



FRED BUCHOLZ
DUPAGE COUNTY RECORDER
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OTHER 06-19-201-021
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ORDINANCE 6307

**AMENDING ORDINANCE 6126 WHICH GRANTED
APPROVAL OF CONDITIONAL USES FOR A PLANNED
DEVELOPMENT WITH DEVIATIONS, OUTDOOR DINING
AND FOR A DRIVE-THROUGH FACILITY**

PIN:06-19-201-021 and 022

Address: 201-285 W. Roosevelt Road., Lombard, IL

Return To:

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

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ORDINANCE NO. 6307

**AN ORDINANCE AMENDING ORDINANCE 6126 WHICH
GRANTED APPROVAL OF CONDITIONAL USES FOR A
PLANNED DEVELOPMENT WITH DEVIATIONS, OUTDOOR
DINING AND FOR A DRIVE-THROUGH FACILITY**

(PC 09-01; 201-285 W. Roosevelt Road)

(See also Ordinance _____)

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 defined below is zoned B4A Roosevelt Road Corridor District; and,

WHEREAS, on December 6, 2007 the Board of Trustees approved Ordinance 4595, which granted conditional use approval for a planned development with deviations, outdoor dining and for a drive-through facility; and,

WHEREAS, an application has been filed requesting approval for an amendment to Ordinance 6126, amending the approval for a new outdoor dining and drive-through facility; and

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on February 16, 2009 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 amending Ordinance 6126 as described herein, 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 an amendment to Ordinance 6126, is hereby granted for the Property, as described in Section 2 below and subject to the conditions set forth in Section 3 below.

SECTION 2: That this Ordinance is limited and restricted to the property located at 201-285 W. Roosevelt Road , Lombard, Illinois and legally described as follows:

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 VILLAGE 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).

Parcel Number: 06-19-201-021 and -022

SECTION 3: The amendment to Ordinance 6126, as provided for in Section 1 of this Ordinance shall be granted subject to compliance with the following conditions:

1. The petitioner shall develop the site in accordance with the Starbucks elevation, site and signage package, prepared by Starbucks Coffee Company, dated January 7, 2009.
2. That the petitioner shall satisfactorily address the comments included within the IDRC report.
3. That Section 4, Ordinance 6126 adopted December 10, 2007 shall be amended to read in its entirety as follows:
 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 (with the exception of the construction of the Starbucks ~~location~~ (building) as approved in Ordinance 6126).

- ~~2. The south elevation of the proposed Starbucks 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 Starbucks building and construct the associated parking lot improvement at its current location no later than thirty days after the proposed Starbucks 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:
 - i. Stormwater detention shall be provided consistent with Village Code for all the aggregate disturbed area.
 - ii. There is a drainage issue at the existing eastern entry off of Roosevelt Road. This shall be corrected as part of this planned development.
 - iii. 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).
 - iv. All site work shall be in accordance with Village of Lombard Code, Specifications and Details.
 - v. 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.

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vi. 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 4: This Ordinance, upon approval, shall be recorded by the Village with the Office of County Recorder.

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 _____, 2009.

First reading waived by action of the Board of Trustees this 5th day of March, 2009.


Passed on second reading this 5th day of March, 2009, 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 5th day of March, 2009.


William J. Mueller, Village President

ATTEST:

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Brigitte O'Brien, Village Clerk

Published in pamphlet from this 9th day of March, 2009.



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

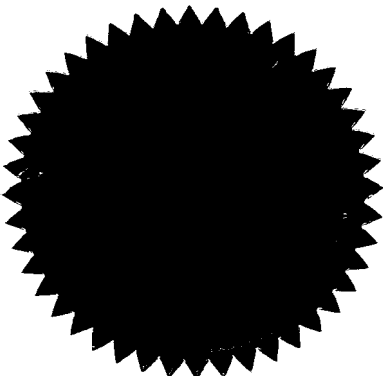
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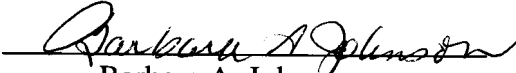
PIN: 06-19-201-021 and 022

Address: 201-285 W. Roosevelt Road,
Lombard, IL

of the said Village as it appears from the official records of said Village duly approved this 5th day of March, 2009.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 19th day of March, 2009.




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