

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

Resolution or Ordinance (Blue) _____ X _____ *Waiver of First Requested*
X _____ Recommendations of Boards, Commissions & Committees (Green)
_____ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES
FROM: David A. Hulseberg, Village Manager
DATE: May 8, 2012 (BOT) Date: May 17, 2012
TITLE: PC 11-12: 500 E. Roosevelt Road (Firestone)
SUBMITTED BY: Department of Community Development *WJ*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration an ordinance granting a six-month time extension (December 2, 2012) to Ordinance 6627 extending the time period for construction of the conditional use for a planned development amendment with companion conditional uses, deviations and variations.

Staff recommends approval of this request with a waiver of first reading.

Please place this item on the May 17, 2012 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: David A. Hulseberg, Village Manager

FROM: William Heniff, AICP
Director of Community Development *WH*

DATE: May 17, 2012

SUBJECT: Ordinance Extension- PC 11-12; 500 E Roosevelt Road (Firestone)

The Board of Trustees approved Ordinance 6627 (PC 11-12) on June 2, 2011 which granted approval of a planned development amendment (Major Change) to Ordinance 5163 with companion conditional uses, deviations and variations for a new Firestone at 500 E Roosevelt Road.

Per the provisions of Sections 155.103 (F)(11) and (C)(10) of the Zoning Ordinance, if construction has not begun within one (1) year from the date of approval, a conditional use is null and void unless an extension is granted by the Board of Trustees. A copy of Ordinance 6627 is attached for your reference.

After being advised that the relief was about to expire, the petitioner submitted a letter requesting an extension of the approvals for an additional 6 months to allow them more time to begin the project. Final engineering and building permits have been approved and are ready to be issued. The petitioner anticipates starting construction within 30 days. Staff believes that granting an extension is in the best interest of the Village, provided that the petitioner adheres to conditions incorporated in Ordinance 6627.

RECOMMENDATION:

Please place this on the May 17, 2012 Village Board agenda. Staff recommends that the Village Board approve an Ordinance extending the time period for the previously approved conditional use for an additional six month period from the original Ordinance expiration date, thus expiring December 2, 2012. Staff also recommends a waiver of first reading.

2800 NETWORK BOULEVARD
SUITE 130
FRISCO, TEXAS 75034

BISMARCK

REAL ESTATE PARTNERS

Ray Parker
Director of Development & Construction

214-872-4011 (Direct)
214-872-4000 (Main)
214-872-4001 (Fax)

www.guggenheimpartners.com

May 7, 2012

Christopher Stilling
Assistant City Planner
Village of Lombard
255 East Wilson Ave
Lombard, IL 60148

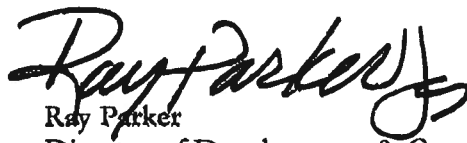
Via Facsimile (630) 629-2374
and via Email: stillings@VillageofLombard.org

Re: Firestone Complete Auto Care Store (FCAC #354550)
500 East Roosevelt Rd., Lombard, IL 60148

Per our conversation it is our understanding that the development approval period for the Firestone site referenced above expires June 2, 2012. This writing serves as Bismarck's request that the development approval period for the referenced project location be extended for a six-month period of time in order to insure completion of approvals. Bismarck is currently scheduled to close on its acquisition of the property on or about May 25, 2012. Final engineering plans have been approved, and Bismarck anticipates starting construction of this project as soon as possible following closing of the acquisition.

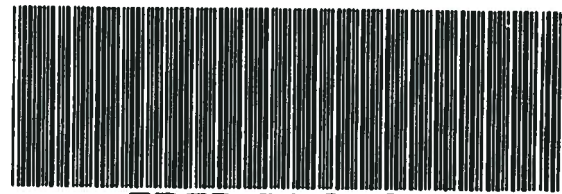
Thank you for your assistance in this regard; please let us know if there are any questions or concerns regarding this request. We look forward to receiving a response to this request at your earliest convenience.

Sincerely,
Bismarck Real Estate Partners, Inc.



Ray Parker
Director of Development & Construction

cc: Lauren Gardner, Intech Consultants (via email: lgardner@intech.com)



FRED BUCHOLZ
DUPAGE COUNTY RECORDER
SEP.16,2011 11:40 AM
OTHER 06-17-404-044
015 PAGES R2011-109383

ORDINANCE 6627

**GRANTING A PLANNED DEVELOPMENT AMENDMENT
TO ORDINANCE 5163 WITH COMPANION CONDITIONAL
USES, VARIATIONS AND DEVIATIONS**

Address: 500 E. Roosevelt Road, Lombard, IL 60148

PIN: 06-17-404-044

COPY

**Return To:
Village of Lombard
255 E. Wilson Avenue
Lombard, IL 60148**

ORDINANCE NO. 6627

**AN ORDINANCE GRANTING A PLANNED DEVELOPMENT AMENDMENT TO
ORDINANCE 5163 WITH COMPANION CONDITIONAL USES, VARIATIONS AND
DEVIATIONS**

(PC 11-12: 500 E Roosevelt 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 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 B4A Roosevelt Road Corridor District; and,

WHEREAS, on July 12, 2002, the President and Board of Trustees approved Ordinance 5163 granting a conditional use for a planned development on the subject property; and,

