


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


Resolution or Ordinance (Blue) \_\_\_\_\_  
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: December 10, 2009 (B of T) Date: January 7, 2010

TITLE: PC 05-41: 1301 N. Lombard Road (O'Hare Business Center Planned Development)

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration a request for a third time extension of the conditional use approval granted by the Village Board. Staff recommends that the Village Board approve an Ordinance extending the time period to start construction of the proposed project for an additional 2-year period from the date of the approval of the attached Ordinance (i.e., until January 7, 2012).

Please place this request on the January 7, 2010 Board of Trustees agenda.

Fiscal Impact/Funding Source:  
Review (as necessary):

Village Attorney X \_\_\_\_\_  
Finance Director X \_\_\_\_\_  
Village Manager X \_\_\_\_\_  
Date \_\_\_\_\_  
Date \_\_\_\_\_  
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, *WHD*  
Director of Community Development

**DATE:** January 7, 2009

**SUBJECT:** PC 05-41: 1301 North Lombard Road (O'Hare-DuPage Business Center Planned Development) – Third Time Extension

The Board of Trustees approved Ordinance 5794 (PC 05-41) on January 5, 2006, which granted approval for a planned development amendment with exceptions to the permitted use list and for companion fence variations for the property at 1301 N. Lombard Road. A one (1) year time extension was granted by the Village Board on January 4, 2007 (Ordinance 5964) and a two (2) year time extension (Ordinance 6122) was granted on January 3, 2008.

After being advised that the approved zoning relief would expire, the petitioner has submitted the attached letter requesting a further time extension of the conditional use approval granted by the Village Board. The request is to grant approval for another two-year period as market conditions have not been favorable to start the project. 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 5794, 5964 and 6122 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 twenty-four month period from the date of the approval of the attached Ordinance (i.e., until January 7, 2012).

# LFI

LOCATION FINDERS INTERNATIONAL, INC.

9440 ENTERPRISE DRIVE  
MOKENA, IL 60448  
(708) 478-7666  
FAX (708) 478-7667

December 15, 2009

Mr. Christopher Stilling  
Village of Lombard  
Senior Planner  
255 E. Wilson Avenue  
Lombard, IL 60148

re: 1301 Lombard Road

Dear Mr. Stilling,

We are requesting that the Village of Lombard Extend the time for the conditional uses and any other matters granted to the property owner in Ordinance 5974 and all others approved for the site. The request is for a two-year extension while we plan for development.

We continue to market this site for industrial development. The market conditions over the past 24 months have led to very few opportunities for the site. We do anticipate an increase in activity and still believe that the site provides a viable alternative for future development.

Your cooperation in this matter is appreciated.

Sincerely,



Martin T. Burke  
Partner

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

Return To:

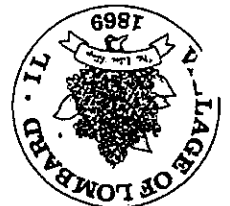
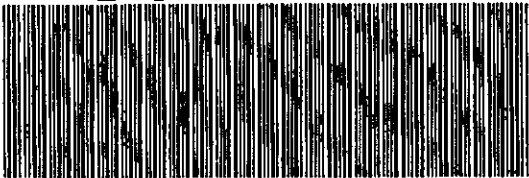
Address: 1301 N. Lombard Road, Lombard

PIN: 03-31-204-002 and 004

GRANTING AN AMENDMENT TO ORDINANCE 5695, A  
CONDITIONAL USE FOR A PLANNED DEVELOPMENT,  
GRANTING AN AMENDMENT TO THE PERMITTED USE  
LIST AND GRANTING A FENCE VARIATION

ORDINANCE 5794

**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
MAR. 03, 2006  
11:10 AM  
OTHER  
03-31-204-002  
R2006-038996  
007 PAGES



**AN ORDINANCE GRANTING AN AMENDMENT TO ORDINANCE 5695  
GRANTING A CONDITIONAL USE FOR A PLANNED DEVELOPMENT  
IN THE I LIMITED INDUSTRIAL DISTRICT,  
GRANTING AN AMENDMENT TO THE PERMITTED USE LIST  
AND GRANTING A FENCE VARIATION  
TO THE LOMBARD ZONING ORDINANCE**

(PC 05-41: 1301 North Lombard 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, on August 18, 2005, the President and Board of Trustees adopted Ordinance 5695, granting a conditional use for a planned development with deviations, variations and use exceptions for the property legally described herein pursuant to Title 15, Chapter 155, Section 155.501 et. seq. of the Code of Lombard (hereinafter the "Subject Property"); and

