

ORDINANCE NO. 5172

**AN ORDINANCE GRANTING
A CONDITIONAL USE FOR A DRIVE THROUGH ESTABLISHMENT
IN B3PD COMMUNITY SHOPPING DISTRICT PLANNED DEVELOPMENT
WITH DEVIATIONS FOR WALL SIGNAGE AND
PARKING LOT PERIMETER LANDSCAPING**

(PC 02-24; 810 E. Roosevelt Road)

(See also Ordinance 5171)

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 B3 Community Shopping District; and,

WHEREAS, an application has heretofore been filed pursuant to Chapter 155 Section 414 C (7) of the Lombard Zoning Ordinance for a conditional use to allow a drive-through establishment/service in a B3 Community Shopping District; and

WHEREAS, companion Ordinance 5171 granted a conditional use for a planned development which includes the subject property; and

WHEREAS, said application also requests a planned development deviation from Section 153.505 (B) (16) (a) (2) (a) of the Sign Ordinance to allow for an increase in the number of wall signs allowed from one sign to two per street exposure; and

WHEREAS, said application also requests a planned development deviation from the perimeter parking lot landscaping requirements within a rear yard as required in Section 155.706 (C) of the Lombard Zoning Ordinance; and

Ordinance No. 5172
Re: PC 02-24
Page 2

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on June 17, 2002 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 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.

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 the ordinance is limited and restricted to the property generally located at 810 E. Roosevelt Road, Lombard, Illinois, and legally described as follows:

LOT 2 OF LOMBARD SQUARE RESUBDIVISION OF LOT 1 IN 800 E. ROOSEVELT ROAD SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHEAST ¼ OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN YORK TOWNSHIP, DUPAGE COUNTY ILLINOIS.

Parcel No. 06-17-406-047 (part of)

SECTION 2: That a conditional use for a drive through establishment with deviations for signage and rear landscape yards are hereby granted for the Subject Property, subject to compliance with the following conditions:

1. All improvements shall substantially comply with the site plan prepared by Design +, Inc. Louisville, Kentucky, dated April 29, 2002.

Ordinance No. 5172
Re: PC 02-24
Page 3

2. Landscaping improvements shall substantially comply with the landscape plan submitted by Couture Landscape Construction, Lombard, IL., dated May 3, 2002 and amended July 2, 2002.
3. As indicated in the Zoning Ordinance, this conditional use shall be null and void unless it is substantially underway within one year from the date of granting thereof, and completed within 18 months thereof, unless extended by further action of the Village Board prior to the expiration of the ordinance approving the conditional use.

SECTION 3: 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 _____, 2002.

First reading waived by action of the Board of Trustees this 18th day of July, 2002.


Passed on second reading this 18th day of July, 2002.

Ayes ~~Trustees DeStephano, Tross, Koenig, Sebby, Florey, Soderstrom~~

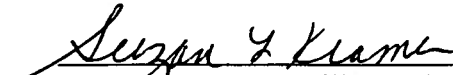
Nayes: None

Absent: None

Approved this 18th day of July, 2002.


William J. Mueller, Village President

ATTEST:


Suzan L. Kramer, Village Clerk