

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES  
FROM: David A. Hulseberg, Village Manager  
DATE: September 6, 2011 (BOT) Date: September 15, 2011  
TITLE: PC 05-42: 218 and 226 West. St. Charles Road  
SUBMITTED BY: Department of Community Development *WJH*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration an ordinance granting a further time extension (to September 18, 2012) to Ordinance 5816, as amended by Ordinances 5973, 6141, 6237, 6374 and 6510 for an additional twelve-month period relative to the property located at 218-226 W. St. Charles Road.

Staff recommends approval of this request.

Staff is requesting a waiver of first reading.

Please place this item on the September 15, 2011 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 J. Heniff, AICP *WJH*  
Director of Community Development

**DATE:** September 15, 2011

**SUBJECT:** **PC 05-42: 218-226 West St. Charles Road (The Pointe at Lombard) – Request for a Sixth Time Extension**

The Board of Trustees approved Ordinance 5816 (PC 05-42) on March 2, 2006 which granted approval for a planned development with deviations, variations and companion conditional uses for the property at 218 & 226 West St. Charles Road. Since the original approvals, five (5) time extensions have been granted, extending the provisions of the planned development ordinance. To date, construction on the project has not commenced. Per the conditional use provisions, if construction has not begun within one (1) year from the date of approval, the conditional use is null and void unless an extension is granted by the Board of Trustees.

After being advised that the approved zoning relief would expire prior to their latest anticipated construction start, the petitioner has submitted the attached letter requesting a further time extension of the conditional use approval granted by the Village Board. Subsequent to last year's extension, the petitioner did reach out to the Illinois Housing Development Authority (IHDA) for project funding. IHDA did not approve their request. In the submitted letter, the petitioner indicates that they are talking with 2 senior housing developers who have expressed interest in the site for senior apartments. They also indicated that those developers may pursue financing from IHDA or other government agencies.

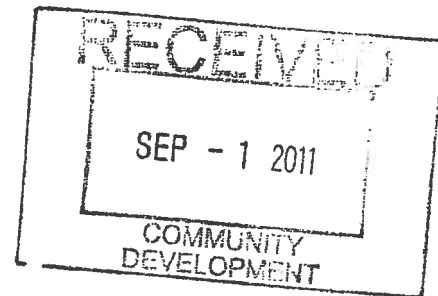
As the planned development ordinance does provide the Village with a number of development assurances, staff believes it is in the best interest of the Village to ensure that the previous development approvals remain in place. A copy of Ordinances 5816, 5973, 6141, 6237, 6374 and 6510 are attached for your reference.

### **ACTION REQUESTED**

Staff recommends that the Village Board approve an Ordinance extending the time period to start construction of the proposed project for an additional twelve-month period (i.e., until September 18, 2012). Staff is requesting a waiver of first reading.



Inland Real Estate Development Corporation  
2901 Butterfield Road  
Oak Brook, Illinois 60523  
630-218-8000 Fax: 630-954-5673  
www.inlandgroup.com/ired



August 30, 2011

Mr. Christopher Stilling  
Assistant Director of Community Development  
Village of Lombard  
255 E. Wilson  
Lombard, Illinois 60148

**Re: *The Pointe of Lombard***  
***218 – 226 W. St. Charles Rd.***  
***Lombard, Illinois 60148***

Dear Mr. Stilling:

I am writing to formally request a 1 year extension of our conditional use approvals until September 18, 2012 for the above-captioned development.

We are having conversations with 2 senior housing developers to possibly buy and develop the senior apartments. These developers may pursue financing from the Illinois Housing Development Authority, HUD or other government finance agencies.

Sincerely,

**INLAND REAL ESTATE DEVELOPMENT CORPORATION**

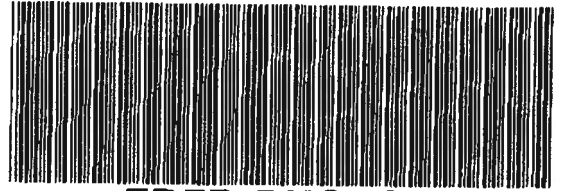
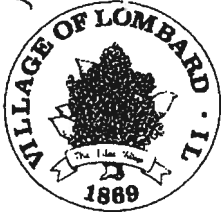
Rodger Brown  
Director of Planning & Approvals



The Inland Real Estate Group of Companies, Inc.  
Torch Award Winner for Ethics in the Marketplace  
Better Business Bureau of Chicago and Northern Illinois