WHEREAS, the below described property is zoned IPD Limited Industrial District, Planned Development; and

WHEREAS, a petition has been received by the Village to amend the previously approved conditional use for a planned development, in the following respects:

1. Amend Ordinance 5695 to allow for temporary retail sales associated with warehouse/distribution activities located on the subject property.
2. Grant a variation to Section 155.205 (A)(3)(c)(1) of the Zoning Ordinance to allow for a twelve-foot (12') solid fence where a maximum ten-foot (10') high fence is permitted.
3. Pursuant to Ordinance 5695, grant site plan approval for the development on the Subject Property, based upon the petitioner's submitted plans; and

WHEREAS, Title 15, Chapter 155, Sections 155.504 and 155.103(F)(13) allow for ordinance amendments granting a conditional use for a planned development and for previously established conditional uses after a public hearing before the Village's Plan Commission; and

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the amendment described herein; and,

WHEREAS, a public hearing on such application have been conducted by the Village of Lombard Plan Commission on November 21, 2005 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 amendment to the conditional use for a planned development and the variation and use exceptions 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; and

WHEREAS, the President and Board of Trustees of the Village of Lombard have reviewed the request and find it would be in the best interest of the Village to grant conditional use amendment, variations and use exceptions, subject to the terms and conditions established by this ordinance; and

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 this ordinance is limited and restricted to the property generally located at 1301 North Lombard Road, Lombard, Illinois, and legally described as follows:

Lot 1 in Lombard Business Center, Unit Two, being a subdivision of that part of the east ½ of the west ½ of the northeast ¼ of Section 31, Township 40 North, Range 11 East of the Third Principal Meridian, lying south of the southerly right-of-way of the Illinois Central Railroad (except the south 210 feet thereof), according to the plat thereof recorded November 6, 1974 as Document R74-56524, in DuPage County, Illinois; also

A tract of land legally described as follows: Commencing at the southeast corner of Lot 1 in Lombard Business Center, Unit Two, being a subdivision of that part of the east ½ of the northeast ¼ of Section 31, Township 40 North, Range 11 East of the Third Principal Meridian, lying south of the southerly right-of-way of the Illinois Central Railroad, according to the plat thereof recorded November 6, 1974 as Document R74-56524, in DuPage County, Illinois, thence east along the south line of said Lot 1, a distance of 624.98 feet, thence south 210.0 feet to a point along the south line of the northeast ¼ of Section 31 Township 40 North, Range 11 East of the Third Principal Meridian, thence westerly along the south line of the northeast ¼ of Section 31 Township 40 North, Range 11 East of the Third Principal Meridian, a distance of 624.98 feet, thence north 210.0 feet to a point of beginning, in DuPage County, Illinois; also

That part of Lombard Road lying south of the south line of the Illinois Central Railroad Right-of-Way and north of the north line of the Commonwealth Edison Right-of-Way, in the Northeast ¼ of Section 31, Township 40 North, Range 11 East of the Third Principal Meridian, in DuPage County,

Illinois; and  
That part of Lombard Road lying south of the north line of the Commonwealth Edison Right-of-Way and north of the south line of the Commonwealth Edison Right-of-Way, in the Northeast ¼ of Section 31, Township 40 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois.

Parcel Numbers: 03-31-204-002 and 004  
Hereinafter the "Subject Property"

SECTION 2: That Exhibit A to Ordinance 5695 shall be amended to allow for temporary retail sales activity associated with warehouse/distribution activities on the Subject Property, subject to compliance with the conditions set forth in Section 5 below.

SECTION 3: That a variation to Section 155.205 (A)(3)(c)(1) of the Zoning Ordinance to allow for a twelve-foot (12') solid fence where a maximum ten-foot (10') high fence is permitted is hereby granted on the subject Property, subject to compliance with the conditions set forth in Section 5 below.

SECTION 4: That Site Plan Approval for the Subject Property is hereby granted, subject to the conditions in Section 5.

SECTION 5: The amendment to Ordinance 5695 to include the fence variation, use exception and the site plan approval are hereby granted relative to the Subject Property, subject to the conditions set forth below:

1. The petitioner shall develop the site in conformance with the submitted site plan, prepared by Jacob & Hehner Associates, P.C., dated November 2, 2005, the building elevations, prepared by Harris Architects, Inc., submitted November 9, 2005 and the landscape plan, prepared by Walsh Landscape Construction, dated November 9, 2005 and made a part of this petition, except as varied by the final engineering approval for the property.