WHEREAS, an application has heretofore been filed requesting approval of a planned development amendment to provide for the construction of a motor vehicle service facility in the B4A District with variations and deviations from the Lombard Zoning Ordinance (Title 155 of the Village Code) and Sign Ordinance (Title 153 of the Village Code) as set forth in Section 1 below, on the property described in Section 2 below; and subject to the conditions set forth in Section 3 below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on May 16, 2011 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 petition as 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 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. Approve a planned development amendment (Major Change) to Ordinance 5163 for property located in the B4APD Roosevelt Road Corridor District, Planned Development, with the following companion conditional uses, deviations and variations, as follows;
 - a) A conditional use, per Section 155.417 (G) (2) (b) (9) of the Lombard Zoning Ordinance to allow for a new motor vehicle service facility; and
 - b) A conditional use, per Section 155.417 (G) (2) (a) (4) of the Lombard Zoning Ordinance to allow for outside display and sales of products; and
 - c) A variation from Sections 155.706 (C) and 155.709 (B) of the Zoning Ordinance reducing the required perimeter parking lot and perimeter lot landscaping from five feet (5') to zero feet (0') to provide for shared cross-access and parking; and
 - d) A deviation to Section 155.417 (G)(3) of the Zoning Ordinance to reduce the minimum lot area for detention outlots; and
 - e) A deviation from Section 155.417 (G)(4) of the Zoning Ordinance to reduce the minimum lot width for detention outlots; and
2. Site plan approval with the following deviations from the Lombard Sign Ordinance:
 - a) A deviation from Section 153.235 (F) to allow for a shopping center sign to be located closer than seventy-five feet (75') from the center line of the adjacent right-of-way; and
 - b) A deviation from Section 153.505 (B)(19)(2) to allow for 3 walls signs where 2 wall signs are permitted; and
3. Approve a major plat of subdivision.

SECTION 2: That this Ordinance is limited and restricted to the property located at 500 E Roosevelt, Lombard, Illinois and legally described as follows:

LOT 1 OF THE LOMBARD LINCOLN MERCURY PLAT OF CONSOLIDATION,
BEING A SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 17,

TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN,
ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 15, 1988 AS
DOCUMENT R88-130945, IN DU PAGE COUNTY, ILLINOIS.

Parcel Number: 06-17-404-044; (the "Subject Property").

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

1. The petitioner shall develop the site and building in accordance with the following plans submitted as part of this request, except as modified by the conditions of approval:
 - a) Elevations and floor plan by Casco attached as Exhibit A; and
 - b) Preliminary engineering plans by Intech Consultants dated April 11, 2011, last revised April 27, 2011; and
 - c) Overall site plan on an aerial by Intech Consultants dated April 11, 2011, last revised April 27, 2011; and
 - d) 2 page site plan by Intech Consultants dated April 11, 2011, last revised April 27, 2011; and
 - e) Final Plat of Subdivision by Intech Consultants dated April 11, 2011, last revised April 27, 2011; and
 - f) Photometric plan by Intech Consultants dated April 11, 2011, last revised April 27, 2011; and
 - g) Landscape plan by Charles Vincent George Architects dated April 1, 2011, last revised April 27, 2011; and
 - h) Signage plans by Chandler Signs dated November 29, 2011, last revised April 26, 2011.
2. That the petitioner shall satisfactorily address the comments included within the IDRC report.
3. The conditions of approval outlined in Ordinance 5163 and 6312 shall remain in full effect for the subject property, to the extent not specifically modified by the ordinance granting approval of this petition.

4. That any trash enclosure screening required by Section 155.710 of the Zoning Ordinance shall be constructed of material consistent with the principal building in which the enclosure is located.
5. To minimize traffic conflicts within the planned development, the developers/owners of the properties shall provide cross-access between each lot within the planned development via a recorded easement document, with the final design and location subject to review and approval by the Village. Additional cross parking may be required as part of a future redevelopment.
6. The petitioner shall satisfactorily address the following drainage issues:
 - a. The current flow directed toward the Roosevelt Road stormsewer shall be maintained, with the flow needing to be detained to current standards. As an alternative and part of the final engineering submittal, this flow may be directed to Fairfield Avenue in a manner acceptable to the Village.
 - b. The final engineering plans shall direct any runoff flow away from the rear yards and toward adjacent public rights of way.
 - c. If flow is directed to Edgewood Avenue, the petitioner shall provide documentation regarding the stormwater flow, pursuant to Section 154.402 (C) (2) Chapter 200, Section 2B. Pipe size, material, condition and ditch capacity will need to be addressed.
7. Notwithstanding any detention improvements associated with runoff being directed to Roosevelt Road, stormwater detention facilities proposed to be constructed as part of this petition shall be located in a single outlot, with common ownership and shared maintenance responsibilities.
8. Barrier curb is required along the south side of the detention pond on the Westgate lot. Staff may permit a filter strip in lieu of the curbing in this area only.
9. All comments and recommendations noted in the KLOA report dated May 5, 2011 shall be satisfactorily addressed.
10. The parking area located south of the frontage road, along the Roosevelt Road frontage and east of the proposed right in/out shall not be used for the sale and/or display of automobiles or merchandise.

11. Outdoor sales and display of merchandise may only occur during normal business hours and at the locations, as depicted on the site, prepared by Intech dated April 11, 2011, last revised April 27, 2011.
12. The proposed new shopping center sign, as depicted in the signage plans by Chandler Signs dated November 29, 2011, last revised April 26, 2011, shall be the only freestanding sign within the planned development. This includes both the Firestone parcel and the existing Westgate Auto Sales parcel. Informational signs may be permitted provided that they meet the provisions outlined in the Lombard Sign Ordinance.
13. Any new fence associated with the proposed development shall meet the requirements of the Lombard Zoning Ordinance.
14. The existing gate on Fairfield Avenue shall be removed upon a written request by the Village of Lombard.
15. Such approval shall become null and void unless work thereon is substantially under way within 12 months of the date of issuance, unless extended by the Board of Trustees prior to the expiration of the ordinance granting the conditional use.
16. The elevations shall be revised to substantially conform to the color, materials and architectural design elements depicted in the photographs submitted by the petitioner and attached as Exhibit C.

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.

Passed on first reading this _____ day of _____, 2011.

First reading waived by action of the Board of Trustees this 2nd day of June, 2011.

