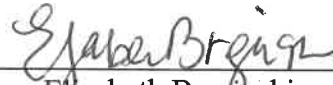


**ORDINANCE 8349
PAMPHLET**

PC 25-05: 1210 S. FINLEY ROAD – SMOKING ESTABLISHMENT



PUBLISHED IN PAMPHLET FORM THIS 21ST DAY OF MARCH 2025, BY ORDER OF
THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE
COUNTY, ILLINOIS.


Elizabeth Brezinski
Village Clerk

ORDINANCE NO. 8349

**AN ORDINANCE GRANTING CONDITIONAL USES
PURSUANT TO SECTION 155.103(F) OF THE LOMBARD
VILLAGE CODE AND VARIATIONS PURSUANT TO SECTION
155.103(C) OF THE LOMBARD VILLAGE CODE TO ALLOW
FOR A SMOKING ESTABLISHMENT ON THE SUBJECT
PROPERTY LOCATED WITHIN THE B4A ROOSEVELT ROAD
CORRIDOR DISTRICT.**

PC 25-05: 1210 S. Finley 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 B4A Roosevelt Road Corridor District; and,

WHEREAS, an application has been filed requesting approval of the following relief for the Subject Property:

1. A conditional use pursuant to Section 155.103(F) of the Zoning Ordinance in order to allow a smoking establishment that complies with the Illinois Smoke Free Act (see Section 155.417(G)(2)(b)(xi));
2. A conditional use pursuant to Section 155.103(F) of the Zoning Ordinance in order to recognize existing off-site parking throughout the shopping center (R1972-041405) the use by 1210 Finley Road of off-site parking spaces situated at 505 and 515 West Roosevelt Road in conformance with Section 155.602(A)(3)(b) (see Section 155.417(G)(2)(c)(ii));
3. A conditional use pursuant to Section 155.103(F) of the Zoning Ordinance in order to allow outdoor services, subject to Section 155.210(C)(2)(b) (see Sections 155.417(G)(2)(a)(vi) and 155.417(G)(10)(b)), provided that no seating area for a smoking establishment shall be placed within thirty (30) feet from the west lot line;
4. Variation pursuant to Section 155.103(C) of the Zoning Ordinance to allow one marquee sign on the building canopy facing Finley Road (east elevation) and one marquee sign on the south elevation in order with a combined area not to exceed

100 square feet to comply with prior and current staff interpretation of Section 153.505(B)(17)(a)(i)(a) which limits the area of marquee signs by regulating them as wall signs and limiting them a combined area of one times the lineal front footage of the property per façade of street front exposure or a maximum of 100 square feet;

5. Variations pursuant to Section 155.103(C) of the Zoning Ordinance to allow the continuation of conditions existing since 1977, and later with the expansion of rights of way, to remain:
 - a. From Section 155.417(G)(3), Section 155.417(G)(4), and Section 155.417(G) (5)(c) which impose certain lot size (40,000 SF), lot width (150 feet), and interior side yard (10 feet) standards subject to compliance with the site plan and landscape plan on file with the Village which shall be deemed part of any ordinance authorizing the variations; and
 - b. From Section 155.417(G)(9) and Section 155.417(G)(12) which impose certain landscaping (Article XI) and parking lot design (Article X) standards subject to compliance with the site plan and landscape plan on file with the Village which shall be deemed part of any ordinance authorizing the variations.

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on February 17, 2025, pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has recommended the granting of the conditional use, subject to certain terms and conditions; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard have determined that it is in the best interest of the Village of Lombard to approve the requested zoning actions 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 following relief is hereby granted for the Subject Property, as described in Section 2 below, subject to the conditions set forth in Section 3 below:

1. A conditional use pursuant to Section 155.103(F) of the Zoning Ordinance in order to allow a smoking establishment that complies with the Illinois Smoke Free Act (see Section 155.417(G)(2)(b)(xi));
2. A conditional use pursuant to Section 155.103(F) of the Zoning Ordinance in order to recognize existing off-site parking throughout the shopping center (R1972-041405) the use by 1210 Finley Road of off-site parking spaces situated at 505 and 515 West Roosevelt Road in conformance with Section 155.602(A)(3)(b) (see Section 155.417(G)(2)(c)(ii));
3. A conditional use pursuant to Section 155.103(F) of the Zoning Ordinance in order to allow outdoor services, subject to Section 155.210(C)(2)(b) (see Sections 155.417(G)(2)(a)(vi) and 155.417(G)(10)(b)), provided that no seating area for a smoking establishment shall be placed within thirty (30) feet from the west lot line;
4. Variation pursuant to Section 155.103(C) of the Zoning Ordinance to allow one marquee sign on the building canopy facing Finley Road (east elevation) and one marquee sign on the south elevation in order with a combined area not to exceed 100 square feet to comply with prior and current staff interpretation of Section 153.505(B)(17)(a)(i)(a) which limits the area of marquee signs by regulating them as wall signs and limiting them a combined area of one times the lineal front footage of the property per façade of street front exposure or a maximum of 100 square feet;
5. Variations pursuant to Section 155.103(C) of the Zoning Ordinance to allow the continuation of conditions existing since 1977, and later with the expansion of rights of way, to remain:
 - a. From Section 155.417(G)(3), Section 155.417(G)(4), and Section 155.417(G) (5)(c) which impose certain lot size (40,000 SF), lot width (150 feet), and interior side yard (10 feet) standards subject to compliance with the site plan and landscape plan on file with the Village which shall be deemed part of any ordinance authorizing the variations; and
 - b. From Section 155.417(G)(9) and Section 155.417(G)(12) which impose certain landscaping (Article XI) and parking lot design (Article X) standards subject to compliance with the site plan and landscape plan on file with the Village which shall be deemed part of any ordinance authorizing the variations.

SECTION 2: That this Ordinance is limited and restricted to the property located at 1210 S. Finley Road, Lombard, Illinois and legally described as follows:

LOT 2 IN RINCK'S SUBDIVISION, BEING A SUBDIVISION OF PART OF FINLEY-ROOSEVELT ASSESSMENT PLAT OF PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 3, 1977, AS DOCUMENT R77-08166, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-19-100-025 (the "Subject Property").

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

1. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
2. 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;
3. That the refuse disposal area on the property at 505 W. Roosevelt Road shall serve the subject property, unless and until such time as arrangements are made for refuse collection on each property individually;
4. That the petitioner shall apply for and receive building permits for the proposed improvements; and
5. That this approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).

SECTION 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed on first reading this 6th day of March 2025.

First reading waived by action of the Board of Trustees this _____ day of _____, 2025.

Passed on second reading this 20th day of March 2025.

Ordinance No. 8349
Re: PC 25-05
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Ayes: Trustee LaVaque, Puccio, Dudek, Militello and Bachner


Nays: None

Absent: None

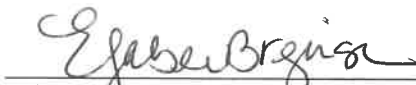
Approved by me this 20th day of March 2025.


Keith T. Giagnorio, Village President

ATTEST:


Elizabeth Brezinski, Village Clerk

Published by me in pamphlet form this 21st day of March, 2025.


Elizabeth Brezinski, Village Clerk