

Agenda
Glen Ellyn Village Board of Trustees
Monday, November 22, 2010
8:00 p.m. – Galligan Board Room

1. Call to Order
2. Roll Call
3. Pledge of Allegiance to be led by Cub Scout Pack 52, Webelo Dens 3 and 9.
4. Village Recognition:
 - A. An email message was received from residents complimenting the Public Works Department for the excellent management of the work on the Bryant Avenue / Thain's Addition Improvements Project.
 - B. A letter was received from the Lombard Chief of Police forwarding his thanks to Community Service Officer Jeffrey Priest for assisting with the traffic control for the *Susan G. Komen Race for the Cure* event.
 - C. The Milton Township S.A.L.T. Council (Seniors and Law Enforcement Together) forwarded a letter of thanks to Deputy Chief Bill Holmer and Police Officer Tom Staples for our Police Department's support of a recent meeting of officers and civilians involved in protecting the interests of our senior population.
 - D. Our Police Department received a letter of appreciation from the Chicagoland Chapter of Autism Speaks, thanking them for assisting with traffic control during the annual *Ride for Autism Speaks* event.
 - E. Police Officer Tom Staples and our Police Department staff received a great number of thank-you notes from residents of the Meadows, forwarding their appreciation for an educational and enjoyable Senior Police Academy.
 - F. A note of thanks was sent to Public Works Director Joe Caracci from a resident who was pleased with replacement grass on his property following a construction project.
 - G. Acting Finance Director Larry Noller received a note of thanks from Cub Scout Den 4 for providing an interesting tour of the Civic Center.
 - H. A resident sent a note of thanks to Administrative Secretary Christine Miller of our Police Department in appreciation for her help and consideration.
 - I. A thank-you note was sent to Police Officer Bradley Booton from a local family who was grateful for his assistance and understanding.
 - J. The Village Board accepts the resignation of Todd Hanssen from the Building Board of Appeals and thanks him for his service to the Village.

5. Audience Participation
6. Consent Agenda (**Pages 5-17**)

The following items are considered routine business by the Village Board and will be approved in a single vote in the form listed below: (*Trustee Comerford*)

- A. Village Board Meeting Minutes - None
 - B. Total Expenditures (Payroll and Vouchers) - \$1,301,730.55.

The vouchers have been reviewed by Trustee Comerford prior to this meeting.
 - C. Motion to designate Trustee Henninger as Village President Pro Tem for the Four-month period from January through April, 2011.
 - D. Motion to retroactively waive Section 4-5-7 (Prohibited Signs) of the Glen Ellyn Village Code in order to permit downtown businesses to display ribbons on trees in support of the Glenbard West Football Team. (*Assistant to the Village Manager Schrader*)
 - E. Motion to waive Sections 8-1-11 (Street Obstructions) and 8-1-12 (Merchandise on Street) of the Glen Ellyn Village Code, and Sections 10-4-14(B)17, 10-4-15(B)14, 10-4-17.1(B)32, 10-4-17.2(B)25, 10-4-18(A)6 (Outdoor Merchandise and Promotional Activities) of the Zoning Code for the annual Holiday Walk event in the Central Business District on Friday, November 26, 2010. (*Assistant to the Village Manager Schrader*)
 - F. Motion to approve a letter of engagement with Anderson Environmental Consulting, Inc. to perform environmental services for the site located at 825 North Main Street (former Marathon Gas Station). (*Planning and Development Director Hulseberg*)
7. Motion to accept the recommendation of Village President Pfefferman that Michael Morange be appointed to the Building Board of Appeals for a term ending December 31, 2012. (*Trustee Ladesic*) (**Pages 18-20**)

Planning and Development Director Staci Hulseberg will present information regarding the appointment of Michael Morange to the Building Board of Appeals.

8. Acting Finance Director Larry Noller will present information on two Special Service Area (SSA) taxing districts which only apply to unincorporated areas to the north and south of the Village limits which are served by the Glen Ellyn Volunteer Fire Company. The purpose of the SSAs is to levy a special tax to help defray the costs related to providing fire protection and other emergency services to these areas. These SSAs were established in November, 2009, following a statutorily prescribed public notice and hearing process. (*Trustee Thorsell*) (**Pages 21-40**)