**LAND IN THE RIGHT PLACE®**

The Inland name and logo are registered trademarks being used under license



**FRED BUCHOLZ**

**DUPAGE COUNTY RECORDER**

**MAR.01,2007**

**4:07 PM**

**OTHER**

**06-07-203-021**

**005 PAGES**

**R2007-037358**

**ORDINANCE 5973**

**GRANTING A TIME EXTENSION TO ORDINANCE 5816,  
RELATIVE TO THE POINTE AT LOMBARD PLANNED  
DEVELOPMENT**

**PIN: 06-07-203-021 AND 06-07-203-035**

**Address: 218 and 226 W. St. Charles Road, Lombard**

**Return To:**

**Village of Lombard  
Department of Community Development  
255 E. Wilson Avenue  
Lombard, IL 60148**

**ORDINANCE NO. 5973**

**AN ORDINANCE GRANTING  
A TIME EXTENSION TO ORDINANCE 5816,  
RELATIVE TO THE POINTE AT LOMBARD PLANNED DEVELOPMENT**

(PC 05-42: 218 & 226 W. St. Charles Road  
Pointe at Lombard Planned Development)

WHEREAS, on March 2, 2006, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5816, which granted approval of a conditional use for a planned development with deviations, variations and companion conditional uses for the property at 218 and 226 West St. Charles Road, commonly referred to as the Pointe at Lombard planned development; and

WHEREAS, pursuant to Section 155.103 (B)(11) 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 construction is not substantially underway within 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 Ordinance 5816; and,

WHEREAS, the Village has received a letter requesting a time extension of said Ordinances; 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: Ordinances 5816 are hereby amended and extended and shall be null and void unless a building permit is obtained and the project is substantially underway within twelve (12) months of the date of original adoption of this Ordinance (i.e., March 2, 2008).

SECTION 2: That all other provisions associated with Ordinance 5816, not amended by this Ordinance, shall remain in full force and effect.

Ordinance No. 5973  
Re: PC 05-42 – Time Extension  
Page 2

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.

Passed on first reading this 7th day of December, 2006.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2006.


Passed on second reading this 4th day of January, 2007

Ayes: Trustees Gron, Tross, O'Brien, Sebby, Florey & Soderstrom

Nays: None

Absent: None

Approved this 4th day of January, 2007



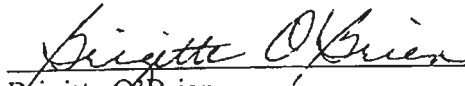
William J. Mueller  
Village President

ATTEST:

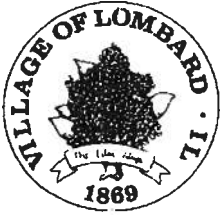


Brigitte O'Brien  
Village Clerk

Published by me in pamphlet from this 8th day of January, 2007



Brigitte O'Brien  
Village Clerk

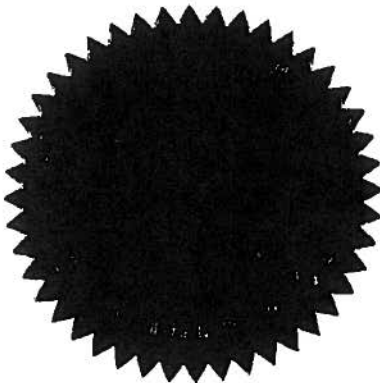


I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

I further certify that attached hereto is a  
copy of ORDINANCE 5973  
GRANTING A TIME EXTENSION TO ORDINANCE  
5816, RELATIVE TO THE POINTE AT LOMBARD  
PLANNED DEVELOPMENT  
PIN: 06-07-203-021 AND 06-07-203-035  
218 AND 226 W. ST. CHARLES ROAD

of the said Village as it appears from the official records  
of said Village duly approved January 4, 2007.

**In Witness Whereof**, I have hereunto affixed my official signature and  
the Corporate Seal of said **Village of Lombard**, Du Page County,  
Illinois this 6th day of February, 2007



A handwritten signature in cursive script that reads "Barbara A. Johnson". The signature is written in black ink and is positioned above the printed name and title.