Passed on second reading this 2nd day of June, 2011, pursuant to a roll call vote as follows:

Ayes: Trustees Gron, Giagnorio, Wilson, Breen, Fitzpatrick and Ware

Nays: None

Absent: None

Ordinance No. 6627
Re: PC 11-12
Page 6

Approved by me this 2nd day of June, 2011.


William V. Mueller, Village President

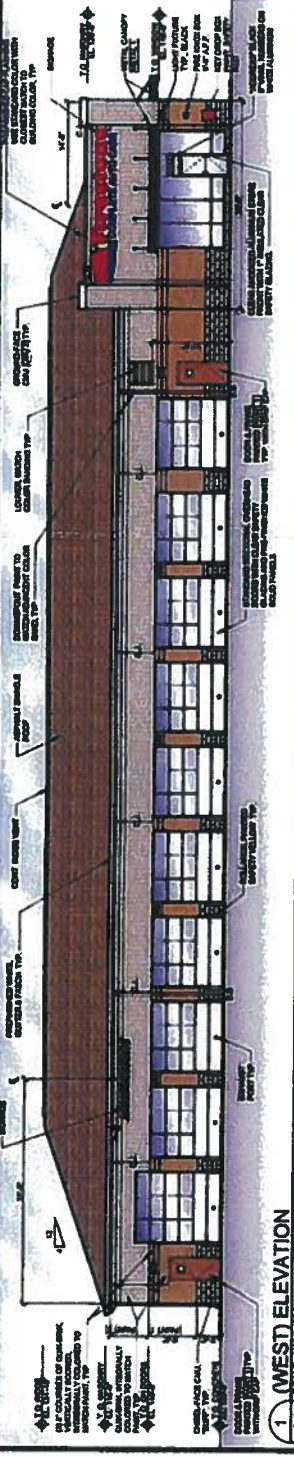
ATTEST:


Brigitte O'Brien, Village Clerk

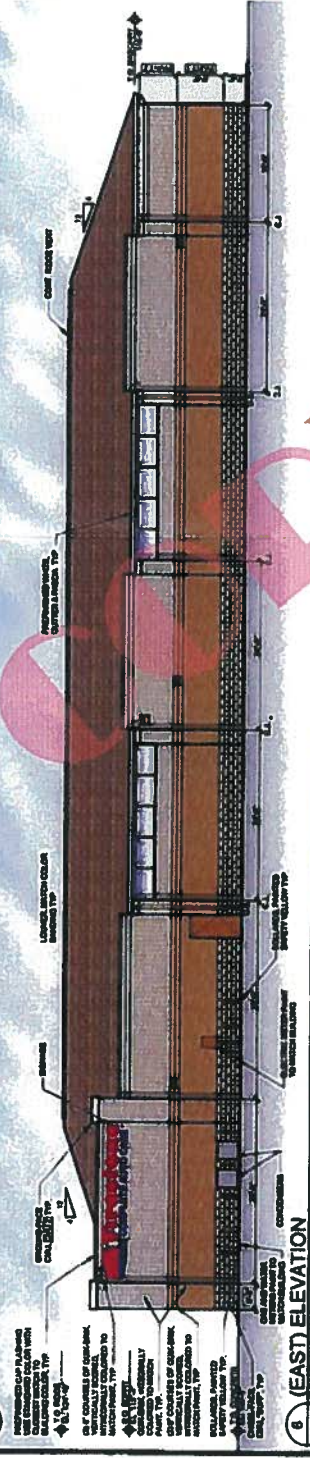
Published by me in pamphlet from this 3rd day of June, 2011.


Brigitte O'Brien, Village Clerk

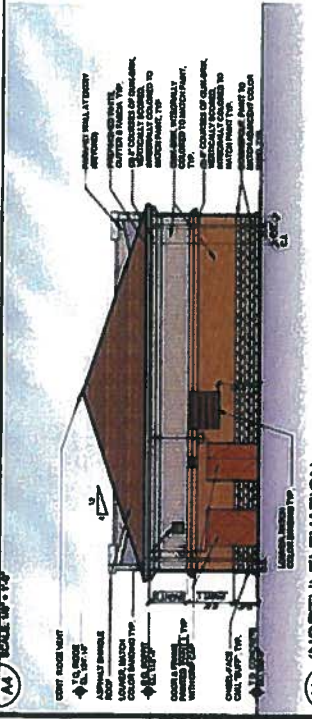
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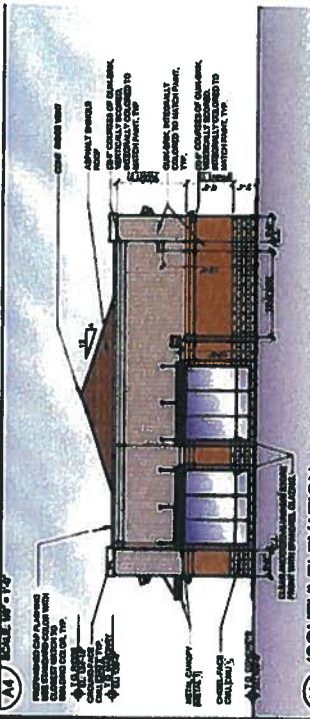
1 (WEST) ELEVATION
SCALE 1/8" = 1'-0"



2 (EAST) ELEVATION
SCALE 1/8" = 1'-0"



11 (NORTH) ELEVATION
SCALE 1/8" = 1'-0"



12 (SOUTH) ELEVATION
SCALE 1/8" = 1'-0"

PAINTE 1
PRIMER
COLOR: [Red swatch]

PAINTE 2
PRIMER
COLOR: [Brown swatch]

CHILL 1
PRIMER
COLOR: [Dark Blue swatch]

CHILL 2
PRIMER
COLOR: [Light Blue swatch]

METAL 1
PRIMER
COLOR: [Black swatch]

