

**FRED BUCHOLZ**

DUPAGE COUNTY RECORDER

AUG. 04, 2016

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06-29-101-028

**ORDINANCE 7215**

**009 PAGES**

**R2016-080963**

**GRANTING AN AMENDMENT TO ORDINANCE 7177  
GRANTING A CONDITIONAL USE FOR THE YORKTOWN  
COMMONS PLANNED DEVELOPMENT**

**PIN(s): PART OF 06-29-101-028; PART OF 06-29-101-044;  
PARTS OF 06-29-200-060 AND 06-29-101-041; 06-29-200-050**

**ADDRESS: Yorktown Commons Planned Development,  
Lombard, IL 60148**

1-378 Yorktown Center  
Lombard, IL 60148

PIN 06-29-200-050 (VACANT) HIGHLAND AVE  
LOMBARD, IL 60148

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



I, **Janet Downer**, 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 7215

GRANTING AN AMENDMENT TO ORDINANCE 7177 GRANTING A  
CONDITIONAL USE FOR THE YORKTOWN COMMONS PLANNED DEVELOPMENT

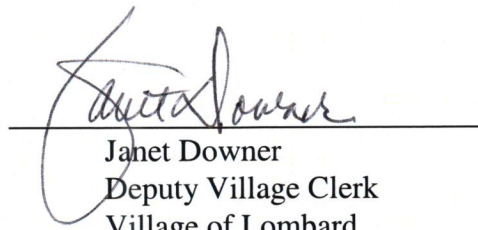
PIN(s): PART OF 06-29-101-028; PART OF 06-29-101-044; PARTS OF 06-29-200-060  
AND 06-29-101-041; 06-29-200-050

ADDRESS: Yorktown Commons Planned Development, Lombard, IL 60148

of the said Village as it appears from the official records  
of said Village duly approved this 19th  
day of May, 2016.

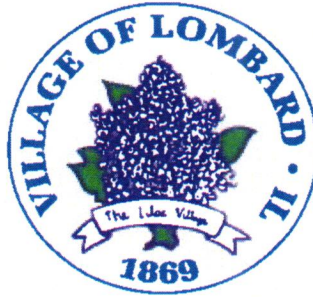
**In Witness Whereof**, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 27th day of May, 2016.



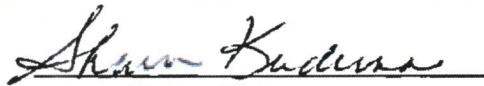
  
Janet Downer  
Deputy Village Clerk  
Village of Lombard  
DuPage County, Illinois

**ORDINANCE 7215  
PAMPHLET**

**PC 16-07: YORKTOWN COMMONS PLANNED DEVELOPMENT**



PUBLISHED IN PAMPHLET FORM THIS 20<sup>th</sup> DAY OF MAY, 2016, BY ORDER  
OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE  
COUNTY, ILLINOIS.

  
Sharon Kuderna  
Village Clerk

**ORDINANCE NO. 7215**

**GRANTING AN AMENDMENT TO ORDINANCE 7177 GRANTING A  
CONDITIONAL USE FOR THE YORKTOWN COMMONS PLANNED  
DEVELOPMENT**

(PC 16-07: Yorktown Commons 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 Subject Property, as described in Section 2 below, is zoned B3PD – Community Shopping District Planned Development; and,

WHEREAS, on January 21, 2016, the Corporate Authorities approved Ordinance Number, 7177, granting a conditional use for a planned development for the Yorktown Commons planned development along with companion deviations and variations through an established form-based code; and,

WHEREAS, Title 15, Chapter 155, Section 155.504 allows for amendment of an ordinance granting a conditional use for a Planned Development amendment after a public hearing before the Village's Plan Commission; and,