- A. Ordinance No. 5899, an Ordinance for the Levy and Assessment of Taxes for the 2010 Tax Levy Year in the Amount of \$104,018 for Glen Ellyn Special Service Area Number Eighteen.
 - B. Ordinance No. 5900, an Ordinance for the Levy and Assessment of Taxes for the 2010 Tax Levy Year in the Amount of \$93,063 for Glen Ellyn Special Service Area Number Nineteen.
9. Ordinance No. 5901, an Ordinance for the Levy and Assessment of Taxes for the 2010 Tax Levy Year in the Amount of \$96,000 for the Village of Glen Ellyn Special Service Area Number Twelve. *(Trustee Comerford)* **(Pages 41-46)**

Acting Finance Director Larry Noller will present information related to a special property tax which applies only to property owners in portions of the Lambert Farms Subdivision who are located within the Special Service Area Number 12 taxing district.

10. Ordinance No. 5902, an Ordinance Granting Approval of a Special Use Permit for Northwood University to Allow a Private School at 1200 Roosevelt Road, Glen Ellyn. *(Trustee Thorsell)* **(Pages 47-90)**

Planning and Development Director Staci Hulseberg will present information on the request of Royal Glen LLC, owner of property located at 1200 Roosevelt Road, for approval of a special use permit for a private school in accordance with Section 10-4-15(B)15 of the Glen Ellyn Zoning Code. The request is being made to allow Northwood University to occupy 2,500 square feet in the existing 50,025 square-foot, four-story office building on the property.

11. Ordinance No. 5903, an Ordinance Approving a Text Amendment to the Village Sign Code to Allow Light Pole Banner Signs at Shopping Centers Comprised of 6.5-Acres or More. *(Trustee Comerford)* **(Pages 91-99)**

Planning and Development Director Staci Hulseberg will present information regarding a proposed amendment to the Glen Ellyn Sign Code to allow shopping centers comprised of 6.5-acres or more to display light pole banner signs.

12. Ordinance No. 5885, an Ordinance Approving a Text Amendment to the Glen Ellyn Zoning Code to Require Decorative Displays in Ground Floor Storefront Windows of Vacant Commercial Buildings and Buildings Undergoing Interior Renovation in the C5A and C5B Central Business District Zoning Districts. *(Trustee Thorsell)* **(Pages 100-122)**

Planning and Development Director Staci Hulseberg will present information on a proposed amendment to the Zoning Code that would require decorative displays to be placed in ground floor storefront windows of vacant commercial buildings in the C5A and C5B Zoning Districts. This is an initiative discussed in the Downtown Strategic Plan and was recommended by the Transitional Downtown Advisory Committee.

13. Ordinance No. 5904, an Ordinance Approving Variations from the Front Yard and Side Yard Setback Requirements of the Zoning Code to Allow a One-Story Garage Addition to the Existing Home for Property at 244 Anthony Street. (*Trustee Ladesic*) **(Pages 123-165)**

Planning and Development Director Staci Hulseberg will present information on a request by property owners Randy and Kate Briasco to grant a variation allowing a front yard setback of 7 feet in lieu of the minimum required front yard setback of 32 feet, and a side yard setback of 4.9 feet in lieu of the minimum required side yard setback of 6.5 feet.

14. Reminders:

- The Village offices will be closed for the Thanksgiving Holiday on Thursday and Friday, November 25 and 26.
- The next Regular Village Board Workshop is scheduled for Monday, December 6, 2010 in the Galligan Board Room of the Glen Ellyn Civic Center.
- The next Regular Village Board Meeting is scheduled for Monday, December 13, 2010 beginning at 8 p.m., in the Galligan Board Room of the Glen Ellyn Civic Center.

15. Other Business?

16. Adjournment

17. Press Conference

November 23, 2010

A-6D

Danny Sronkoski
VP Retail-Glen Ellyn Chamber of Commerce
411 N. Main Street
Glen Ellyn, IL 60137

RE: Ribbon Decorating

Dear Mr. Sronkoski:

This letter is to confirm action taken at the Village Board Meeting on Monday, November 22, 2010 regarding the Glen Ellyn Chamber of Commerce and Downtown Businesses request to decorate the Central Business District with ribbons to support the Glenbard West Football Team. The Village Board retroactively approved your request and temporarily waived the pertinent section of the Village Code. The formal approval by the Village Board provides for the following:

1. Approval for the Chamber of Commerce and Downtown Glen Ellyn businesses to decorate the Central Business District beginning on November 8, 2010 and ending the day following the GWHS Football Team's last game.
2. Section 4-5-7 of the Glen Ellyn Village Code (Prohibited Signs) has been waived for the length of the event as described above.