ASPHALT
SHINGLES
COLOR: [Dark Brown swatch]

CASCO
1877 WATSON ROAD
ST. LOUIS, MO 63127
PH: 314.241.1000

BISMARCK
RAY BRANT PAINTERS
PH: 314.241.1000

Firestone
COMPLIANT AUTO CARE

NEW FCAC STORE
"ER 2010 - DEC L.H.
E. ROOSEVELT & EDGEWOOD
LOMBARD, IL

DATE: 08/20/10
BY: [Signature]

R4
COLOR ELEVATIONS



CASCO
1807 WATSON ROAD
ST. LOUIS, MO 63107
TEL: 314-241-1000

Firestone
COMPLETE AUTO CARE

NEW FCAC STORE
E. ROOSEVELT & EDGEWOOD
LOMBARD, IL
1R 2010 - DEC 14

PA1

FLOOR PLAN AND DETAILS

CONSTRUCTION DOCUMENTS WILL BE BASED ON THE LATEST RELEASE OF THE PROVISIONAL CODE OF CONSTRUCTION DOCUMENT AUTHORIZATION.

STANDARD WALL TYPES

REF: SEE TO STRUCTURAL DRAWINGS FOR STUD WALLS AND ACCESSORIES, FINISHES, ETC.

CONCRETE MASONRY (CMU) WITH CONCRETE REINFORCEMENT AT 16" ON CENTER. FINISHES TO EXTERIOR SIDE ONLY. AND INSULATION TO EXTERIOR WALLS.

3/8" METAL STUDS AT 16" O.C. WITH 1/2" GYP BOARD FINISH BOTH SIDES. EXTERIOR FINISHES TO EXTERIOR SIDE ONLY. INTERIOR FINISHES TO INTERIOR SIDE ONLY.

2 1/2" METAL STUDS AT 16" O.C. WITH 1/2" GYP BOARD FINISH BOTH SIDES. EXTERIOR FINISHES TO EXTERIOR SIDE ONLY. INTERIOR FINISHES TO INTERIOR SIDE ONLY.

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TOILET ROOM ACCESSORIES

NAME DESCRIPTION

A 1/2" METAL STUDS AT 16" O.C. WITH 1/2" GYP BOARD FINISH BOTH SIDES. EXTERIOR FINISHES TO EXTERIOR SIDE ONLY. INTERIOR FINISHES TO INTERIOR SIDE ONLY.

B 2 1/2" METAL STUDS AT 16" O.C. WITH 1/2" GYP BOARD FINISH BOTH SIDES. EXTERIOR FINISHES TO EXTERIOR SIDE ONLY. INTERIOR FINISHES TO INTERIOR SIDE ONLY.

C 3/8" METAL STUDS AT 16" O.C. WITH 1/2" GYP BOARD FINISH BOTH SIDES. EXTERIOR FINISHES TO EXTERIOR SIDE ONLY. INTERIOR FINISHES TO INTERIOR SIDE ONLY.

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GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.

2. ALL MATERIALS SHALL BE OF THE BEST QUALITY AVAILABLE AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT.

3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LOCAL, STATE AND FEDERAL REGULATIONS.

5. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT MANUAL AND SPECIFICATIONS.

6. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE ARCHITECT'S INTENT.

7. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.

8. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT PROGRAM.

9. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT SCHEDULE.

10. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT BUDGET.

11. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT QUALITY.

12. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT SAFETY.

13. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT ENVIRONMENT.

14. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT COMMUNITY.

15. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT LEGISLATION.