Barbara A. Johnson  
Deputy Village Clerk  
Village of Lombard  
DuPage County, Illinois

EXHIBIT "A"

LEGAL DESCRIPTION OF REAL ESTATE

PARCEL 1:

LOT 11 BLOCK 10 IN TOWN OF "LOMBARD", BEING A SUBDIVISION IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 23, 1868 AS DOCUMENT 9483, IN DUPAGE COUNTY, ILLINOIS

PARCEL 2:

LOT 43 (EXCEPT THE NORTH 20 FEET THEREOF, AS MEASURED PERPENDICULAR TO THE NORTH LINE THEREOF) IN ORCHARD SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 24, 1917 AS DOCUMENT NUMBER 127948 IN BOOK 8 OF PLATS ON PAGE 80, DUPAGE COUNTY, ILLINOIS. EXCEPTING THEREFROM THAT PART OF SAID LOT 43 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 43 AND HEADING THENCE NORTH 74 DEGREES 15 MINUTES 00 SECONDS EAST ALONG THE NORTHERLY LINE OF ST. CHARLES ROAD, A DISTANCE OF 29.51 FEET; THENCE NORTH 61 DEGREES 08 MINUTES 32 SECONDS WEST; A DISTANCE OF 39.74 FEET TO A POINT ON THE EASTERLY LINE OF ELIZABETH STREET; THENCE SOUTH 15 DEGREES 18 MINUTES 48 SECONDS EAST ALONG THE EASTERLY LINE OF ELIZABETH STREET, A DISTANCE OF 27.91 FEET TO THE POINT OF BEGINNING.

PROPERTY ADDRESS OF REAL ESTATE:

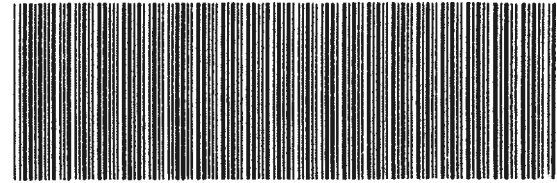
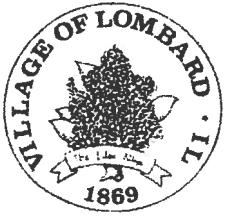
*218 St. Charles Rd., Lombard, IL 60126 and*  
226 St. Charles Rd., Lombard, IL 60126

PERMANENT TAX IDENTIFICATION NUMBER:

06-07-203-035-0000

06-07-203-021-0000





**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
MAR. 13, 2008 3:23 PM  
OTHER 06-07-203-021  
006 PAGES R2008-040917

**ORDINANCE 6141**

**GRANTING A FURTHER TIME EXTENSION TO  
ORDINANCE 5816, AS AMENDED BY ORDINANCE 5973,  
RELATIVE TO THE POINTE AT LOMBARD PLANNED  
DEVELOPMENT**

**Address: 218 and 226 W. St. Charles Road, Lombard, IL**

**PIN: 06-07-203-021 and 06-07-203-035**

**Return To:**

**Village of Lombard  
Department of Community Development  
255 E. Wilson Avenue  
Lombard, IL 60148**

**ORDINANCE NO. 6141**

**AN ORDINANCE GRANTING  
A FURTHER TIME EXTENSION TO ORDINANCE 5816,  
AS AMENDED BY ORDINANCE 5973,  
RELATIVE TO THE POINTE AT LOMBARD PLANNED DEVELOPMENT**

(PC 05-42: 218 & 226 W. St. Charles Road  
Pointe at Lombard Planned Development)

WHEREAS, on March 2, 2006, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5816, which granted approval of a conditional use for a planned development with deviations, variations and companion conditional uses for the property at 218 and 226 West St. Charles Road, commonly referred to as the Pointe at Lombard planned development; and

WHEREAS, pursuant to Section 155-103.05(11) 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 construction is not substantially underway within one year from the date of granting thereof, unless further action is taken by the Village Board; and

WHEREAS, the President and Board of Trustees adopted Ordinance 5973 on January 4, 2007, granting an amendment to Ordinance 5816 which extended the period in which the petitioner shall obtain a building permit and start construction on the associated project by March 2, 2008; and

WHEREAS, construction has not commenced and the associated building permits are not anticipated to be issued by March 2, 2008, as required by Ordinance 5973; and,

WHEREAS, the Village has received a letter requesting a further time extension of said Ordinance; 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: Ordinances 5816 and 5973 are 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 original expiration of Ordinance 5973 (i.e., September 2, 2008).

SECTION 2: That all other provisions associated with Ordinances 5816 and 5973 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.

Passed on first reading this 17<sup>th</sup> day of January, 2008.

First reading waived by action of the Board of Trustees this ~~\_\_\_\_\_~~ day of \_\_\_\_\_ 2008.


Passed on second reading this 7<sup>th</sup> day of February, 2008.

Ayes: Trustees Gron, Tross, O'Brien, Moreau, Fitzpatrick and Soderstrom


Nays: None

Absent: None

Approved this 7<sup>th</sup>, day of February, 2008.