Sincerely,

Steve Jones
Village Manager

cc: Staci Hulseberg, Planning and Development Director
Phil Norton, Police Chief
Dave Buckley, Assistant Public Works Director
Danamarie Izzo, Assistant to the Village Manager – HR
Patti Underhill, Administrative Services Coordinator



To: Village of Glen Ellyn Village Trustees

From: Glenbard West Football Supporters

RE: Ribbon Decorating

Date: Monday November 8, 2010

The Chamber of Commerce and Downtown Glen Ellyn Businesses are requesting that the Village allow them to decorate all downtown area trees with Glenbard West Green and White Ribbons to show support for the upcoming ISHA State Football Quarterfinal Game between Glenbard West and Wheaton Warrenville South.

We will ask downtown businesses, local youth football teams, students and residents for assistance in applying the ribbons.

Please consider this request at your earliest convenience.

Sincerely,

Danny Sronkoski

VP Retail-Glen Ellyn Chamber of Commerce

Proprietor-Tap House Grill

DRAFT

November 23, 2010

A-6E



Mr. Mike Formento, Executive Director
Ms. Georgia Koch, Executive Director
Glen Ellyn Chamber of Commerce
800 Roosevelt Road, Building D, Suite 108
Glen Ellyn, IL 60137

Re: 2010 Holiday Walk

Dear Mike and Georgia:

This letter is to confirm action taken by the Village Board of Trustees at its meeting on Monday, November 22, 2010, regarding the Glen Ellyn Chamber of Commerce's 2010 Holiday Walk scheduled for Friday, November 26, 2010. By motion, the Village Board waived Village Code Sections 8-1-11 (Street Obstructions), 8-1-12 (Merchandise on the Street) and Zoning Code Sections 10-4-14(B)17, 10-4-15(B)14, 10-4-17.1(B)32, 10-4-17.2(B)25, 10-4-18(A)6 (Outdoor Merchandise and Promotional Activities) as indicated below. The following is a specific discussion of the waivers and permission granted by the Village Board of Trustees.

1. Main Street will be closed between Pennsylvania Avenue and Crescent Boulevard on Friday, November 26, 2010 from 3:00 p.m. to 9:00 p.m. Main Street will be reopened to traffic at 9:00 p.m. Signs, which will be provided by the Village, will be installed by noon on November 26, 2010 indicating that all vehicles must be removed by 3:00 p.m. that day.
2. Crescent Boulevard east of Glenwood Avenue and west of Forest Avenue will be closed from 5:00 p.m. to 9:00 p.m. on November 26, 2010. Crescent Boulevard will be reopened to traffic at 9:00 p.m. Signs, which will be provided by the Village, will be installed by noon on November 26, 2010 to remind motorists of the street closure.
3. The Police Department will provide staffing before and during the event to assist with parking, crowd management and street closures. Please work out the details of this matter with Deputy Police Chief Holmer, 630-469-1187, prior to that day.
4. The Chamber will coordinate with the Police Department for the parking meters in the Central Business District to be covered for the time period of November 26, 2010 through January 3, 2011.
5. The Village will assist in providing remote tree lighting on Friday, November 26, 2010. Please coordinate the details with Public Works Crew Leader Jennifer Brown, 630-469-6756.
6. Village staff will sweep the downtown area before and after the event. The Public Works Department will also provide additional wire refuse and recycling containers with the understanding that solid waste/recycling collection arrangements for all Central Business District on-street containers are the responsibility of the Chamber of Commerce. Plastic bags should be used to line the containers, the containers should be marked as either refuse or recycling, and

they should be emptied as necessary throughout the event. The Chamber should contact Allied Waste directly at 630-469-1036 to make arrangements. All additional trash/recycling receptacles in the Central Business District must be emptied and turned upside down once the event has ended so that the containers are not used prior to pickup by the Public Works Department.

7. On November 26, portable signs (as defined in Section 4-5-5(K) of the Sign Code) will be allowed on the sidewalk for businesses in the Central Business District only, provided they are located adjacent to building walls and at least five feet of walkway is free and clear of any obstruction.
8. The Village will place signs to direct motorists to use the Crescent and Pennsylvania parking lots.
9. The Village is interested in working with your organization to determine the best way to provide electrical power for your event. The Village has different options for power with varying capabilities depending on the location of your event and the amount of power needed. Please contact Rob Kadera and/or Mike Zitzka of Public Works at 630-469-6756 to work out these details.
10. Once again, specific permission is given for the sale of merchandise on public sidewalks in the Central Business District on November 26, 2010 (by waiver of Section 8-1-12 of the Village Code) by Chamber-approved, non-profit organizations and Glen Ellyn businesses only.
11. Outside merchandise will be permitted on private property for all commercial businesses throughout the Village located in the C2, C3 and C6 Zoning Districts on Friday, November 26, 2010.

