

FRED BUCHOLZ

DUPAGE COUNTY RECORDER

AUG.04,2016

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ORDINANCE 7245

**GRANTING MAJOR CHANGES TO A
PLANNED DEVELOPMENT WITH COMPANION
CONDITIONAL USES, DEVIATIONS, AND VARIATIONS
FROM THE LOMBARD ZONING ORDINANCE**

**PIN(s): 06-29-402-014, 06-29-402-030 and 06-29-402-031
ADDRESS: 601-621 E. Butterfield Road, Lombard, IL 60148**

And

**PIN(s): 06-29-402-017
ADDRESS: 2801-2821 S. Fairfield Avenue, Lombard, IL 60148**

And

**PIN(s): 06-29-402-007
ADDRESS: Vacant land along Fairfield Road, 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 7245

GRANTING MAJOR CHANGES TO A
PLANNED DEVELOPMENT WITH COMPANION CONDITIONAL USES, DEVIATIONS,
AND VARIATIONS FROM THE LOMBARD ZONING ORDINANCE

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of the said Village as it appears from the official records
of said Village duly approved this 21st
day of July, 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 3rd day of August, 2016.



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

**ORDINANCE 7245
PAMPHLET**

**PC 16-12: 611 E. BUTTERFIELD ROAD
SAM'S CLUB PLANNED DEVELOPMENT AMENDMENT**



PUBLISHED IN PAMPHLET FORM THIS 22nd DAY OF JULY, 2016, BY ORDER
OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE
COUNTY, ILLINOIS.

Sharon Kuderna

Sharon Kuderna
Village Clerk

ORDINANCE NO. 7245

**AN ORDINANCE GRANTING MAJOR CHANGES TO A
PLANNED DEVELOPMENT WITH COMPANION CONDITIONAL USES,
DEVIATIONS, AND VARIATIONS FROM THE LOMBARD ZONING
ORDINANCE**

(PC 16-12: 611 E. Butterfield Road, Sam's Club)

(See also Ordinance No(s). 7201 and 7202)

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 and pursuant to companion Ordinances No. 7201 and 7202, which approved a map amendment and a conditional use for the Subject Property into the B3PD Community Shopping District, Planned Development (commonly known as the Sam's Club Planned Development); and,

WHEREAS, an application has heretofore been filed requesting approval of a major change to the previously approved conditional use for a planned development with companion conditional uses, deviations, and variations from the Zoning Ordinance (Title 15, Chapter 155 of the Village Code) as set forth in Section 1 below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on June 20, 2016 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 an amendment to the previously approved conditional use for the established Sam's Club Planned Development, with companion conditional uses, deviations, 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 amendment to the conditional use for a planned development with the following companion conditional uses, deviations, and variations from the Lombard Zoning Ordinances as set forth below are hereby granted for the Subject Property legally described in Section 2, subject to the conditions set forth in Section 3:

1. Pursuant to Section 155.504(A)(4), approve a site plan modification to relocate the building approximately sixteen (16) feet to the north of the previously approved location, with an alternate configuration for the proposed truck dock;
2. To provide for an overhead customer loading canopy, a deviation from Section 155.415 (F)(4) to reduce the minimum rear yard setback between the NiCor property and the proposed Lot 1 of the Sam's Club final plat of resubdivision from thirty feet (30') to five feet (5');
3. A further variation from Section 155.210 (D)(1) to allow for a modified location for the bale and pallet storage area located within the corner side yard;
4. Pursuant to 155.415(C)(9), grant conditional use approval of an alternate site plan for the fuel center;
5. Pursuant to 155.603 (C)(2), provide for more than two cargo containers on the property during the construction period; and
6. Approve the submitted site plans and exhibits as the approved site plan for the proposed development, as amended and as applicable.

SECTION 2: That this ordinance is limited and restricted to the subject property generally located at 611 E. Butterfield Road, Lombard, Illinois, and legally described as follows:

PARCEL 1:

LOT 1 IN YORKTOWN CENTER ASSESSMENT PLAT OF TRACT 5 OF THE PLAT OF SURVEY OF THE BOEGER FARM OF PART OF SECTIONS 28 AND 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID ASSESSMENT PLAT RECORDED DECEMBER 10, 1979 AS DOCUMENT R79-110076, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

LOTS 1 AND 2 IN 641 BUTTERFIELD ROAD ASSESSMENT PLAT OF LOT 2 IN YORKTOWN CENTER ASSESSMENT PLAT OF TRACT 5 OF THE PLAT OF SURVEY OF THE BOEGER FARM OF PART OF SECTIONS 28 AND 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID ASSESSMENT PLAT RECORDED FEBRUARY 27, 2007 AS DOCUMENT R2007-035602, IN DUPAGE COUNTY, ILLINOIS.