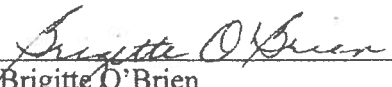
  
\_\_\_\_\_  
William J. Mueller  
Village President

ATTEST:

  
\_\_\_\_\_  
Brigitte O'Brien  
Village Clerk

Published by me in pamphlet from this 11<sup>th</sup> day of February, 2008

Ordinance No. 6141  
Re: PC 05-42 -- Second Time Extension  
Page 3

  
\_\_\_\_\_  
Brigitte O'Brien  
Village Clerk

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COPY

LEGAL DESCRIPTION OF REAL ESTATE

PARCEL 1:

LOT 11 BLOCK 10 IN TOWN OF "LOMBARD", BEING A SUBDIVISION IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 23, 1868 AS DOCUMENT 9483, IN DUPAGE COUNTY, ILLINOIS

PARCEL 2:

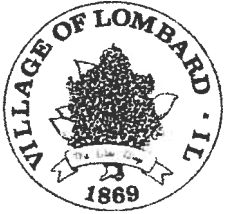
LOT 43 (EXCEPT THE NORTH 20 FEET THEREOF, AS MEASURED PERPENDICULAR TO THE NORTH LINE THEREOF) IN ORCHARD SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 24, 1917 AS DOCUMENT NUMBER 127948 IN BOOK 8 OF PLATS ON PAGE 80, DUPAGE COUNTY, ILLINOIS, EXCEPTING THEREFROM THAT PART OF SAID LOT 43 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 43 AND HEADING THENCE NORTH 74 DEGREES 15 MINUTES 00 SECONDS EAST ALONG THE NORTHERLY LINE OF ST. CHARLES ROAD, A DISTANCE OF 28.51 FEET; THENCE NORTH 61 DEGREES 08 MINUTES 32 SECONDS WEST; A DISTANCE OF 39.74 FEET TO A POINT ON THE EASTERLY LINE OF ELIZABETH STREET; THENCE SOUTH 15 DEGREES 18 MINUTES 48 SECONDS EAST ALONG THE EASTERLY LINE OF ELIZABETH STREET, A DISTANCE OF 27.91 FEET TO THE POINT OF BEGINNING.

PROPERTY ADDRESS OF REAL ESTATE:

*218 St. Charles Rd., Lombard, IL 60126 and  
226 St. Charles Rd., Lombard, IL 60126*

PERMANENT TAX IDENTIFICATION NUMBER:

06-07-203-035-0000  
06-07-203-021-0000

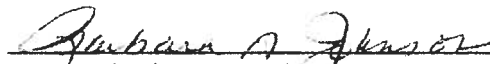


I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

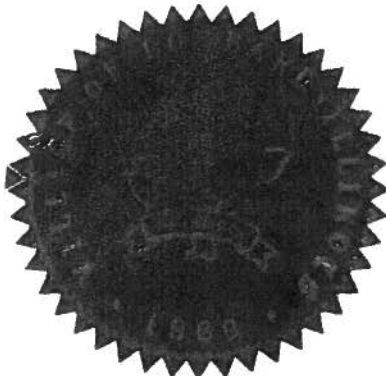
I further certify that attached hereto is a  
copy of ORDINANCE 6141  
GRANTING A FURTHER TIME EXTENSION TO  
ORDINANCE 5816, AS AMENDED BY ORDINANCE  
5973, RELATIVE TO THE POINTE AT LOMBARD  
PLANNED DEVELOPMENT  
ADDRESS: 218 AND 226 W. ST. CHARLES ROAD  
LOMBARD, IL  
PIN: 06-07-203-021 AND 06-07-203-035

of the said Village as it appears from the official records  
of said Village duly approved February 7, 2008.

**In Witness Whereof**, I have hereunto affixed my official signature and  
the Corporate Seal of said **Village of Lombard**, Du Page County,  
Illinois this 11th day of March, 2008.