By copy of this letter, the Village team is being notified of the requests of the Chamber of Commerce and is requested to cooperate with the Chamber by providing necessary Village services.

Sincerely,

Steve Jones
Village Manager

cc: Staci Hulseberg, Planning and Development Director
Phil Norton, Police Chief
Dave Buckley, Assistant Director of Public Works
Danamarie Izzo, Assistant to the Village Manager – HR
Patti Underhill, Administrative Services Coordinator

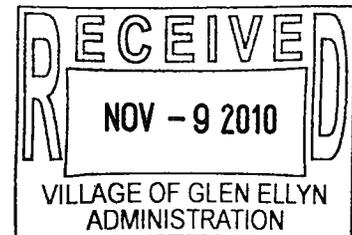
Glen Ellyn

Chamber of Commerce

connecting business with the greater community

November 5, 2010

Mr. Steve Jones
Village Manager
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, IL 60137



Re: 2010 Holiday Walk

Dear Steve:

The Glen Ellyn Chamber of Commerce requests the support of the Village of Glen Ellyn in presenting the annual Holiday Walk on Friday, November 26, 2010.

We respectfully request your assistance with the following plans:

Holiday Walk Schedule of Events:

In keeping with past tradition, we anticipate the gathering of several thousand people by 6 p.m. at Crescent and Main for the arrival of Santa Claus and the lighting of the Christmas tree. Santa will then proceed to the Fire Station to greet the children from 6:30 p.m. to 8:30 p.m. Shops will remain open until 9:00 p.m. to encourage residents and visitors to begin their shopping for the season.

Accommodations Requested:

- 1A. The Chamber requests closure of Main Street between Pennsylvania and Crescent on Friday, November 26, 2010 from 3:00 to 9:00 p.m. for the clearing of vehicles and arrival of Santa.
- 1B. The Chamber requests closure of Crescent Blvd. east of Glenwood and west of Forest, from 5 p.m. until 9:00 p.m.

We request that signs be placed in the morning as a warning to motorists of these street closures.

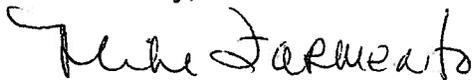
2. We suggest the covering or bagging the Central Business District parking meters to provide free 2 hour parking from November 26, 2010 – January 3, 2011.
3. We request sweeping the CBD before and after the event, and placement of extra trash containers.

**Glen Ellyn Chamber of Commerce
Page 2**

4. We request that the Village allow the sale of merchandise on the streets by participating merchants, vendors and not-for-profit groups.
5. We request the placement of parking signs to direct motorists to the Crescent and Pennsylvania parking lots.
6. We request assistance from the Public Works Department elves, a most important provider of the evening's magic, in coordinating the lighting of the tree.
7. Merchants realize it is their responsibility to police their own stores; however, due to the tremendous crowds generated by the event, this is often difficult. Uniformed police officers provide a friendly and welcome presence during the event.
8. The Chamber will provide insurance sufficient to cover this event. The certificate of insurance, naming the Village of Glen Ellyn as an additional insured, will be forwarded to the Village Management Services Director prior to the event.

As always, we look forward to working with the Village on this traditional community event. We thank you for your continued support and cooperation, all of which is sincerely appreciated. Please contact us at the Chamber office, 630.469.0907 if you have any questions regarding the above requests.