2. The petitioner shall satisfactorily address all comments raised within the inter-departmental review report as part of their building permit application.

3. The petitioner shall apply for and receive a building permit for any development activity on the subject property.

4. As part of the requisite permit for the site improvements, the petitioner shall provide a copy of the final landscape plan that incorporates the approved wetland plantings for the property.
5. The petitioner shall apply for a building permit denoting the proposed parking lot lighting for the site. The light poles shall be of a uniform design and shall meet Village specifications for parking lot lighting.
6. The eastern parking lot shall be reconfigured to allow for a direct access aisle linking the southern access driven aisle to the entrance drive proposed south of the building.
7. All provisions associated with Ordinance 5695 and/or the approved development agreement for the subject property not amended by this petition shall remain in full force and effect.

**SECTION 6:** The Corporate Authorities hereby agree to amend the development agreement incorporated into Ordinance 5695 to include the amendments as set forth herein and authorize the Village President and Village Clerk are authorized to sign said agreement.

**SECTION 7:** 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 December, 2005.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

Passed on second reading this 5th day of January, 2006

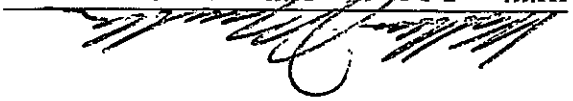
Ayes: Trustees Gron, Tross, O'Brien, Sebby, Florey and Soderstrom

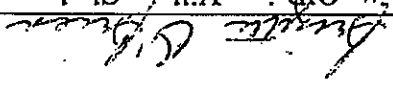
Naves: None

Absent: None

Approved this 5th day of January, 2006



  
William J. Mueller, Village President

ATTEST:  
  
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.

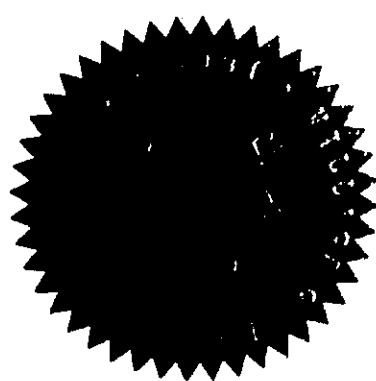
I further certify that attached hereto is a true and correct copy of ORDINANCE 5794

AN ORDINANCE GRANTING AN AMENDMENT  
TO ORDINANCE 5695, A CONDITIONAL USE FOR  
A PLANNED DEVELOPMENT, GRANTING AN  
AMENDMENT TO THE PERMITTED USE LIST  
AND GRANTING A FENCE VARIATION FOR THE  
PROPERTY LOCATED AT 1301 NORTH  
LOMBARD ROAD, LOMBARD, DUPAGE  
COUNTY, ILLINOIS, PIN # 03-31-204-002 AND 004

of the said Village as it appears from the official records of said Village duly passed on January 5th, 2006.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said Village of Lombard, DuPage County, Illinois this 28<sup>th</sup> day of February, 2006.

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



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

Return To:

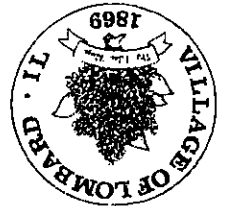
Address: 1301 N. Lombard Road, Lombard

Address: 1301 N. Lombard Road, Lombard  
PIN: 03-31-204-002 and 004

GRANTING A TIME EXTENSION TO ORDINANCE 5794,  
RELATIVE TO THE O'HARE/DUPAGE BUSINESS PARK  
PLANNED DEVELOPMENT

ORDINANCE 5964

**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
MAR. 01, 2007  
4:07 PM  
OTHER 03-31-204-002  
006 PAGES R2007-037355



22

**AN ORDINANCE GRANTING  
A TIME EXTENSION TO ORDINANCE 5794, RELATIVE TO THE O'HARE/DUPAGE  
BUSINESS PARK PLANNED DEVELOPMENT**

(PC 05-41: 1301 North Lombard Road  
O'Hare/DuPage Business Park Planned Development)

WHEREAS, on January 5, 2006, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5794, which granted approval of an amendment to a conditional use for a planned development with companion use exceptions and fence variations for the property at 1301 North Lombard Road, commonly referred to as the O'Hare/DuPage Business Park 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, construction has not commenced and no building permit has been issued for the development granted by Ordinance 5794; 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 5794 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., January 4, 2008).