Barbara A. Johnson  
Deputy Village Clerk  
Village of Lombard  
DuPage County, Illinois



4



**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
AUG. 14, 2009 10:26 AM  
OTHER 06-07-203-021  
005 PAGES R2009-126891

**ORDINANCE 6237**

**GRANTING A FURTHER TIME EXTENSION TO  
ORDINANCE 5816, AS AMENDED BY ORDINANCES 5973  
AND 6141, RELATIVE TO THE POINTE AT LOMBARD  
PLANNED DEVELOPMENT**

**PIN: 06-07-203-021**

**Address: 226 W. St. Charles Road , Lombard, IL 60148**

**PIN: 06-07-203-035**

**Address: 218 W. St. Charles Road , Lombard, IL 60148**

**Return To:**

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

**ORDINANCE NO. 6237**

**AN ORDINANCE GRANTING  
A FURTHER TIME EXTENSION TO ORDINANCE 5816,  
AS AMENDED BY ORDINANCES 5973 AND 6141,  
RELATIVE TO THE POINTE AT LOMBARD PLANNED DEVELOPMENT**

(PC 05-42: 218 & 226 W. St. Charles Road  
Pointe at Lombard Planned Development)

WHEREAS, on March 2, 2006, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5816, which granted approval of a conditional use for a planned development with deviations, variations and companion conditional uses for the property at 218 and 226 West St. Charles Road, commonly referred to as the Pointe at Lombard planned development; and

WHEREAS, pursuant to Section 155.103 (E)(11) 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 construction is not substantially underway within one year from the date of granting thereof, unless further action is taken by the Village Board; and,

WHEREAS, the President and Board of Trustees adopted Ordinance 5973 on January 4, 2007, granting an amendment to Ordinance 5816 which extended the period in which the petitioner shall obtain a building permit and start construction on the associated project by March 2, 2008; and

WHEREAS, the President and Board of Trustees adopted Ordinance 6141 on January 4, 2007, granting an amendment to Ordinances 5816 and 5973 which extended the period in which the petitioner shall obtain a building permit and start construction on the associated project by September 2, 2008; and

WHEREAS, construction has not commenced and the associated building permits are not anticipated to be issued by September 2, 2008, as required by Ordinance 6141; and,

WHEREAS, the Village has received a letter requesting a further time extension of said Ordinance; 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:** Ordinances 5816, 5973 and 6141 are hereby further amended and extended and shall be null and void unless a building permit is obtained and the project is substantially underway within twelve (12) months of the expiration date of Ordinance 6141 (i.e., September 18, 2009).

**SECTION 2:** That all other provisions associated with Ordinances 5816, 5973 and 6141 not amended by this Ordinance shall remain in full force and effect.

**SECTION 3:** That the ordinance is limited and restricted to the property generally located at 218 & 226 West St. Charles Road, Lombard, Illinois, and legally described as follows:

Lot ~~3~~<sup>2</sup> (except the north 20 feet, as measured perpendicular to the north line thereof) in Orchard Subdivision, being a subdivision of part of the northeast quarter of Section 7, Township 39 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded January 24, 1917 as document number 127948 in book 8 of plats on page 80, in DuPage County, Illinois, also

(Parcel Number: 06-07-203-021; addressed as 226 West St. Charles Road)

Lot 11, Block 10 in Town of Lombard, being a Subdivision in Sections 5, 6, 7, 8 and 18, Township 39 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois.

(Parcel Number: 06-07-203-035; addressed as 218 West St. Charles Road)

**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 4<sup>th</sup> day of September, 2008.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Ordinance No. 6237  
Re: PC 05-42 – Third Time Extension  
Page 3

Passed on second reading this 18<sup>th</sup> day of September, 2008.

Ayes: Trustees Gron, Tross, O'Brien, Moreau, . and Soderstrom


Nays: None

Absent: None


Approved this 18<sup>th</sup> day of September, 2008.

  
William J. Mueller  
Village President

ATTEST:

  
Brigitte O'Brien  
Village Clerk

Published by me in pamphlet from this 22<sup>nd</sup> day of September, 2008

  
Brigitte O'Brien  
Village Clerk



I, **Barbara A. Johnson**, 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 6237

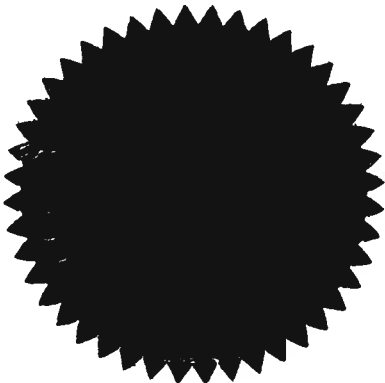
GRANTING A FURTHER TIME EXTENSION TO  
ORDINANCE 5816, AS AMENDED BY  
ORDINANCES 5973 AND 6141, RELATIVE TO THE  
POINTE AT LOMBARD PLANNED  
DEVELOPMENT

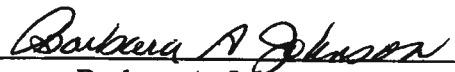
PIN: 06-07-203-021 and 06-07-203-035

Address: 226 and 218 W. ST. CHARLES RD.,  
LOMBARD, IL

of the said Village as it appears from the official records of said Village duly approved this 18<sup>th</sup> day of September, 2008.

