

FRED BUCHOLZ
DUPAGE COUNTY RECORDER
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OTHER 06-19-201-021
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ORDINANCE 6126

**APPROVING CONDITIONAL USES FOR A PLANNED
DEVELOPMENT WITH DEVIATIONS, OUTDOOR
DINING AND FOR A DRIVE-THROUGH FACILITY AND
AMENDING APPROVALS SET FORTH IN ORDINANCES
3710 AND 3711**

PIN: 06-19-201-021 and 022

ADDRESS: 201-285 W. Roosevelt Road, Lombard, Illinois

Return To:

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

ORDINANCE NO. 6126

AN ORDINANCE APPROVING CONDITIONAL USES FOR A PLANNED DEVELOPMENT WITH DEVIATIONS, OUTDOOR DINING AND FOR A DRIVE-THROUGH FACILITY AND AMENDING APPROVALS SET FORTH IN ORDINANCES 3710 AND 3711

PC 07-05; 201-285 W. Roosevelt Road (Sportmart Shopping Center Planned Development)

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 B4A Roosevelt Road Corridor District; and,

WHEREAS, an application has been requesting approval of the following actions:

1. A conditional use to establish the subject property as a planned development.
2. For the proposed Starbucks establishment:
 - a. An amendment to Ordinances 3710 and 3711 which granted approval to allow for the establishment of three principal structures and three (3) freestanding signs on the subject property.
 - b. A conditional use, pursuant to Section 155.417(G)(2)(a)(5) of the Zoning Ordinance to allow outdoor dining.
 - c. A conditional use, pursuant to Section 155.417(G)(2)(b)(5) of the Zoning Ordinance to allow a drive-through establishment.

- d. A deviation from Section 153.505(19)(a)(2)(a) of the Sign Ordinance to allow four (4) wall signs where only one sign is permitted.
3. For the retail store at 255 W. Roosevelt (Hobby Lobby):
 - a. A deviation from Section 153.505(19)(b)(2)(a) to allow five (5) wall signs where only one is permitted.
 4. For the existing freestanding shopping center identification sign:
 - a. A deviation from Section 153.235(C) of the Sign Ordinance to allow for up to five-hundred-one (501) square feet of sign area where a maximum one-hundred-fifty (150) square feet is permitted.
 - b. A deviation from Section 153.235(C) of the Sign Ordinance to allow a sign height of forty (40) feet where a maximum of thirty-five (35) feet is permitted.
 5. Grant Site Plan Approval authority to the Plan Commission.; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on November 19, 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 petition, subject to conditions; 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:

SECTION 1: That Ordinances 3710 and 3711, adopted June 10, 1993 and pertaining to the Subject Property, as described in Section 3 below, is hereby amended to provide for the relief set forth in Section 2 below.

SECTION 2: That the following conditional uses and deviations are hereby granted for the Subject Property, as described in Section 3 below:

2. A conditional use to establish the subject property as a planned development.
2. For the proposed Starbucks establishment:
 - a. An amendment to Ordinances 3710 and 3711 which granted approval to allow for the establishment of three principal structures and three (3) freestanding signs on the subject property.
 - b. A conditional use, pursuant to Section 155.417(G)(2)(a)(5) of the Zoning Ordinance to allow outdoor dining.
 - c. A conditional use, pursuant to Section 155.417(G)(2)(b)(5) of the Zoning Ordinance to allow a drive-through establishment.
 - d. A deviation from Section 153.505(19)(a)(2)(a) of the Sign Ordinance to allow four (4) wall signs where only one sign is permitted.
3. For the retail store at 255 W. Roosevelt (Hobby Lobby):
 - a. A deviation from Section 153.505(19)(b)(2)(a) to allow five (5) wall signs where only one is permitted.
4. For the existing freestanding shopping center identification sign, a deviation from Section 153.235(C) of the Sign Ordinance to allow for up to four hundred fifty (450) square feet of sign area where a maximum one-hundred-fifty (150) square feet is permitted.