WHEREAS, the petitioner is requesting a further planned development amendments to amend the geographic boundaries of the previously approved planned development (as depicted upon a new Final Plat of Subdivision), and further variances from Sections 155.415(F) and 155.508(C)(6)(a) and (b) of the Lombard Zoning Ordinance to approve a deviation and variation to reduce the required interior side yard setback from ten (10) feet to zero feet for land adjacent to the Yorktown Commons PD (between proposed Lots 3 and 4); and to approve said deviation and variation within the Yorktown PD and Yorktown Commons PD to permit the existing buildings and infrastructure commonly known as the "Convenience Center" to remain in place pending redevelopment; and

WHEREAS, pursuant to an application to amend Ordinance Number 7177, proper and legal notice was provided and a public hearing was held before the Village's Plan Commission on April 18, 2016; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the amendments described herein; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard approve and adopt the findings and recommendation of the Plan Commission and incorporate such findings and recommendation 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, DUPAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That the following amendments to the conditional use approval for the Yorktown Commons Planned Development, as established by Ordinance Number 7175, as set forth below are hereby granted for the Subject Property legally described in Section 2, consisting of the following:

1. A change to the geographical extent of the previously approved planned development so as to cause same to be consistent with the Subject Property, as described in Section 2 below;
2. Variances from Sections 155.415(F) and 155.508(C)(6)(a) and (b) of the Lombard Zoning Ordinance to approve a deviation and variation to reduce the required interior side yard setback from ten (10) feet to zero feet for land adjacent to the Yorktown Commons PD (between proposed Lots 3 and 4); and to approve said deviation and variation within the Yorktown PD and Yorktown Commons PD to permit the existing buildings and infrastructure commonly known as the "Convenience Center" to remain in place pending redevelopment; and
3. Approval of a new companion Major Plat of Subdivision.

SECTION 2: That this Ordinance is limited and restricted to the property generally located at the intersection of Grace Street and Yorktown Shopping Center ring road, Lombard, Illinois and legally described as follows:

THOSE PARTS OF LOTS 3 AND 4 (EXCEPT THAT PART OF SAID LOT 4 DEDICATED FOR GRACE STREET PER DOCUMENT R72-57164 RECORDED SEPTEMBER 20, 1972) ALL IN THE RESUBDIVISION OF LOT 1 IN YORKTOWN, BEING A RESUBDIVISION IN SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION OF LOT 1 RECORDED AUGUST 4, 1971 AS DOCUMENT R71-37751, IN DUPAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 3; THENCE NORTH 87 DEGREES 39 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 281.24 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 02 DEGREES 16 MINUTES 35 SECONDS EAST 224.71 FEET; THENCE NORTH 87 DEGREES 42 MINUTES 49 SECONDS EAST 43.47 FEET; THENCE SOUTH 37 DEGREES 15 MINUTES 04 SECONDS EAST 44.24 FEET; THENCE SOUTH 12 DEGREES 55 MINUTES 57 SECONDS EAST 104.26 FEET TO THE SOUTHERLY LINE OF SAID LOT 3; THENCE THE FOLLOWING TWO COURSES ALONG THE SOUTHERLY LINES OF SAID LOTS 3 AND 4; (1) THENCE EASTERLY ALONG THE ARC OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 500.00 FEET, A CHORD BEARING OF NORTH 68 DEGREES 06 MINUTES 14 SECONDS EAST, 37.37 FEET TO A POINT OF TANGENCY; (2) THENCE NORTH 65 DEGREES 57 MINUTES 47 SECONDS EAST 609.94 FEET; THENCE NORTH 02 DEGREES 04 MINUTES 57 SECONDS WEST ALONG A LINE 7 FEET WEST OF

AND PARALLEL WITH THE EAST LINE OF SAID LOT 4, A DISTANCE OF 400.00 FEET; THENCE SOUTH 65 DEGREES 57 MINUTES 47 SECONDS WEST ALONG THE NORTH LINES OF SAID LOTS 4 AND 3, A DISTANCE OF 742.45 FEET; THENCE SOUTH 87 DEGREES 39 MINUTES 50 SECONDS WEST ALONG SAID NORTH LINE OF LOT 3, A DISTANCE OF 1.58 FEET TO THE PLACE OF BEGINNING, CONTAINING 264,030 SQUARE FEET, MORE OR LESS.