**In Witness Whereof**, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 10<sup>th</sup> day of August, 2009.





Barbara A. Johnson  
Deputy Village Clerk  
Village of Lombard  
DuPage County, Illinois



**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
OCT. 28, 2009 10:54 AM  
OTHER 06-07-203-021  
005 PAGES R2009-163352

## ORDINANCE 6374

**GRANTING A FURTHER TIME EXTENSION TO  
ORDINANCE 5816, AS AMENDED BY ORDINANCES 5973,  
6141, AND 6237 RELATIVE TO THE POINTE AT LOMBARD  
PLANNED DEVELOPMENT**

**PIN: 06-07-203-021 and 06-07-203-035**

**Address: 226 and 218 W. St. Charles Road, Lombard, IL**

60148

### Return To:

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

**ORDINANCE NO. 6374**

**AN ORDINANCE GRANTING  
A FURTHER TIME EXTENSION TO ORDINANCE 5816,  
AS AMENDED BY ORDINANCES 5973, 6141, AND 6237  
RELATIVE TO THE POINTE AT LOMBARD PLANNED DEVELOPMENT**

(PC 05-42: 218 & 226 W. St. Charles Road  
Pointe at Lombard Planned Development)

WHEREAS, on March 2, 2006, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5816, which granted approval of a conditional use for a planned development with deviations, variations and companion conditional uses for the property at 218 and 226 West St. Charles Road, commonly referred to as the Pointe at Lombard planned development; and

WHEREAS, pursuant to Section 155.103 (F)(11) 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 construction is not substantially underway within one year from the date of granting thereof, unless further action is taken by the Village Board; and,

WHEREAS, the President and Board of Trustees adopted Ordinance 6237 on September 18, 2008, granting an amendment to Ordinances 5816, 5973 and 6141 which extended the time period in which the petitioner shall obtain a building permit and start construction on the associated project by September 18, 2009; and

WHEREAS, construction has not commenced and the associated building permits are not anticipated to be issued by September 18, 2009, as required by Ordinance 6237; and,

WHEREAS, the Village has received a letter requesting a further time extension of said Ordinance; 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:** Ordinances 5816, 5973, 6141 and 6237 are hereby further amended and extended and shall be null and void unless a building permit is obtained and the project is substantially underway within twelve (12) months of the expiration date of Ordinance 6237 (i.e., September 18, 2010).

Ordinance No. 6374  
Re: PC 05-42 -- Fourth Time Extension  
Page 2

**SECTION 2:** That all other provisions associated with Ordinances 5816, 5973, 6141 and 6237 not amended by this Ordinance shall remain in full force and effect.

**SECTION 3:** That the ordinance is limited and restricted to the property generally located at 218 & 226 West St. Charles Road, Lombard, Illinois, and legally described as follows:

Lot 32 (except the north 20 feet, as measured perpendicular to the north line thereof) in Orchard Subdivision, being a subdivision of part of the northeast quarter of Section 7, Township 39 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded January 24, 1917 as document number 127948 in book 8 of plats on page 80, in DuPage County, Illinois; also

(Parcel Number: 06-07-203-021; addressed as 226 West St. Charles Road)

Lot 11, Block 10 in Town of Lombard, being a Subdivision in Sections 5, 6, 7, 8 and 18, Township 39 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois.

(Parcel Number: 06-07-203-035; addressed as 218 West St. Charles Road)

**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 20<sup>th</sup> day of August, 2009.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Passed on second reading this 3<sup>rd</sup> day of September, 2009.


Ayes: Trustees Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware

Nays: None

Absent: None

Ordinance No. 6374  
Re: PC 05-42 – Fourth Time Extension  
Page 3

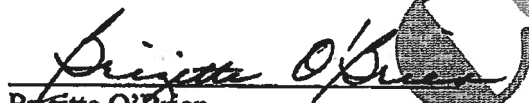
Approved this 3<sup>rd</sup> day of September, 2009.