Parcel Nos.: 06-29-402-014
06-29-402-030
06-29-402-031

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Address: 601-621 E. Butterfield Road

AND PARCEL 3:

LOT 3 (EXCEPT THAT PART OF LOT 3 LYING WESTERLY OF A STRAIGHT LINE THAT INTERSECTS THE WEST LINE OF SAID LOT 3, 102.59 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 3, AND INTERSECTS THE NORTH LINE OF SAID LOT 3, 22.20 FEET (22.25 FEET RECORD) EAST OF THE NORTHWEST CORNER OF SAID LOT 3) AND THAT PART OF LOTS 1 AND 2 (TAKEN AS A TRACT) DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 14 DEGREES 01 MINUTE WEST ALONG THE EAST LINE OF SAID LOT 2, 38.50 FEET; THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT, HAVING A CHORD BEARING OF SOUTH 77 DEGREES 50 MINUTES 12 SECONDS WEST AND HAVING A RADIUS OF 840.00 FEET FOR A DISTANCE OF 359.60 FEET ARC MEASURE, TO A POINT ON A LINE CONVEYED FOR A HIGHWAY FROM LOT 1, (SAID LINE CONVEYED FOR A HIGHWAY HAVING A BEARING OF SOUTH 57 DEGREES 59 MINUTES WEST, A DISTANCE OF 100.14 FEET), SAID POINT ON SAID HIGHWAY LINE BEING 17.50 FEET FROM THE WESTERLY END OF SAID HIGHWAY LINE AS MEASURED ALONG SAID LINE; THENCE SOUTH 57 DEGREES 59 MINUTES WEST ALONG SAID HIGHWAY LINE 17.50 FEET; THENCE SOUTH 1 DEGREE 28 MINUTES EAST ALONG A LINE TAKEN FOR HIGHWAY 44.95 FEET (44.74 FEET RECORD), TO THE SOUTH LINE OF SAID LOT 1; THENCE NORTHEASTERLY ALONG THE SOUTH LINE OF SAID LOT 1 AND THE SOUTH LINE OF SAID LOT 2, 382.48 FEET TO THE PLACE OF BEGINNING, IN NAEGELE'S RESUBDIVISION, BEING A RESUBDIVISION OF PARTS OF LOT 2 AND 3 IN NAEGELE'S ASSESSMENT PLAT IN SECTIONS 29 AND 32, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 22, 1959 AS DOCUMENT 940835 IN DU PAGE COUNTY, ILLINOIS.

Parcel No.: 06-29-402-017

Address: 2801-2821 S. Fairfield Avenue

AND

PART OF LOT 3 LYING WESTERLY OF A STRAIGHT LINE THAT INTERSECTS THE WEST LINE OF SAID LOT 3, 102.59 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 3 AND INTERSECTS THE NORTH LINE OF SAID LOT 3, 22.20 FEET (22.25 FEET RECORD) EAST OF THE NORTHWEST CORNER OF SAID LOT 3, IN NAEGELE'S RESUBDIVISION, BEING A RESUBDIVISION OF PARTS OF LOTS 2 AND 3 IN NAEGELE'S ASSESSMENT PLAT IN SECTIONS 29 AND 32, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 22, 1959 AS DOCUMENT 940835 IN DUPAGE COUNTY, ILLINOIS.

Parcel No.: 06-29-402-007

Address: Vacant land along Fairfield Road, Lombard, Illinois 60148

SECTION 3: This Ordinance is approved subject to compliance with the following conditions:

1. The petitioner shall develop the site in accordance with the plans submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report, except as they may be changed to conform to Village Code, or as provided as part of the original planned development approval set forth in Ordinances 7201 and 7202, whichever is applicable.
2. Pursuant to the Zoning Ordinance, the project construction shall commence within one (1) year from the date of approval of the ordinance, unless a time extension been granted by the Village Board. This conditional use approval shall become null and void eighteen (18) months from the date of approval if the proposed site improvements are not completed or an extension has been granted.
3. The petitioner shall be required to apply for and receive building permits for any improvements to the site.
4. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report, including but not limited to providing the following:
 - a. The proposed additional 7 stall parking field at the southeast corner of the proposed building shall be reconfigured by removing or relocating four stalls to provide a clear paved area to provide a diagonal apparatus set up area.
 - b. The canopy supports must be at least ten (10) feet horizontally from the water main and the canopy must be no lower than sixteen (16) feet to allow the use of construction equipment in repairing a water main break in that area.
5. All other relief not amended as part of this petition that was previously granted to the Subject Property as part of Ordinances 7201 and 7202 shall remain in full force and effect for the planned development.
6. Upon completion of the project, as determined by the issuance of a final certificate of occupancy, any cargo containers exceeding the maximum provided by Village Code shall be removed.

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.

Ordinance No. 7245

Re: PC 16-12

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Passed on first reading this ____ day of _____, 2016.

First reading waived by action of the Board of Trustees this 21st day of July, 2016.

Passed on second reading this 21st day of July, 2016.

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


Nays: None

Absent: Trustee Pike

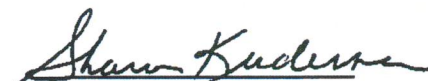
Approved this 21st day of July, 2016.


Keith T. Giagnorio
Village President

ATTEST:


Sharon Kuderna
Village Clerk

Published by me in pamphlet form on this 22nd day of July, 2016.


Sharon Kuderna
Village Clerk