ALSO TO BE DESCRIBED AS FOLLOWS:

LOT 4 IN YORKTOWN COMMONS PHASE 1, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED \_\_\_\_\_, 20\_\_ AS DOCUMENT R20\_\_ - \_\_\_\_\_, ALL IN DUPAGE COUNTY, ILLINOIS.

PART OF 06-29-101-028

PART OF PARCEL 2 IN HIGHLAND AVENUE ASSESSMENT PLAT OF LOT 2 IN YORKTOWN, BEING A SUBDIVISION OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID HIGHLAND AVENUE ASSESSMENT PLAT RECORDED JANUARY 30, 2012 AS DOCUMENT R2012-12175, IN DUPAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF PARCEL 3 IN SAID HIGHLAND AVENUE ASSESSMENT PLAT OF LOT 2 IN YORKTOWN; THENCE THE FOLLOWING TWO (2) COURSES ALONG THE SOUTHERLY AND WESTERLY EXTENSION OF SAID SOUTHERLY LINE OF SAID PARCEL 3; (1) THENCE NORTH 65 DEGREES 23 MINUTES 09 SECONDS WEST 127.04 FEET; (2) THENCE SOUTH 87 DEGREES 55 MINUTES 45 SECONDS WEST 267.15 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 73 DEGREES 04 MINUTES 33 SECONDS WEST 160.85 FEET; THENCE NORTH 17 DEGREES 38 MINUTES 09 SECONDS WEST 110.19 FEET; THENCE NORTH 65 DEGREES 52 MINUTES 55 SECONDS EAST 156.55 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG AN ARC OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 10.00 FEET, A CHORD BEARING OF SOUTH 65 DEGREES 31 MINUTES 16 SECONDS EAST 16.96 FEET TO A POINT OF TANGENCY; THENCE SOUTH 16 DEGREES 55 MINUTES 27 SECONDS EAST 119.86 FEET; THENCE SOUTH 73 DEGREES 04 MINUTES 33 SECONDS WEST 4.36 FEET TO THE PLACE OF BEGINNING, CONTAINING 20,000 SQUARE FEET.

ALSO TO BE KNOWN AS LOT 1 IN THE FINAL PLAT OF SUBDIVISION OF YORKTOWN COMMONS PHASE 2.

PART OF 06-29-101-044

PART OF PARCEL 3 IN HIGHLAND AVENUE ASSESSMENT PLAT OF LOT 2 IN YORKTOWN, BEING A SUBDIVISION OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID HIGHLAND