  
\_\_\_\_\_  
William J. Mueller  
Village President

ATTEST:

  
\_\_\_\_\_  
Brigitte O'Brien  
Village Clerk

Published by me in pamphlet from this 4<sup>th</sup> day of August, 2009

  
\_\_\_\_\_  
Brigitte O'Brien  
Village Clerk



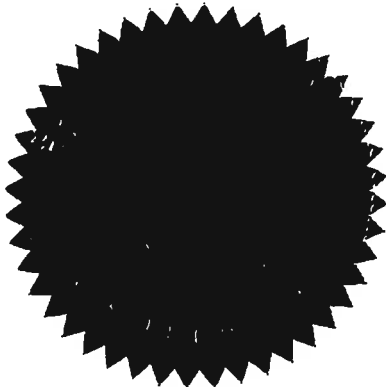
I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.


I further certify that attached hereto is a  
copy of

ORDINANCE 6374  
ORDINANCE GRANTING A FURTHER TIME  
EXTENSION TO ORDINANCE 5816, AS AMENDED BY  
ORDINANCES 5973, 6141, AND 6237 RELATIVE TO THE  
POINTE AT LOMBARD PLANNED DEVELOPMENT  
PIN: 06-07-203-021 and 06-07-203-035  
Address: 226 and 218 W. St. Charles Road, Lombard, IL

of the said Village as it appears from the official records of said Village duly approved this 3<sup>rd</sup> day of September, 2009.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 16<sup>th</sup> day of September, 2009.



  
Barbara A. Johnson  
Deputy Village Clerk  
Village of Lombard  
DuPage County, Illinois





**FRED BUCHOLZ**

DUPAGE COUNTY RECORDER

JAN. 27, 2011

3:21 PM

OTHER

06-07-203-021

005 PAGES

R2011-014740

**ORDINANCE 6510**

**GRANTING A FURTHER TIME EXTENSION TO ORDINANCE  
5816, AS AMENDED BY ORDINANCES 5973, 6141, 6237 AND  
6374 RELATIVE TO THE POINTE AT LOMBARD PLANNED  
DEVELOPMENT**

**PINS: 06-07-203-021 and 06-07-203-035**

**Address: 226 and 218 W. St. Charles Road, Lombard, IL 60148**

**COPY**

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

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**ORDINANCE NO. 6510**

**AN ORDINANCE GRANTING  
A FURTHER TIME EXTENSION TO ORDINANCE 5816,  
AS AMENDED BY ORDINANCES 5973, 6141, 6237 AND 6374  
RELATIVE TO THE POINTE AT LOMBARD PLANNED DEVELOPMENT**

(PC 05-42: 218 & 226 W. St. Charles Road  
Pointe at Lombard Planned Development)

WHEREAS, on March 2, 2006, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5816, which granted approval of a conditional use for a planned development with deviations, variations and companion conditional uses for the property at 218 and 226 West St. Charles Road, commonly referred to as the Pointe at Lombard planned development; and

WHEREAS, pursuant to Section 155.103 (F)(11) 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 construction is not substantially underway within one year from the date of granting thereof, unless further action is taken by the Village Board; and,

WHEREAS, the President and Board of Trustees adopted Ordinance 6374 on September 17, 2009, granting an amendment to Ordinances 5816, 5973, 6141 and 6237 which extended the time period in which the petitioner shall obtain a building permit and start construction on the associated project by September 18, 2010; and

WHEREAS, construction has not commenced and the associated building permits are not anticipated to be issued by September 17, 2010, as required by Ordinance 6374; and,

WHEREAS, the Village has received a letter requesting a further time extension of said Ordinance; 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:** Ordinances 5816, 5973, 6141, 6237 and 6374 are hereby further amended and extended and shall be null and void unless a building permit is obtained and the project is substantially underway within twelve (12) months of the expiration date of Ordinance 6374(i.e., September 18, 2011).

**SECTION 2:** That all other provisions associated with Ordinances 5816, 5973, 6141, 6237 and 6374 not amended by this Ordinance shall remain in full force and effect.

**SECTION 3:** That the ordinance is limited and restricted to the property generally located at 218 & 226 West St. Charles Road, Lombard, Illinois, and legally described as follows:

Lot 43 (except the north 20 feet, as measured perpendicular to the north line thereof) in Orchard Subdivision, being a subdivision of part of the northeast quarter of Section 7, Township 39 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded January 24, 1917 as document number 127948 in book 8 of plats on page 80, in DuPage County, Illinois; also

(Parcel Number: 06-07-203-021; addressed as 226 West St. Charles Road)

Lot 11, Block 10 in Town of Lombard, being a Subdivision in Sections 5, 6, 7, 8 and 18, Township 39 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois.

(Parcel Number: 06-07-203-035; addressed as 218 West St. Charles Road)

**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 \_\_\_\_\_, 2010.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Ordinance No. 6510  
Re: PC 05-42 – Fifth Time Extension  
Page 3

Approved this 2nd day of September, 2010.

