

**ORDINANCE 8108
PAMPHLET**

PC 22-02: 400 E. ST. CHARLES ROAD – NEW DIRECTIONS HOUSING



PUBLISHED IN PAMPHLET FORM THIS 2ND DAY OF DECEMBER, 2022, BY ORDER
OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE
COUNTY, ILLINOIS.


Elizabeth Brezinski
Village Clerk

ORDINANCE NO. 8108

**AN ORDINANCE GRANTING A MAJOR CHANGE TO A
PLANNED DEVELOPMENT PURSUANT TO TITLE 15,
CHAPTER 155, SECTION 155.504 OF THE LOMBARD ZONING
ORDINANCE, FOR THE PROPERTY AT 400 E. ST. CHARLES
ROAD IN THE OAKVIEW ESTATES PLANNED
DEVELOPMENT, AS ESTABLISHED BY ORDINANCE 5488
AND AMENDED BY ORDINANCES 7342, 7484, 7529, 7609, 7653,
AND 7811**

(PC 22-02: Oakview Estates Planned Development – 400 E. 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, as described in Section 2 below, is zoned R4PD Limited General Residence District Planned Development; and,

WHEREAS, the Subject Property, as described in Section 2 below, is subject to the standards for the Oakview Estates Planned Development, as adopted by the President and Board of Trustees of the Village of Lombard by Ordinance 5488 and amended by Ordinances 7342, 7484, 7529, 7609, 7653, and 7811; and,

WHEREAS, an application has heretofore been filed requiring approval of the following major change, pursuant to the Lombard Zoning Ordinance (Title 15, Chapter 155 of the Village Code):

1. Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Oakview Estates Planned Development, as established by Ordinance No. 5488 and amended by Ordinances 7342, 7484, 7529, 7609, 7653, and 7811 as follows:
 - a. For the property located at 400 E. St. Charles Road, change the approved land use from attached single-family (townhomes) to multiple-family dwelling units, based upon the submitted plans.

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on February 21, 2022, 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 major changes, approval of the conditional use and approval of the deviation; 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 major changes for a portion of a planned development as set forth below is 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) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Oakview Estates Planned Development, as established by Ordinance No. 5488 and amended by Ordinance No. 7342, as follows:
 - a. For the property located at 400 E. St. Charles Road, change the approved land use from attached single-family (townhomes) to multiple-family dwelling units, based upon the submitted plans.

SECTION 2: That this ordinance is limited and restricted to the subject property generally located at 400 E. St. Charles Road, Lombard, Illinois, and more specifically legally described as set forth below:

LOT 1 IN OAKVIEW ESTATES SECOND RESUBDIVISION BEING A RESUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 5, AND THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED APRIL 27, 2018 AS DOCUMENT NUMBER R2018-036834, IN DUPAGE COUNTY, ILLINOIS.

PROPERTY COMMONLY KNOWN AS: 400 EAST ST. CHARLES ROAD,
LOMBARD, ILLINOIS

PIN: 06-05-426-010

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. That 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;
2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
3. That the development establish and maintain compliance with the Fair Housing Act's "Housing for Older Persons" Exemptions pursuant to 24 C.F.R. §§ 100.300-100.308;
4. That prior to the issuance of building permits by the Village, the petitioner and the Oakview Estates Condominium Association shall execute and record a mutually acceptable and duly authorized cross-access easement agreement pertaining to the subject property and the property at 500 E. St. Charles Road; in the event such cross-access easement agreement is not executed and recorded prior to the commencement time provisions as set forth within Section 155.103(F)(11) of Village Code, the approvals granted by this ordinance shall become null and void without the need for further action of the Village Board; and
5. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).

SECTION 4: That all other relief granted by Ordinances 7342, 7484, 7529, 7609, 7653, and 7811 is hereby repealed.

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 21st day of July, 2022.

First reading waived by action of the Board of Trustees this _____ day of _____, 2022.

Passed on second reading this 1st day of December, 2022, pursuant to a roll call vote as follows:

Ordinance No. 8108

Re: PC 22-02

Page 4

Ayes: Trustee LaVaque, Dudek, Honig, Militello and Bachner

Nays: None

Absent: Trustee Puccio

Approved by me this 1st day of December, 2022.


Keith T. Giagnorio, Village President

ATTEST:


Elizabeth Brezinski, Village Clerk

Published by me in pamphlet form this 2nd day of December, 2022.


Elizabeth Brezinski, Village Clerk