

FRED BUCHOLZ

DUPAGE COUNTY RECORDER

JUL. 19, 2006

3:30 PM

OTHER

06-17-316-003

006 PAGES

R2006-138331

ORDINANCE NO 5824

**GRANTING VARIATIONS TO SECTIONS 153.211 (F)
153.241 (F) AND 153.506 (B) (19) (a) 92) OF THE LOMBARD
SIGN ORDINANCE AND A CONDITIONAL USE
PURSUANT TO TITLE 15, CHAPTER 155, SECTION
155.415 (C) OF THE LOMBARD ZONING ORDINANCE**

Addresses: 300 E. Roosevelt Road, Lombard

PINs: 06-17-316-003

Return To:

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

ORDINANCE NO. 5824

**AN ORDINANCE GRANTING VARIATIONS TO SECTIONS
153.211 (F) 153.241 (F) AND 153.506 (B) (19) (a) (2) OF THE
LOMBARD SIGN ORDINANCE AND A CONDITIONAL USE
PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.415 (C)
OF THE LOMBARD ZONING ORDINANCE**

(PC 06-04: 300 East Roosevelt Road)

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 B4 Corridor Commercial District; and,

WHEREAS, an application has been filed requesting approval of a conditional use pursuant to Title 15, Chapter 155, Section 415 (C) of the Lombard Village Code to provide for drive-through services; and

WHEREAS, said application also requests approval of a variation from Section 153.211(F) and Section 153.241 (F) of the Lombard Village Code to allow for wall signs to be displayed in conjunction with awning signs; and,

WHEREAS, said application also requests approval of a variation from 153.506 (B) (19) (a) (2) of the Lombard Village Code to allow for the display of wall five (5) signs; and,

WHEREAS, public hearings on the forgoing application were conducted by the Village of Lombard Plan Commission on January 23, 2006 and February 20, 2006 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 variations and conditional use 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;

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Re: PC 06-04

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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 is hereby granted for the Subject Property, as described in Section 4 below, pursuant to Title 15, Chapter 155, Section 415 (C) of the Lombard Village Code to provide for drive-through services, subject to the conditions set forth in Section 5 below.

SECTION 2: That a variation from Section 153.211 (F) and Section 153.241 (F) of the Lombard Village Code is hereby granted for the Subject Property, as described in Section 4 below, to allow for wall signs to be displayed in conjunction with awning signs, subject to the conditions set forth in Section 5 below.

SECTION 3: That a variation from Section 153.506 (B) (19) (a) (2) of the Lombard Village Code is hereby granted for the Subject Property, as described in Section 4 below, to allow for the display of wall five (5) signs, subject to the conditions set forth in Section 5 below.

SECTION 4: That this Ordinance is limited and restricted to the property located at 300 East Roosevelt Road, Lombard, Illinois and legally described as follows:

THE WEST 183 FEET OF THE EAST 645.3 FEET OF THE SOUTH 350 FEET (EXCEPT THOSE AREAS WITHIN THE STEWART AVENUE AND ROOSEVELT ROAD PUBLIC RIGHTS-OF-WAY) OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-17-316-003; (the "Subject Property").

SECTION 5: The variations and conditional use, as provided for in Sections 1, 2 and 3 of this Ordinance shall be granted subject to compliance with the following conditions:

1. The petitioner shall develop the site and building in accordance with the following plans submitted as part of this request, except as modified by the Village Board:
 - a) Site and landscaping plans prepared by Marchris Engineering, dated April 20, 2005;
 - b) Wall signage drawings prepared by Everbrite, Inc., and last revised September 22, 2004 (E) and October 3, 2005 (H);
 - c) Menu board signage drawings prepared by Florida Plastics International, Inc., and dated April 12, 2001; and
 - d) Materials board and elevations prepared by Corporate Design and Development Group, dated December 15, 2005.

Furthermore, any changes to the proposed building materials and/or colors proposed for the restaurant from the approved materials board shall be considered a major change and shall require the review and approval of the Village prior to installation.

2. The petitioner's building improvements shall be designed and constructed consistent with Village Code and shall also address the comments included within the IDRC report.
3. The trash enclosure screening as required by Section 155.710 of the Zoning Ordinance shall be constructed of a masonry material consistent with that used on the principal building.
4. Prior to consideration by the Village Board, the petitioner shall submit modified building elevations for the south, east, and west sides of the building that substitute masonry for the EFIS panels that are shown between the concrete wainscoting and the dark red masonry band that is in line with the proposed awnings.
5. The petitioner shall modify the plans so that the curb at the southwest corner of the building shall be tapered outward from the drive-through window to improve pedestrian visibility near the drive-through area.

SECTION 6: This Ordinance, upon approval, shall be recorded by the Village with the Office of County Recorder.

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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.

Passed on first reading this 2nd day of March, 2006.

First reading waived by action of the Board of Trustees this _____ day of _____, 2006.


Passed on second reading this 16th day of March, 2006, pursuant to a roll call vote as follows:

Ayes: Trustees Gron, Tross, O'Brien, Sebby, Florey and Soderstrom

Nays: None

Absent: None

Approved by me this 16th day of March, 2006.

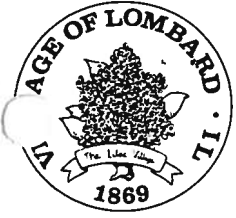

William J. Mueller, Village President

ATTEST:


Brigitte O'Brien, Village Clerk

Published in pamphlet from this 21st day of March, 2006.


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.

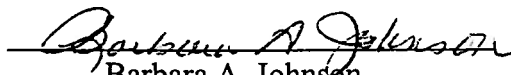
I further certify that attached hereto is a true and correct copy of ORDINANCE 5824

AN ORDINANCE GRANTING VARIATIONS TO SECTIONS 153.211 (F) 153.241 (F) AND 153.506 (B)(19)(a)(2) OF THE LOMBARD SIGN ORDINANCE AND A CONDITIONAL USE PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.415 (C) IN REGARD TO THE PROPERTY LOCATED AT 300 E. ROOSEVELT ROAD, LOMBARD, DUPAGE COUNTY, ILLINOIS, PIN 06-17-316-003.

of the said Village as it appears from the official records of said Village duly passed on March 16, 2006.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 20th day of June, 2006.




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