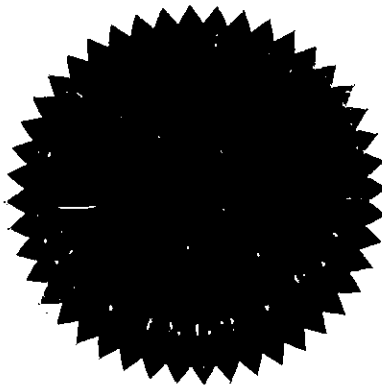


ORDINANCE 4461

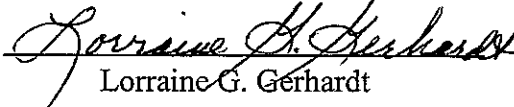
**PAMPHLET**

**FRONT OF PAMPHLET**

GRANTING A CONDITIONAL USE  
FOR A FINAL PLAT OF PLANNED  
DEVELOPMENT AND GRANTING  
VARIATIONS FROM THE  
LOMBARD ZONING ORDINANCE  
FOUNTAIN SQUARE



PUBLISHED IN PAMPHLET FORM THIS 29TH DAY OF MAY, 1998.  
BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD,  
DUPAGE COUNTY, ILLINOIS.

  
Lorraine G. Gerhardt  
Village Clerk

**ORDINANCE NO. 4461**  
**AN ORDINANCE GRANTING A CONDITIONAL USE FOR A  
FINAL PLAN OF PLANNED DEVELOPMENT PURSUANT TO  
LOMBARD ZONING ORDINANCE NO. 3274  
AND GRANTING VARIATIONS FROM  
THE LOMBARD ZONING ORDINANCE, SUBDIVISION  
AND DEVELOPMENT ORDINANCE AND SIGN ORDINANCE**

(PC 97-28: Fountain Square Subdivision)

(See also Ordinance No.(s)\_\_\_\_\_)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Ordinance No. 3274; and,

WHEREAS, the subject property is zoned R4 Limited General Residence District; and,

WHEREAS, an application has heretofore been filed requesting approval of a Conditional Use for a Final Plan of Planned Development to provide for the construction of a maximum 270 dwelling unit condominium residence development commonly referred to as Fountain Square of Lombard Condominiums, and variations from the Lombard Zoning Ordinance (Title 155 of the Village Code), Subdivision and Development Ordinance (Title 154 of the Village Code) and Sign Ordinance (Title 153 of the Village Code) on the property described in Section 2 below; and,

WHEREAS, public hearings on such application have been conducted by the Village of Lombard Plan Commission on November 12, November 24, and December 10, 1997 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 Final Plan of Planned Development and variations 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; 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 for a Final Plan of Planned Development 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 a Conditional Use for a Final Plan of Planned Development is hereby granted for the property described in Section 2 below and pursuant to the Lombard Zoning Ordinance, No. 3274, Section 5, Planned Developments, to provide for the construction of Fountain Square of Lombard Condominiums.

SECTION 2: That this ordinance is limited and restricted to the property generally located south of 22nd Street and West of Meyers Road, Lombard, Illinois, and legally described as follows:

That Part of the Northeast Quarter of Section 29 and the Northwest Quarter of Section 28, All in Township 39 North, Range 11 East of the Third Principal Meridian, Described as Follows:

Beginning at a Point at the Intersection of the West Line of Said Section 28 with the Southerly Line of 22nd Street as Dedicated per Document Number 968458, Said Southerly Line Being 50 Feet South Of, as Measured at Rights Angles To, and Parallel With, the North Line of Said Section 28, Said Point of Beginning Being Also the Northwest Corner of Lot 1 in Bethany Biblical Seminary Subdivision, According to the Plat Thereof Recorded as Document Number R62-17770 in the Recorders Office of DuPage County, Illinois; Thence South 87 Degrees 12 Minutes 47 Seconds East along Said Southerly Line of 22nd Street, Being Also the Northerly Line of Lots 1 Through 9 in Said Bethany Biblical Seminary Subdivision, a Distance of 928.41 Feet; Thence South 01 Degrees 49 Minutes 21 Seconds West a Distance of 478.18 Feet; Thence Southwesterly along a Curve, Concave Southeasterly Having a Radius of 345.50 Feet, Having a Chord Bearing of South 81 Degrees 17 Minutes 30 Seconds West, for an Arc Distance of 120.52 Feet; Thence South 89 Degrees 42 Minutes 24 Seconds West a Distance of 778.64 Feet; Thence South 04 Degrees 22 Minutes 37 Seconds West a Distance of 307.22 Feet; Thence South 11 Degrees 48 Minutes 51 Seconds West a Distance of 32.54 Feet; Thence North 78 Degrees 11 Minutes 09 Seconds West a Distance of 94.07 Feet to a Point on the Westerly Line of Bethany Theological Seminary Assessment Plat, According to the Plat Thereof Recorded as Document Number R65-11923 in Said Recorders' Office of DuPage County, Illinois, Said Point Being Also on the Easterly Line of the Resubdivision of Northern Baptist Theological Seminary Subdivision According to the Plat Thereof Recorded as Document No. R89-143132 in Said Recorder's Office of DuPage County, Illinois; Thence North 11 Degrees 50 Minutes 22 Seconds East along Said Westerly Line of Bethany Theological Seminary Assessment Plat, Being Also Said Easterly Line of the