AVENUE ASSESSMENT PLAT RECORDED JANUARY 30, 2012 AS DOCUMENT R2012-12175, TOGETHER WITH PART OF LOT 2 IN HIGHLAND-YORKTOWN RESUBDIVISION OF LOT 4 IN YORKTOWN, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID PLAT OF HIGHLAND-YORKTOWN RESUBDIVISION RECORDED SEPTEMBER 5, 2006 AS DOCUMENT R2006-170876, AND CERTIFICATES OF CORRECTION RECORDED AS DOCUMENTS R2006-191219, R2006-219358 AND R2008-138794, ALL IN DUPAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL 3; THENCE THE FOLLOWING SEVEN (7) COURSES ALONG THE SOUTHERLY, WESTERLY AND NORTHERLY LINES OF SAID PARCEL 3; (1) THENCE NORTH 65 DEGREES 23 MINUTES 09 SECONDS WEST 127.04 FEET; (2) THENCE SOUTH 87 DEGREES 55 MINUTES 45 SECONDS WEST 209.84 FEET TO A POINT OF CURVATURE; (3) THENCE NORTHWESTERLY ALONG THE ARC OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 18.00 FEET, A CHORD BEARING OF NORTH 47 DEGREES 22 MINUTES 03 SECONDS WEST 28.09 FEET TO A POINT OF TANGENCY; (4) THENCE NORTH 02 DEGREES 39 MINUTES 50 SECONDS WEST 26.41 FEET; (5) THENCE NORTH 17 DEGREES 21 MINUTES 56 SECONDS WEST 83.14 FEET TO A POINT OF CURVATURE; (6) THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 20.00 FEET, A CHORD BEARING OF NORTH 25 DEGREES 50 MINUTES 49 SECONDS EAST, 30.17 FEET TO A POINT OF TANGENCY; (7) THENCE NORTH 69 DEGREES 03 MINUTES 34 SECONDS EAST 81.51 FEET TO A POINT OF CURVATURE; THENCE EASTERLY ALONG AN ARC OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 310.00 FEET, A CHORD BEARING OF NORTH 88 DEGREES 10 MINUTES 51 SECONDS EAST 206.91 FEET TO A POINT OF TANGENCY; THENCE SOUTH 72 DEGREES 41 MINUTES 52 SECONDS EAST 122.87 FEET TO A POINT OF CURVATURE; THENCE EASTERLY ALONG AN ARC OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 472.00 FEET, A CHORD BEARING OF SOUTH 69 DEGREES 47 MINUTES 51 SECONDS EAST 47.78 FEET TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHEASTERLY ALONG AN ARC OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 13.50 FEET, A CHORD BEARING OF SOUTH 19 DEGREES 27 MINUTES 58 SECONDS EAST 22.35 FEET TO A POINT OF TANGENCY; THENCE SOUTH 27 DEGREES 57 MINUTES 54 SECONDS WEST 171.44 FEET TO A POINT OF NON-CURVATURE; THENCE SOUTHWESTERLY ALONG AN ARC OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 11.37 FEET, A CHORD BEARING OF SOUTH 50 DEGREES 21 MINUTES 57 SECONDS WEST 10.02 FEET TO A POINT OF NON-TANGENCY; THENCE NORTH 65 DEGREES 23 MINUTES 09 SECONDS WEST 2.29 FEET TO THE PLACE OF BEGINNING, CONTAINING 76,095 SQUARE FEET, MORE OR LESS.

ALSO TO BE DESCRIBED AS FOLLOWS:

LOT 2 IN YORKTOWN COMMONS PHASE 1, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED \_\_\_\_\_, 20\_\_ AS DOCUMENT R20\_\_ - \_\_\_\_\_, ALL IN DUPAGE COUNTY, ILLINOIS.

PARTS OF 06-29-200-060 AND 06-29-101-041

LOT 4 IN YORKTOWN PERIPHERAL/TARGET SUBDIVISION, BEING PART OF THE NORTHEAST 1/4 OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 17, 1995 AS DOCUMENT R95-162762, IN DUPAGE COUNTY, ILLINOIS.

06-29-200-050

SECTION 3: With the submittal of a new entitled Final Plat of Resubdivision of Yorktown Commons Phase 1, a recommended condition of approval by the Lombard Plan Commission has been met.

SECTION 4: All other conditions of approval set forth by Ordinance 7177 and not affected by this approval shall remain in full force and effect.

SECTION 5: 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 \_\_\_\_\_, 2016.

First reading waived by action of the Board of Trustees this 19<sup>th</sup> day of May, 2016.

Passed on second reading this 19<sup>th</sup> day of May, 2016.

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Johnston, Pike and Ware

Nays: None

Absent: None

Approved this 19<sup>th</sup> day of May, 2016.

  
**Keith T. Giagnorio**  
Village President

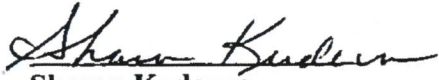


Ordinance No. 7215

Re: PC 16-07: Yorktown Commons Planned Development Amendment

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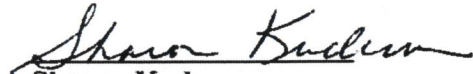
ATTEST:



**Sharon Kuderna**

**Village Clerk**

Published by me in pamphlet form on this 20<sup>th</sup> day of May, 2016.



**Sharon Kuderna**

**Village Clerk**