  
\_\_\_\_\_  
William J. Mueller  
Village President

ATTEST:

  
\_\_\_\_\_  
Brigitte O'Brien  
Village Clerk

Published by me in pamphlet form this 3rd day of September, 2010

  
\_\_\_\_\_  
Brigitte O'Brien  
Village Clerk



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

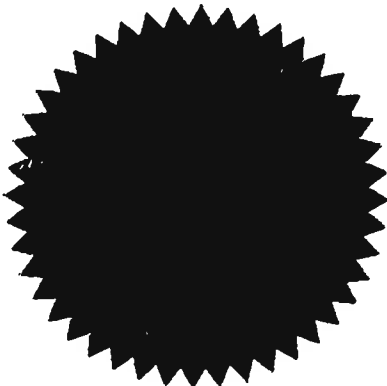
ORDINANCE 6510  
GRANTING A FURTHER TIME EXTENSION TO  
ORDINANCE 5816, AS AMENDED BY ORDINANCES  
5973, 6141, 6237 AND 6374 RELATIVE TO THE POINTE  
AT LOMBARD PLANNED DEVELOPMENT

PINS: 06-07-203-021 & 06-07-203-035

Address: 226 and 218 W. St. Charles Road, Lombard IL  
60148

of the said Village as it appears from the official records of said Village duly approved this 2<sup>nd</sup> day of September, 2010.

**In Witness Whereof**, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 22<sup>nd</sup> day of September, 2010.



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

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE GRANTING  
A FURTHER TIME EXTENSION TO ORDINANCE 5816,  
AS AMENDED BY ORDINANCES 5973, 6141, 6237, 6374 AND 6510  
RELATIVE TO THE POINTE AT LOMBARD PLANNED DEVELOPMENT**

(PC 05-42: 218 & 226 W. St. Charles Road  
Pointe at Lombard Planned Development)

WHEREAS, on March 2, 2006, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5816, which granted approval of a conditional use for a planned development with deviations, variations and companion conditional uses for the property at 218 and 226 West St. Charles Road, commonly referred to as the Pointe at Lombard planned development; and

WHEREAS, pursuant to Section 155.103 (F)(11) 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 construction is not substantially underway within one year from the date of granting thereof, unless further action is taken by the Village Board; and,

WHEREAS, the President and Board of Trustees adopted Ordinance 6510 on September 16, 2010, granting an amendment to Ordinances 5816, 5973, 6141, 6237, 6374 and 6510 which extended the time period in which the petitioner shall obtain a building permit and start construction on the associated project by September 18, 2011; and

WHEREAS, construction has not commenced and the associated building permits are not anticipated to be issued by September 18, 2011, as required by Ordinance 6510; and,

WHEREAS, the Village has received a letter requesting a further time extension of said Ordinance; 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: Ordinances 5816, 5973, 6141, 6237, 6374 and 6510 are hereby further amended and extended and shall be null and void unless a building permit is obtained and the project is substantially underway within twelve (12) months of the expiration date of Ordinance 6510 (i.e., September 18, 2012).

SECTION 2: That all other provisions associated with Ordinances 5816, 5973, 6141, 6237, 6374 and 6510 not amended by this Ordinance shall remain in full force and effect.

SECTION 3: That the ordinance is limited and restricted to the property generally located at 218 & 226 West St. Charles Road, Lombard, Illinois, and legally described as follows:

Lot 43 (except the north 20 feet, as measured perpendicular to the north line thereof) in Orchard Subdivision, being a subdivision of part of the northeast quarter of Section 7, Township 39 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded January 24, 1917 as document number 127948 in book 8 of plats on page 80, in DuPage County, Illinois; also

(Parcel Number: 06-07-203-021; addressed as 226 West St. Charles Road)

Lot 11, Block 10 in Town of Lombard, being a Subdivision in Sections 5, 6, 7, 8 and 18, Township 39 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois.

(Parcel Number: 06-07-203-035; addressed as 218 West St. Charles Road)

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 \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Ordinance No. \_\_\_\_\_  
Re: PC 05-42 – Sixth Time Extension  
Page 3

Approved this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
William J. Mueller  
Village President

ATTEST:

\_\_\_\_\_  
Brigitte O'Brien  
Village Clerk

Published by me in pamphlet from this \_\_\_\_\_ day of \_\_\_\_\_, 2011

\_\_\_\_\_  
Brigitte O'Brien  
Village Clerk