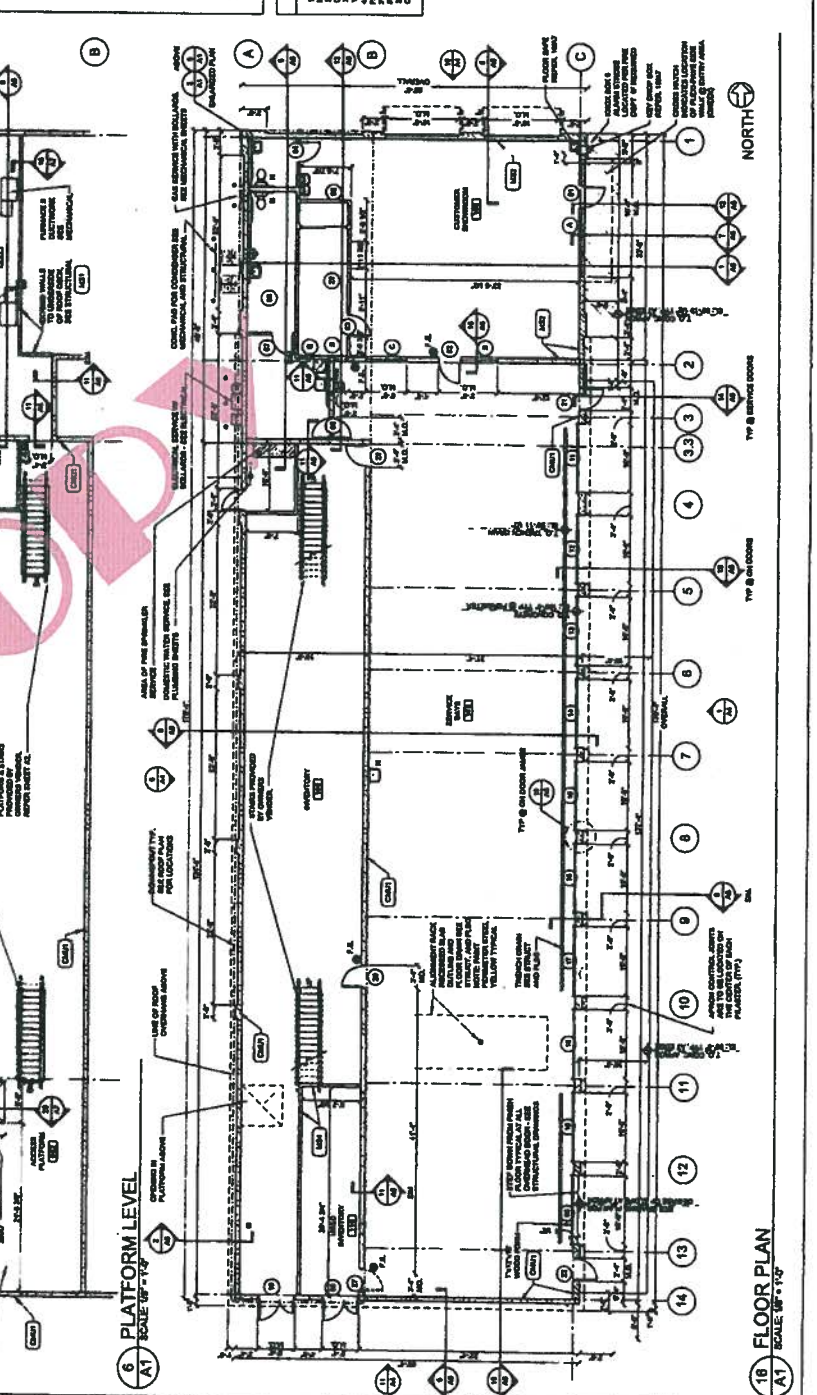
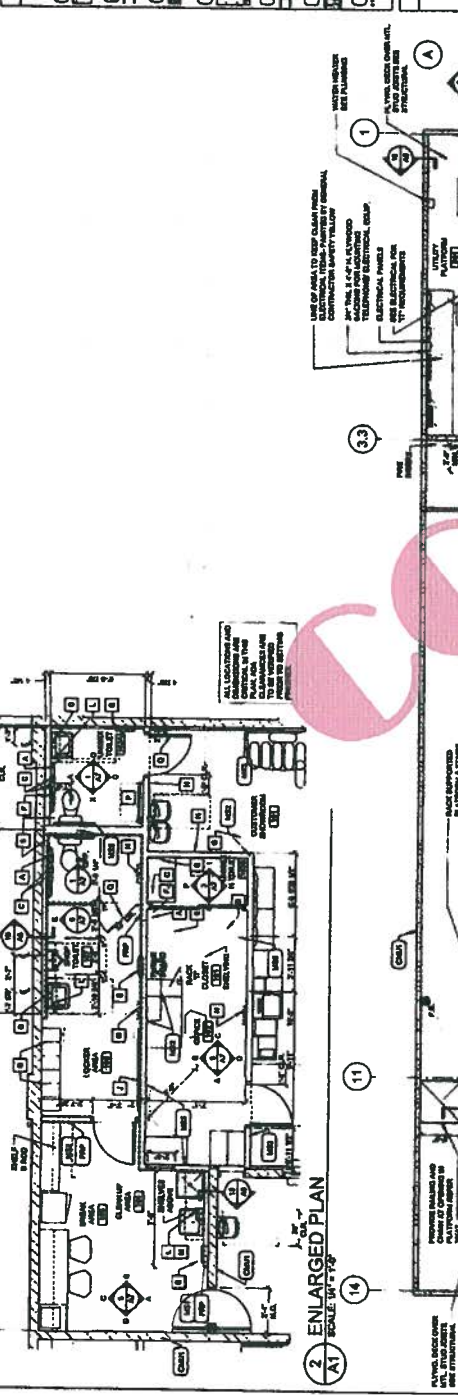
16. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT ETHICS.

17. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT INTEGRITY.

18. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT TRANSPARENCY.

19. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT ACCOUNTABILITY.

20. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT RESPONSIBILITY.



18 FLOOR PLAN
SCALE: 1/8" = 1'-0"

ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT MANUAL AND SPECIFICATIONS.

ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE ARCHITECT'S INTENT.

