS OF 20.00 FEET AND WHOSE CHORD BEARS NORTH 47 DEGREES 27 MINUTES 12 SECONDS WEST 28.28 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 87 DEGREES 32 MINUTES 48 SECONDS WEST 67.00 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER

OF SECTION 29; THENCE NORTH 02 DEGREES 27 MINUTES 12 SECONDS WEST
ALONG SAID WEST LINE 263.73 FEET TO THE POINT OF BEGINNING, IN DU PAGE
COUNTY, ILLINOIS.

P.L.N. 06-29-300-004

SECTION 2: That a conditional use for a retail store having a building footprint that exceeds 65,000 square feet in size and a gross floor area which exceeds 130,000 square feet, to provide for the construction of the proposed Sears Great Indoors within the Highlands of Lombard B3 Planned Development, be granted subject to compliance with the conditions set forth in Section 3.

SECTION 3: The conditional use set forth in Section 2 shall be granted subject to compliance with the following conditions:

A. That the Great Indoors improvements be constructed in substantial compliance with the petitioner's document submitted filed on July 26, 2000 with the Department of Community Development and all subsequent amendments and additions included as part of the petitioner's submittal.

B. That the developer receive final engineering approval and submit a final plat of subdivision to the Village for review and approval before any permits are issued for the Great Indoors.

C. Before any vertical permits are issued for the Sears Great Indoors, all necessary detention and site improvements are constructed within the development.

D. Sight triangles are to be shown on the plans at all proposed intersections.

E. A trip study specific to the Lombard store is conducted three months after the store opens. The results of this study shall be transmitted to the Village for review and approval. Upon approval, the Village shall deduct the trip count from the overall trip bank.

F. That the petitioner submit a photometric plan to the Village for review and approval. The photometric plan shall include any parking or driveway lighting on the Great Indoors site as well as any exterior lighting on the building.

G. That the petitioner address the issues addressed in the Inter-departmental Report Section of the staff report by Public Works, Private Engineering and Building and Fire as part of the building permit process.

H. Access aisles and requisite curbing and associated improvements for all proposed drives surrounding the site and intended to provide requisite circulation around the site shall be improved in their entirety as part of this development proposal.

I. On the north side of the site, a minimum access width of 24 feet shall be provided. The petitioner shall also prepare revised drawings to depict the ultimate alignment of the access drive. Should additional parking be proposed along the west wall of the building, the petitioner shall include the parking layout configuration as part of the revised submittal. Any improvements along the north wall shall be completed by the petitioner as part of the development proposal.

J. That should future rooftop elements be added to the building that protrude above the parapet wall or are visible from Highland Avenue, that site plan approval will be required.

K. That the rooftop mechanicals be painted or finished to match the rooftop color.

L. The petitioner shall submit a revised north building elevation making use of spandrel glass and brick patterns to soften the balance of the north elevation from the submitted plan. Said plan shall meet the approval of the Director of Community Development.

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 _____ day of _____, 2000.

First reading waived by action of the Board of Trustees this 7th day of September, 2000.

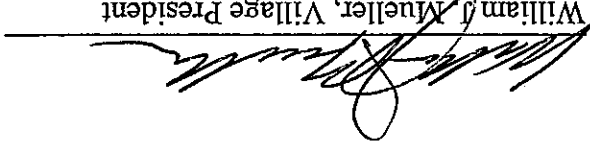
Passed on second reading this 7th day of September, 2000.

Ayes: ~~Trustees Borgatell, Sebby, Florey, Kufrian, Jr.~~

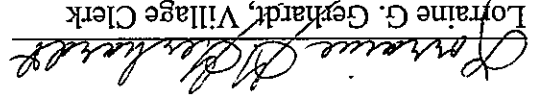
Naves: None

Absent: ~~Trustees Schaffer, Tross~~


Approved this 7th day of September, 2000.


William J. Mueller, Village President

ATTEST:


Loraine G. Gerhardt, Village Clerk

Published by me in pamphlet form this 22nd day of September, 2000.


Loraine G. Gerhardt, Village Clerk

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