Resubdivision of Northern Baptist Theological Seminary Subdivision and an Easterly Line of Midcon Assessment Plat, According to the Plat Thereof Recorded as Document Number R83-34520 in Said Recorders' Office of DuPage County, Illinois, a Distance of 181.52 Feet to an Angle Point in Said Westerly Line of Bethany Theological Seminary Assessment Plat, Being Also an Angle Point in Said Easterly Line of Midcon Assessment Plat, Said Point Being on a Line 70.00 Feet West Of, as Measured along the North Line Thereof, and Parallel With, the East Line of Said Section 29; Thence North 00 Degrees 00 Minutes 00 Seconds East along Said Parallel Line, Being Also Said Westerly Line of Bethany Theological Seminary Assessment Plat, Being Also Said Easterly Line of Midcon Assessment Plat, a Distance of 686.60 Feet to Said Southerly Line of 22nd Street; Thence South 89 Degrees 53 Minutes 38 Seconds East along Said Southerly Line of 22nd Street, Being a Line 50.00 Feet South Of, as Measured at Right Angles To, and Parallel With, the North Line of Said Section 29, a Distance of 70.00 Feet to Said Point of Beginning, All in DuPage County, Illinois.

Said Parcel of Land Herein Described Contains 12.460 Acres, More or less.

Parcel Nos. 06-28-100-001 through -009 and 06-28-101-003

SECTION 3: The following variations from the Village Code are hereby granted as further conditions to the grant of a Conditional Use for a Final Plan of Planned Development:

- A. Subject to further review of specific plans as part of the final plan of Planned Development approval process, a variation be and is hereby granted to Section 153.231 of the Village Code to allow, at the main vehicular access drive, two single-faced signs, each with a sign surface area not to exceed 32 square feet.
- B. That a variation be and hereby is granted to Section 153.306.D.3 of the Village Code to allow an 8 foot wide asphalt pedway to be substituted for the required 5 foot sidewalk along the south side of 22nd Street.
- C. That a variation be and hereby is granted to Section 154.602.D.3.e, f and g of the Village Code to allow permits for grading and foundation work to be issued prior to the completion of the water distribution system, sanitary sewer system, and public right-of-way improvements and that other building permits may issue subject to the approvals of the appropriate Village officials, all in accordance with the terms and conditions set forth in the R4 Development Agreement.

D. That a variation be and hereby is granted to Section 155.206.A.4 of the Village Code to allow no more than three roof-mounted antennae dishes per principal building.

E. That a variation be and hereby is granted to Section 155.408.D.4 of the Village Code to allow no more than 270 dwelling units on the property (21.7 dwelling units per acre).

F. That a variation be and hereby is granted to Section 155.408.G.2 of the Village Code to allow the two proposed southerly buildings to have 5 stories provided they do not exceed 50 feet in height.

G. That a variation be and hereby is granted to Section 155.506 of the Village Code to allow the uninterrupted progress of demolition and excavation/fill work being conducted on the subject property, under preannexation permits issued by DuPage County, prior to the recording of the Final Plan of Planned Development.

H. That a variation be and hereby is granted to Section 155.602.A.3, 4 and 7 of the Village Code to allow shared parking between the subject property and Lot 2 of Fountain Square Subdivision if Lot 2 is developed with multifamily uses, subject to site plan approval for Lot 2 and the terms and conditions of the B3 Development Agreement pertaining to Lot 2.

I. That a variation be and hereby is granted to Sections 155.706.C and 155.709 of the Village Code requiring landscaped areas at lot perimeters and perimeter parking lots to except areas of shared parking or shared drive aisles at the border of the subject property and Lot 2, if Lot 2 is developed for multifamily use, subject to site plan approval for Lot 2.

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 7<sup>th</sup> day of May, 1998.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 1998.

Passed on second reading this 21<sup>st</sup> day of May, 1998.

Ayes: Trustees Borgatell, Tross, Schaffer, Jaugilas, Gatz and Kufirin

Nays: None

Ordinance No. 4461

Re: 97-28

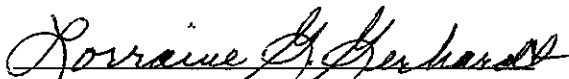
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Absent: None

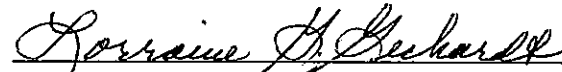
Approved this 21st day of May, 1998.

  
William J. Mueller, Village President

ATTEST:

  
Lorraine G. Gerhardt, Village Clerk

Published by me in pamphlet form this 29th day of May,  
1998.

  
Lorraine G. Gerhardt, Village Clerk