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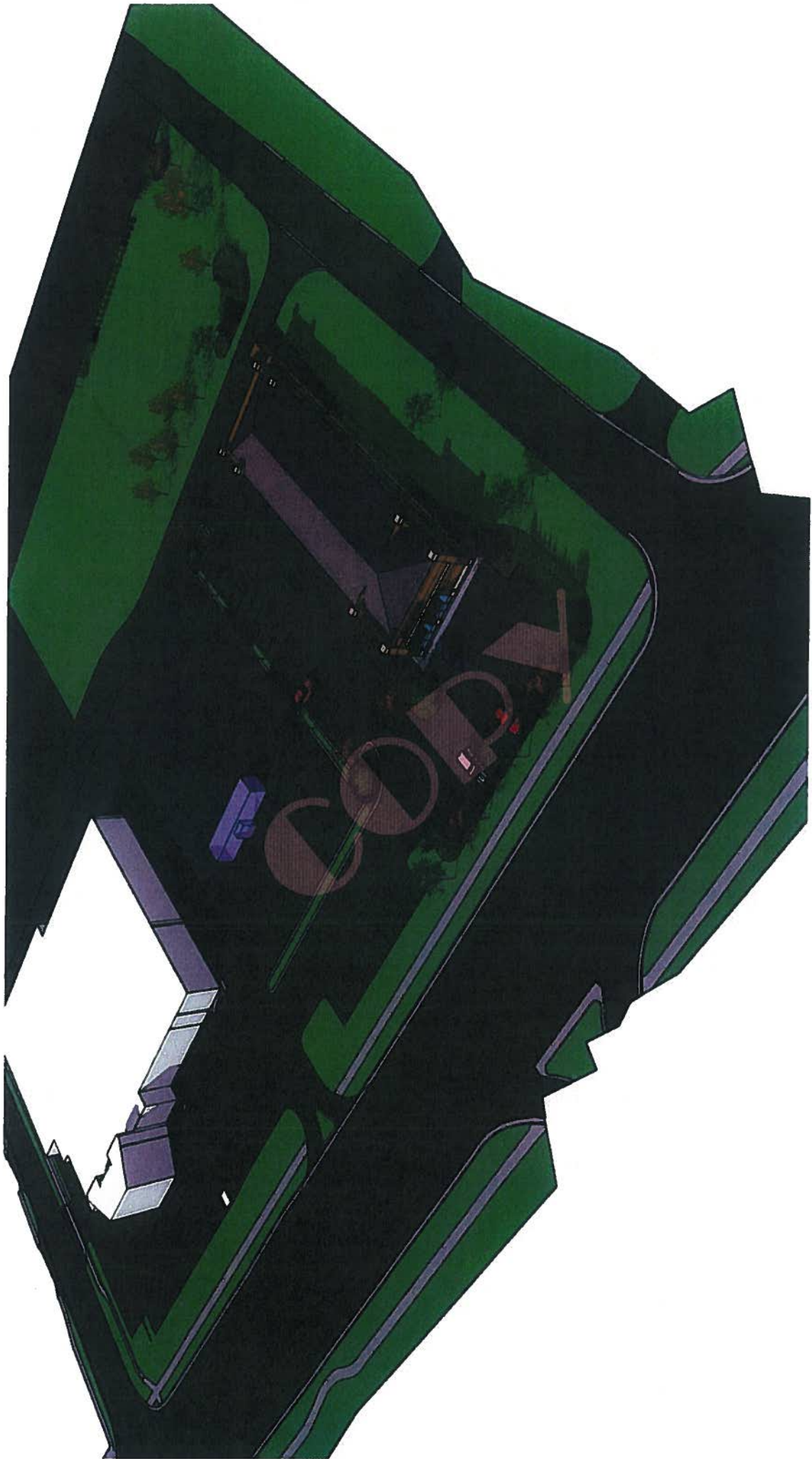
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