

**ORDINANCE NO. 5303**

**AN ORDINANCE GRANTING A CONDITIONAL USE  
FOR A PLANNED DEVELOPMENT WITH A USE EXCEPTION  
IN THE B5 CENTRAL BUSINESS DISTRICT**

(PC 03-09; 129-143 W. St. Charles 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 is zoned B5 Central Business District; and,

WHEREAS, said planned development includes a use exception to allow less than fifty percent (50%) of the area of the ground floor to be devoted to uses permitted in the B5 Central Business District and; and

WHEREAS, said planned development also includes a deviation from Section 155.416 (M) reducing the required number of off-street parking spaces; and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on April 21, 2003 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, and

WHEREAS, as part of the May 1 and May 15, 2003 Village Board meetings, the President and Board of Trustees tabled final consideration of the requested deviation from Section 155.416 (M) reducing the required number of off-street parking spaces; and,

WHEREAS, the petitioner has submitted a revised site plan dated May 27, 2003 for consideration that provides for 68 parking spaces on the subject property, which would meet the off-street parking requirements of the Lombard Zoning Ordinance; and

WHEREAS, the President and Board of Trustees find that the deviation from Section 155.416 (M) reducing the required number of off-street parking spaces is no longer needed for the Subject Property.

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 planned development with an exception to allow for less than fifty percent (50%) of the area of the ground floor to be devoted to uses permitted in the B5 Central Business District is hereby granted for the Subject Property legally described in Section 2 below, subject to the conditions set forth in Section 3 below:

SECTION 2: That the ordinance is limited and restricted to the property generally located at 129-143 W. St. Charles Road, Lombard, Illinois, and legally described as follows:

LOTS 4 AND 5 IN BLOCK 19, IN ORIGINAL TOWN OF LOMBARD, A SUBDIVISION IN SECTIONS 5 TO 8 AND 18, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH LOTS 5, 6, AND 7 IN J. B. HULL'S SUBDIVISION OF LOT 3 IN BLOCK 19 OF THE ORIGINAL TOWN OF LOMBARD, BEING A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS.

Parcel Nos. 06-07-209-004, 005, 006  
(Hereinafter the "Subject Property").

SECTION 3: The conditional use set forth in Section 1 above shall be granted subject to compliance with the following conditions, as amended:

1. The property shall be developed in substantial compliance with the site plans and building elevations prepared by Haylock Design, Inc., revised April 10, 2003, and updated May 27, 2003 and all comments in the Inter-Departmental Review Report shall be addressed.

2. The petitioner shall submit a final landscape plan for staff review and approval by the Director of Community Development.

SECTION 4: That all other relief associated with the petition is hereby denied.

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 1st day of May, 2003.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

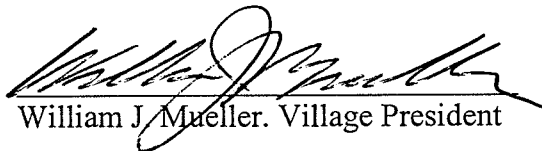
Passed on second reading this 5th day of June, 2003.

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

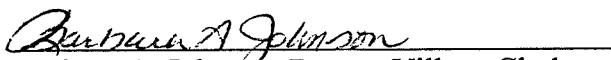
Nays: None

Absent: None

Approved this 5th day of June, 2003.

  
William J. Mueller, Village President

ATTEST:

  
Barbara A. Johnson, Deputy Village Clerk