**SECTION 2:** That all other provisions associated with Ordinance 5794, 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 \_\_\_\_\_ day of \_\_\_\_\_, 2007.

First reading waived by action of the Board of Trustees this 4th day of January, 2007.

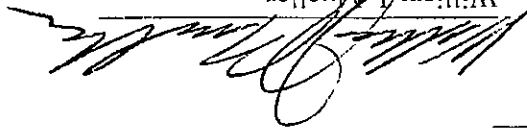
Passed on second reading this 4th day of January, 2007.

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

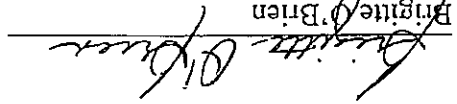
Nays: None

Absent: None

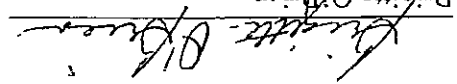
Approved this 4th day of January, 2007.

  
William 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

1. The petitioner shall develop the site in conformance with the submitted site plan, prepared by Jacob & Heiner Associates, P.C., dated November 2, 2005, the building elevations, prepared by Harris Architects, Inc., submitted November 9, 2005 and the landscape plan, prepared by Walsh Landscape Construction, dated November 9, 2005 and made a part of this petition, except as varied by the final engineering approval for the property.
2. The petitioner shall satisfactorily address all comments raised within the inter-departmental review report as part of their building permit application.
3. The petitioner shall apply for and receive a building permit for any development activity on the subject property.

SECTION 5: The amendment to Ordinance 5695 to include the fence variation, use exception and the site plan approval are hereby granted relative to the Subject Property, subject to the conditions set forth below:

SECTION 4: That Site Plan Approval for the Subject Property is hereby granted, subject to the conditions in Section 5.

SECTION 3: That a variation to Section 155.205 (A)(3)(c)(1) of the Zoning Ordinance to allow for a twelve-foot (12') solid fence where a maximum ten-foot (10') high fence is permitted is hereby granted on the subject Property, subject to compliance with the conditions set forth in Section 5 below.

SECTION 2: That Exhibit A to Ordinance 5695 shall be amended to allow for temporary retail sales activity associated with warehouse/distribution activities on the Subject Property, subject to compliance with the conditions set forth in Section 5 below.

Parcel Numbers: 03-31-204-002 and 004  
 Hereinafter the "Subject Property"

Illinois; and  
 That part of Lombard Road lying south of the north line of the Commonwealth Edison Right-of-Way and north of the south line of the Commonwealth Edison Right-of-Way, in the Northeast ¼ of Section 31, Township 40 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois.

CHARGE C.T.I.C. DUPAGE

*Ann*

This conveyance is subject to: (a) general taxes not yet delinquent; (b) mortgage dated September 9, 2005 and recorded October 28, 2005 as Document No. R2005-241462 to Associated Bank, NA; (c) Assignment of Rents recorded October 28, 2005 as Document No. R2005-241463 to Associated Bank, NA; (d) rights of way for drainage tile, ditches, feeders, laterals and underground pipes, if any; (e) terms, provisions and conditions contained in Ordinance No. 2048, recorded June 3, 1977 as Document R77-42200 and extended by Document No. R81-64822; and (f) Declaration of Protective Covenants for Lombard Industrial Park dated December 29, 1972 and recorded January 2, 1973 as Document R73-000002 and amended by Document R76-442240, as subsequently amended.

Property Address: 1301 N. Lombard Street, Lombard, IL  
PIN: 03-31-204-004

Lot 1 in Lombard Business Center Unit Two, being a subdivision of that part of the East 1/2 of the West 1/2 of the Northeast 1/4 of Section 31, Township 40 North, Range 11 East of the Third Principal Meridian, lying South of the Southerly Right-of-Way of the Illinois Central Railroad (except the South 210 feet thereof), according to the Plat thereof recorded November 6, 1974 as Document R74-56524, in DuPage County, Illinois

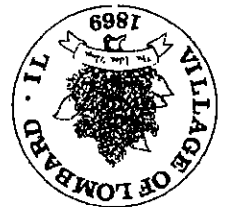
The Grantor, Plainfield Retail Land LLC, an Illinois limited liability company for the sum of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, hereby CONVEYS and WARRANTS to the Grantees, Plainfield Retail Land LLC, an Illinois limited liability company, 9440 Enterprise Drive, Mokena, Illinois and Smith-Lombard, LLC, an Illinois limited liability company, 1251 W. Thorndale Avenue, Itasca, Illinois, as TENANTS IN COMMON with equal undivided interest in the real estate situated in DuPage County, Illinois legally described as follows:

WARRANTY DEED

FRED BUCHOLZ  
DUPAGE COUNTY RECORDER  
JAN 12 2006  
RHSF 10:54 AM  
03-31-204-004  
R2006-007759  
002 PAGES

*[Handwritten signature]*

580002885



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 5964

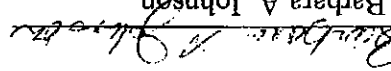
GRANTING A TIME EXTENSION TO ORDINANCE  
5794, RELATIVE TO THE O'HARE/DUPAGE BUSINESS  
PARK PLANNED DEVELOPMENT

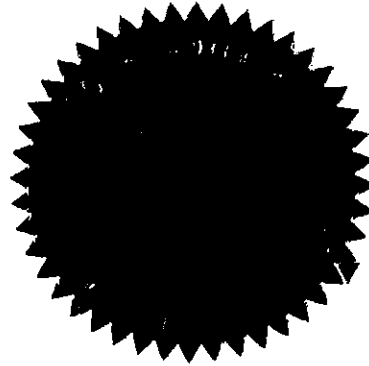
PN: 03-31-204-002 AND 004

1301 N. LOMBARD 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 herunto affixed my official signature and the Corporate Seal of said Village of Lombard, DuPage County, Illinois this 6th day of February, 2007

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





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

Return To:

ADDRESS: 1301 N. Lombard Road, Lombard, Illinois

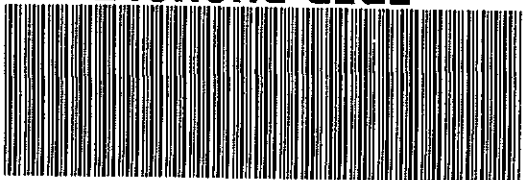
PIN: 03-31-204-002 and 004

GRANTING A SECOND TIME EXTENSION TO  
ORDINANCE 5794, RELATIVE TO THE O'HARE/DUPAGE  
BUSINESS PARK PLANNED DEVELOPMENT

ORDINANCE 6122



**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
JAN 29, 2008  
3:40 PM  
OTHER 03-31-204-002  
005 PAGES R2008-015424



**ORDINANCE NO. 6122**

**AN ORDINANCE GRANTING  
A SECOND TIME EXTENSION TO ORDINANCE 5794, RELATIVE TO THE  
O'HARE/DUPAGE BUSINESS PARK PLANNED DEVELOPMENT**

(PC 05-41: 1301 North Lombard Road  
O'Hare/Dupage Business Park Planned Development)

WHEREAS, on January 5, 2006, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5794, which granted approval of an amendment to a conditional use for a planned development with companion use exceptions and fence variations for the property at 1301 North Lombard Road, commonly referred to as the O'Hare/Dupage Business Park 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, on January 4, 2007, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5964, which granted approval of time extension for the previously approved conditional use for a planned development for a one year period.

WHEREAS, construction has not commenced and no building permit has been issued for the development granted by Ordinances 5794 and 5964; and,

WHEREAS, the Village has received a letter requesting an additional 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 5794 and 5964 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 twenty-four (24) months of the date of adoption of this Ordinance (i.e., January 3, 2010).

**SECTION 2:** That all other provisions associated with Ordinances 5794 and 5964, 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 \_\_\_\_\_ day of \_\_\_\_\_, 2007.

First reading waived by action of the Board of Trustees this 6th day of December, 2007.

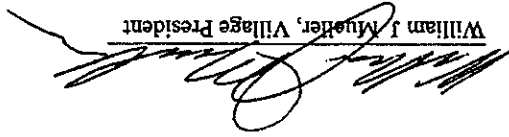
Passed on second reading this 6th day of December, 2007, pursuant to a roll call vote as follows:

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

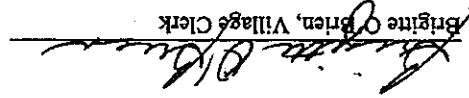
Nays: None

Absent: None

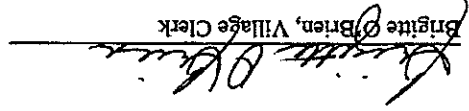
Approved by me this 6th day of December, 2007.