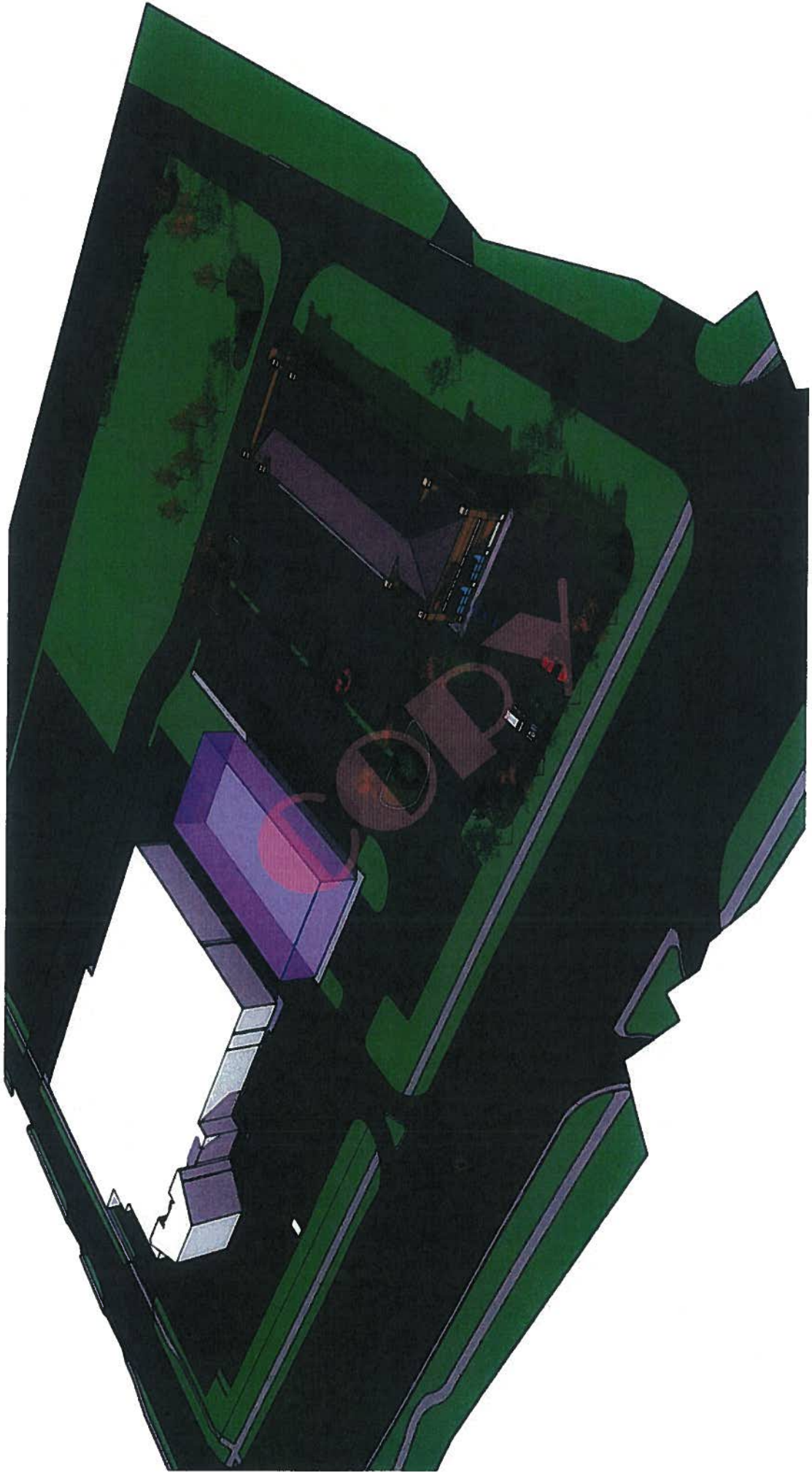
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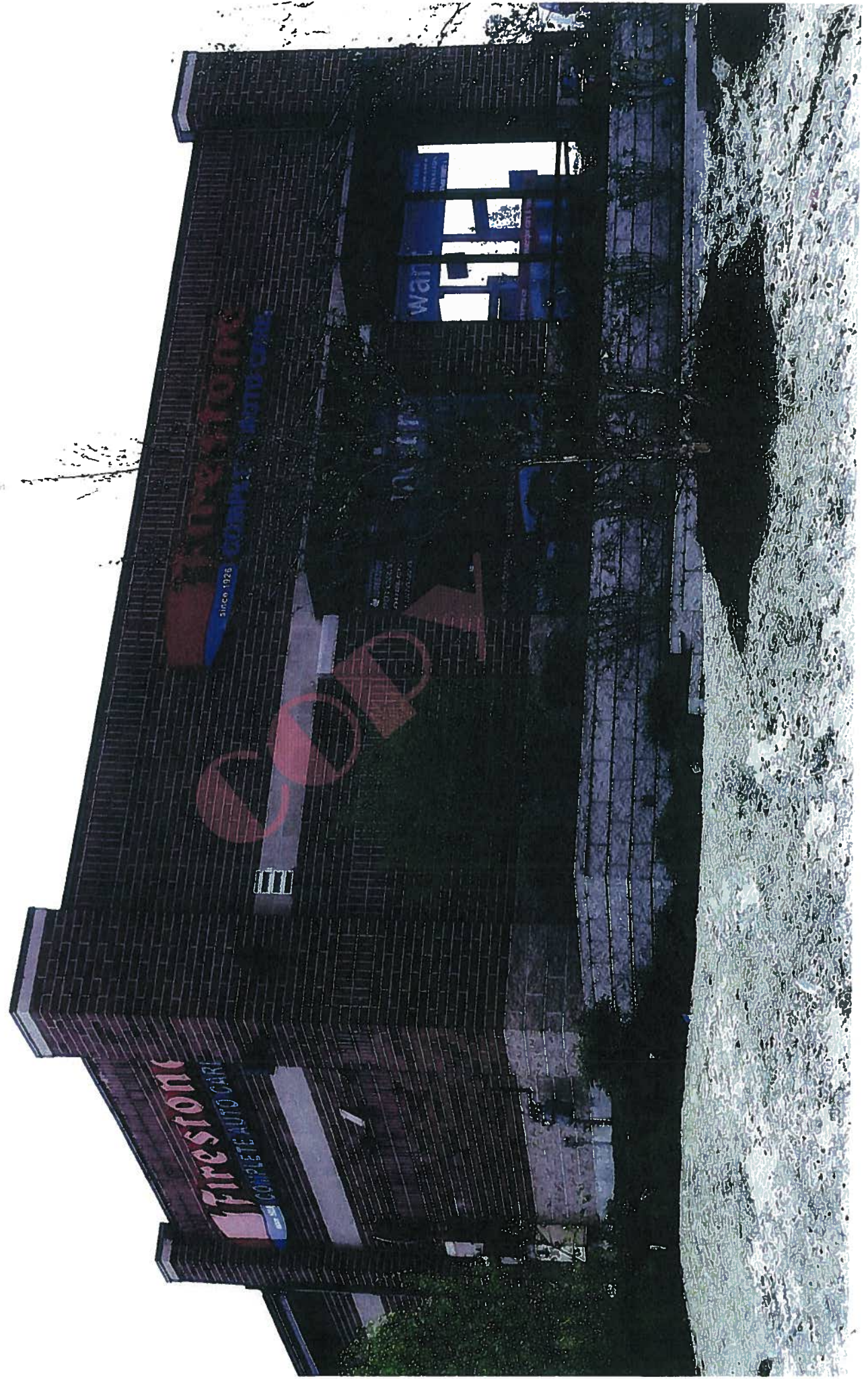