SECTION 3: That the ordinance is limited and restricted to the property generally located at 201-285 W. Roosevelt Road, Lombard, Illinois and legally described as follows:

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Re: PC 07-05

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LOT 1 IN ROOSEVELT PLAZA, BEING A SUBDIVISION IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 6, 1666 AS DOCUMENT R66-25777, IN DUPAGE COUNTY, ILLINOIS, (EXCEPTING THEREFROM THE PROPERTY DESCRIBED IN A DEDICATION AND PLAT FAVOR OF THE VILLAGGE OF LOMBARD, ILLINOIS DATED APRIL 11, 1973 AND RECORDED JUNE 11, 1973 AS DOCUMENT R73-33871 AND CERTIFICATE OF CORRECTION RECORDED AS DOCUMENT R78-14380).

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SECTION 4: The zoning actions noted in Section 2 above are hereby granted relative to the Subject Property, subject to the conditions set forth in Section 4 below:

1. The petitioner shall develop the site in accordance with the site, sign and development plans prepared by Arcline Associates, dated November 14, 2007 and made a part of the petition.
2. The south elevation of the proposed Starbuck's building shall be amended to include a second brick color, with the final design subject to the Director of Community Development.
3. The freestanding shopping center sign shall be modified to not exceed thirty-five feet (35') in height. Furthermore, the overall square footage of the existing shopping center sign shall not exceed 450 square feet in size.
4. The petitioner shall commence demolition of the existing Starbuck's building and construct the associated parking lot improvement at its current location no later than thirty days after the proposed Starbuck's building is opened. This time period may be extended by the Village if weather conditions preclude the improvements from being completed within this timeframe.
5. Upon a request by the Village, the petitioner/property owner shall provide a vehicular cross-access easement for the property at 303 W. Roosevelt Road. The final location of the cross-access easement shall be reviewed and approved by the Village.

6. As part of the approval, the petitioner shall also address the comments included within the IDRC Report, including:
 - a. Stormwater detention shall be provided consistent with Village Code for all the aggregate disturbed area.
 - b. There is a drainage issue at the existing eastern entry off of Roosevelt Road. This shall be corrected as part of this planned development.
 - c. ~~The existing public water main located under the building shall be re-routed.~~ *(A water main easement shall be established along the easterly twenty (20) feet of the property where the water main would be free of any structures).*
 - d. All site work shall be in accordance with Village of Lombard Code, Specifications and Details.
 - e. Free standing signs are not permitted within utility easements and shall not be located closer than 15' from any publicly dedicated water main or sewer.
 - f. Parking spaces shall be signed and striped per Village Code.
7. The petitioner shall fence the perimeter of the dining area four foot metal fence, with the design of the fence subject to the approval of the Director of Community Development.
8. The petitioner shall provide additional green space/landscape islands and associated plant materials within the existing shopping center parking lot.

SECTION 5: That Site Plan Approval Authority shall be granted to the Lombard Plan Commission.

SECTION 6: That all other provisions of Ordinance 3710 and 3711 not amended by this Ordinance shall remain in full force and effect.

SECTION 7: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

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Passed on first reading this _____ day of _____, 2007.

First reading waived by action of the Board of Trustees this 6th day of December, 2007.

Passed on second reading this 6th day of December, 2007, pursuant to a roll call vote as follows:

Ayes: Trustees Gron, Tross, O'Brien, Moreau, Fitzpatrick and Soderstrom

Nays: None

Absent: None

Approved by me this 6th day of December, 2007.

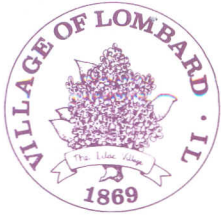

William J. Mueller, Village President

ATTEST:


Brigitte O'Brien, Village Clerk

Published by me this 10th day of December, 2007


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 6126

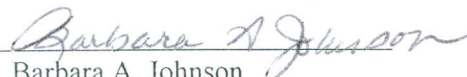
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ADDRESS: 201-285 W. ROOSEVELT ROAD
LOMBARD, IL
PIN: 06-19-201-021 AND 022

of the said Village as it appears from the official records of
said Village duly approved December 6, 2007.

In Witness Whereof, I have hereunto affixed my official signature and the
Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this
18th day of January, 2008.





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