  
William J. Mueller, Village President

ATTEST:

  
Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this 10th day of December, 2007

  
Brigitte O'Brien, Village Clerk

Lot 1 in Lombard Business Center, Unit Two, being a subdivision of that part of the east ½ of the west ½ of the northeast ¼ of Section 31, Township 40 North, Range 11 East of the Third Principal Meridian, lying south of the southerly right-of-way of the Illinois Central Railroad (except the south 210 feet thereof), according to the plat thereof recorded November 6, 1974 as Document R74-56524, in DuPage County, Illinois; also

A tract of land legally described as follows: Commencing at the southeast corner of Lot 1 in Lombard Business Center, Unit Two, being a subdivision of that part of the east ½ of the west ½ of the northeast ¼ of Section 31, Township 40 North, Range 11 East of the Third Principal Meridian, lying south of the southerly right-of-way of the Illinois Central Railroad, according to the plat thereof recorded November 6, 1974 as Document R74-56524, in DuPage County, Illinois, thence east along the south line of said Lot 1, a distance of 624.98 feet, thence south 210.0 feet to a point along the south line of the northeast ¼ of Section 31 Township 40 North, Range 11 East of the Third Principal Meridian, thence westerly along the south line of the northeast ¼ of Section 31 Township 40 North, Range 11 East of the Third Principal Meridian, a distance of 624.98 feet, thence north 210.0 feet to a point of beginning, in DuPage County, Illinois; also

That part of Lombard Road lying south of the south line of the Illinois Central Railroad Right-of-Way and north of the north line of the Commonwealth Edison Right-of-Way, in the Northeast ¼ of Section 31, Township 40 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois; and

That part of Lombard Road lying south of the north line of the Commonwealth Edison Right-of-Way and north of the south line of the Commonwealth Edison Right-of-Way, in the Northeast ¼ of Section 31, Township 40 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois.

Parcel Numbers: 03-31-204-002 and 004



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 6122

GRANTING A SECOND TIME EXTENSION TO

ORDINANCE 5794, RELATIVE TO THE

O'HARE/DUPAGE BUSINESS PARK PLANNED

DEVELOPMENT

ADDRESS: 1301 N. LOMBARD ROAD, LOMBARD, IL

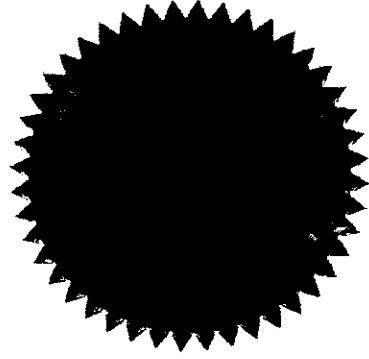
PIN: 03-31-204-002 AND 004

of the said Village as it appears from the official records of

said Village duly approved December 6, 2007.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said Village of Lombard, DuPage County, Illinois this 18th day of January, 2008.

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



**AN ORDINANCE GRANTING  
A THIRD TIME EXTENSION TO ORDINANCE 5794, RELATIVE TO THE  
O'HARE/DUPAGE BUSINESS PARK PLANNED DEVELOPMENT**

(PC 05-41: 1301 North Lombard Road

O'Hare/DuPage Business Park Planned Development)

WHEREAS, on January 5, 2006, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5794, which granted approval of an amendment to a conditional use for a planned development with companion use exceptions and fence variations for the property at 1301 North Lombard Road, commonly referred to as the O'Hare/DuPage Business Park 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, on January 4, 2007, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5964, which granted approval of time extension for the previously approved conditional use for a planned development for a one year period.

WHEREAS, on January 3, 2008, the President and Board of Trustees of the Village of Lombard adopted Ordinance 6122, which granted approval of time extension for the previously approved conditional use for a planned development for a two year period.

WHEREAS, construction has not commenced and no building permit has been issued for the development granted by Ordinances 5794, 5964 and 6122; and,

WHEREAS, the Village has received a letter requesting an additional 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 5794, 5964 and 6122 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 twenty-four (24) months of the date of adoption of this Ordinance (i.e., January 7, 2012).

**SECTION 2:** That all other provisions associated with Ordinances 5794, 5964 and 6122, 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 \_\_\_\_\_ day of \_\_\_\_\_, 2010.  
First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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

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

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

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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

ATTEST:

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

Ordinance No. \_\_\_\_\_  
Re: PC 05-41 - Third Time Extension  
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Published by me in pamphlet from this \_\_\_\_\_ day of \_\_\_\_\_, 2010

Brigitte O'Brien  
Village Clerk