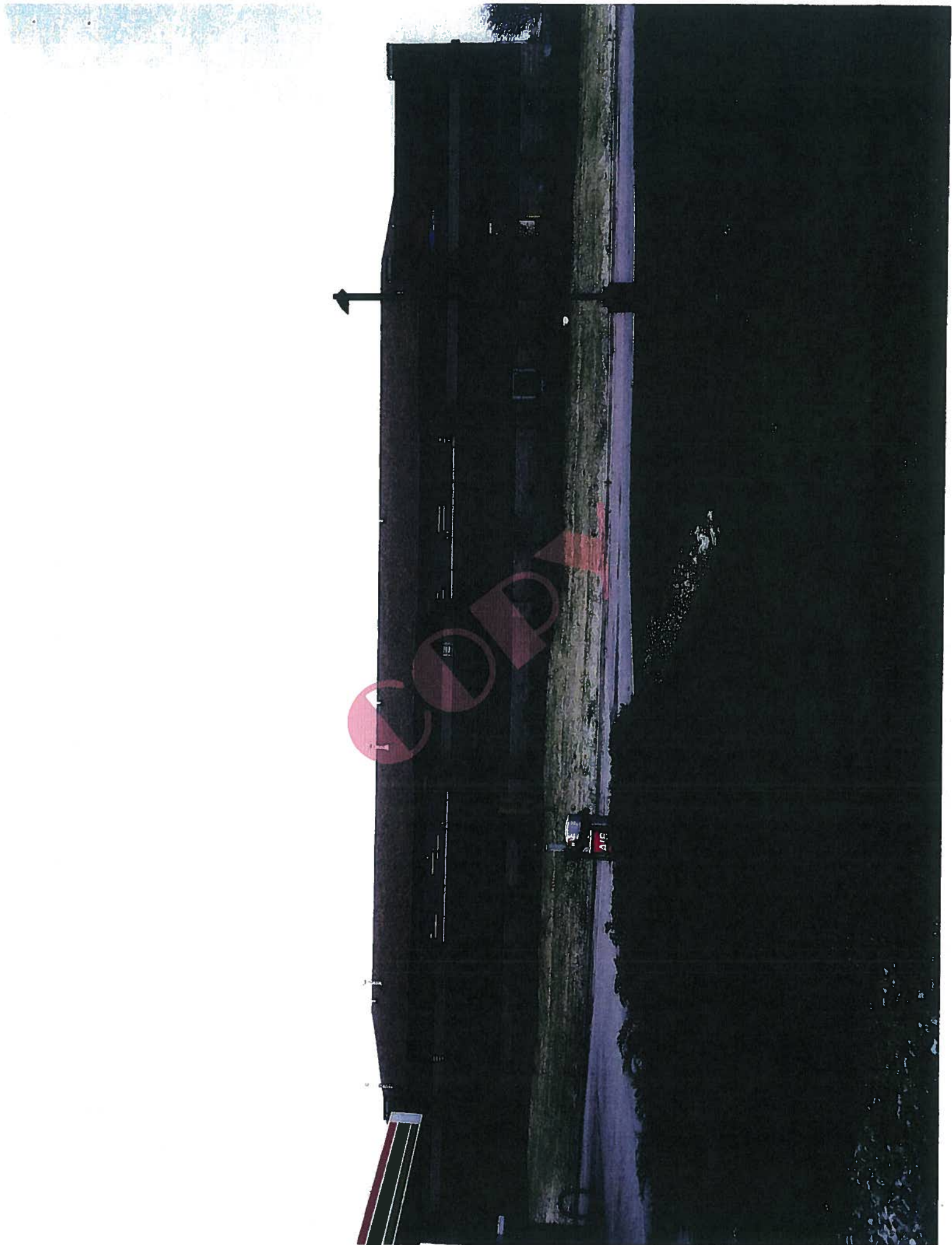
Phase 1

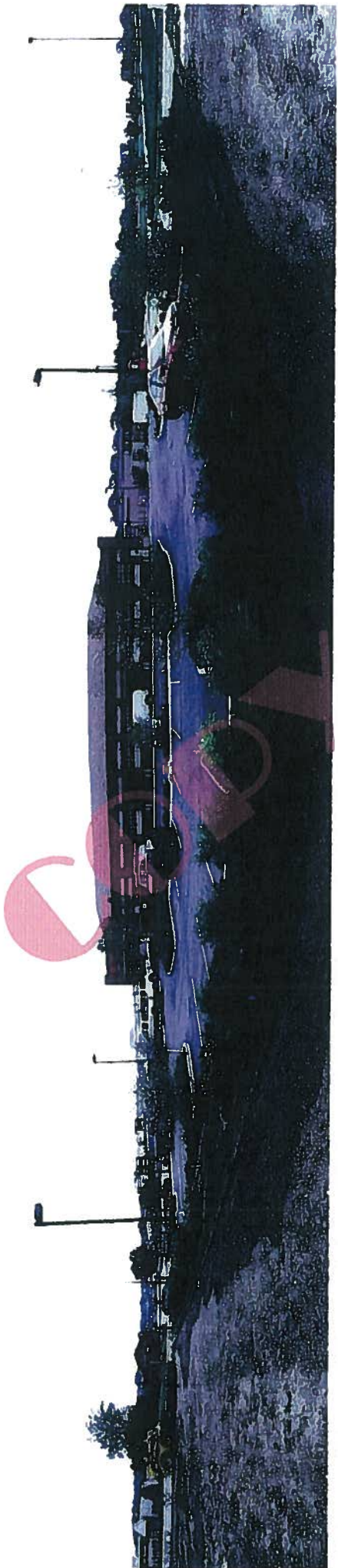


Concept Phase 2

EXHIBIT
C









I, **Denise R. Kalke**, 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 6627

GRANTING A PLANNED DEVELOPMENT AMENDMENT
TO ORDINANCE 5163 WITH COMPANION
CONDITIONAL USES, VARIATIONS AND DEVIATIONS

PIN : 06- 17-404-044

ADDRESS : 500 E. Roosevelt Rd.,
Lombard, IL 60148

of the said Village as it appears from the official records of said Village duly approved this 2nd day of June, 2011.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 27th day of June, 2011.



Denise R. Kalke
Deputy Village Clerk
Village of Lombard
DuPage County, Illinois



ORDINANCE NO. _____

**AN ORDINANCE GRANTING
A TIME EXTENSION TO ORDINANCE 6627**

(PC 11-12: 500 E. Roosevelt Road)

WHEREAS, on June 2, 2011, the President and Board of Trustees of the Village of Lombard adopted Ordinance 6627, granting a planned development amendment (Major Change) to Ordinance 5163 with companion conditional uses, deviations and variations for a new Firestone at 500 E Roosevelt Road; and

WHEREAS, pursuant to Section 155.103 (F)(12) of the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois, conditional uses are null and void if the conditional use ceases for more than one year from the date of granting thereof, unless further action is taken by the Village Board; and,

WHEREAS, construction has not commenced and no building permit has been issued for the development granted by Ordinances 6627; and,

WHEREAS, the Village has received a request to extend the time period of said Ordinances for 6-months; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to grant said extension.

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: Ordinance 6627 is hereby amended and extended and shall be null and void unless a building permit is obtained and the project is substantially underway within six (6) months of the date of the adoption of the original Ordinance (i.e., December 2, 2012).

SECTION 2: That all other provisions associated with Ordinance 6627, not amended by this Ordinance, shall remain in full force and effect.

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.

Ordinance No. _____
Re: PC 11-12 – Time Extension
Page 2

Passed on first reading this ____ day of _____, 2012.

First reading waived by action of the Board of Trustees this ____ day of _____, 2012.

Passed on second reading this ____ day of _____, 2012.

Ayes: _____

Nays: _____

Absent: _____

Approved this ____, day of _____, 2012.

William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk

Published by me in pamphlet from this _____ day of _____, 2012

Brigitte O'Brien
Village Clerk