Sincerely,



Mike Formento
Executive Director

File – Holiday Walk - 2010



DATE (MM/DD/YY)
11/05/10

PRODUCER

THE NOLAN AGENCY
PO BOX 1385
LOMBARD IL 60148

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

COMPANY A	EMPLOYERS
COMPANY B	
COMPANY C	
COMPANY D	

INSURED

GE CHAMBER
OF COMMERCE
800 ROOSEVELT BLD D #108
GLEN ELLYN IL 60137

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO. TR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS MADE <input checked="" type="checkbox"/> OCCUR OWNER'S & CONT PROT	401-49-85-11	7/01/10	7/01/11	GENERAL AGGREGATE \$ 2,000.00 PRODUCTS-COMP/OP AGG \$ 2,000.00 PERSONAL & ADV INJURY \$ 1,000.00 EACH OCCURRENCE \$ 1,000.00 FIRE DAMAGE (Any one fire) \$ 100,000 MED EXP (Any one person) \$ 5,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	4E1-49-85-11	7/01/10	7/01/11	COMBINED SINGLE LIMIT \$ 1,000.00 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: \$ EACH ACCIDENT \$ AGGREGATE \$
A	EXCESS LIABILITY <input checked="" type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM	4J1-49-85-11	7/01/10	7/01/11	EACH OCCURRENCE \$ 1,000.00 AGGREGATE \$ 1,000.00
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY THE PROPRIETOR/PARTNERS/EXECUTIVE OFFICERS ARE: <input checked="" type="checkbox"/> INCL <input type="checkbox"/> EXCL	4H1-49-85-11	7/01/10	7/01/11	<input checked="" type="checkbox"/> STATUTORY LIMITS \$ EACH ACCIDENT \$ 500.00 DISEASE - POLICY LIMIT \$ 500.00 DISEASE - EACH EMPLOYEE \$ 500.00
	OTHER				

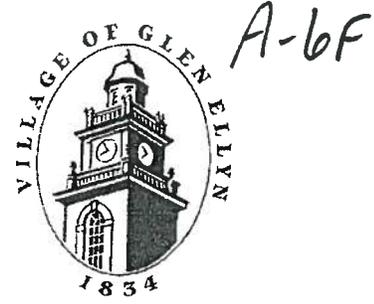
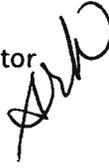
DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS
 VILLAGE OF GLEN ELLYN ADDED AS AN ADDITIONAL INSURED WITH REGARDS TO THE CHAMBERS SPONSORSHIP OF THE HOLIDAY WALK 11/26/10

VILLAGE OF GLEN ELLYN
535 DUANE ST
GLEN ELLYN IL 60137

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES

AUTHORIZED REPRESENTATIVE
Jeff Mills

To: Steve Jones, Village Manager
From: Staci Hulseberg, Planning and Development Director
Date: November 17, 2010
Re: 825 North Main Street
Letter of Engagement for Environmental Services



Background The Village Board approved the purchase of the former Marathon gas station property at 825 North Main Street on September 27, 2010. The Village closed on the purchase on September 30, 2010. Since that time, we have been working toward the demolition of the existing building and concluding the remediation process for the site. Once the remediation process is complete and a final plan for corrective action is approved, the Illinois Environmental Protection Agency will be able to issue a No Further Remediation letter which will allow the redevelopment of the site, with conditions.

Issues The Village hired Anderson Environmental Consulting, Inc. to perform the Phase I Environmental Site Assessment for the site prior to purchase. This company is familiar with the site and highly qualified to complete the remainder of the environmental work.

It is estimated that the cost to complete the work will be approximately \$49,000. The work will be paid for from the Leaking Underground Storage Tank (LUST) Fund and Anderson Environmental will submit their invoices directly to the LUST fund for payment. In the event there is a delay in the reimbursement from the LUST fund exceeding 2 years, the Village will need to provide payment to Anderson Environmental and await reimbursement from the LUST fund. The Village is not liable under IEPA regulations for the completion of the clean up. Past owners of the site, Speedway and Sunbeamer, remain liable under IEPA regulations for the clean-up.

Action Requested A motion to authorize Village Manager Jones to execute the attached Letter of Engagement with Anderson Environmental Services, Inc. to perform environmental services for the property located at 825 North Main Street.

Attachments

- Letter from Brent Denzin of Ancel Glink
- Anderson Environmental Consulting, Inc. Proposal

C: Joe Caracci, Public Works Director
Michele Stegall, Village Planner
Steve Anderson, Anderson Environmental Consulting, Inc.
Brent Denzin, Ancel Glink



DIAMOND BUSH
DiGIANNI
& KRAFFHEER

A Professional Corporation
140 South Dearborn Street, Suite 600
Chicago, IL 60603
www.ancelglink.com

Brent O. Denzin
bdenzin@ancelglink.com
(P) 312.782.7606 Ext. 9164
(F) 312.782.0943

November 8, 2010

Ms. Staci Hulseberg
Village of Glen Ellyn
535 Duane Street
Glen Ellyn IL 60137

Re: 825 N. Main St.—LUST Remediation

Dear Staci:

Enclosed please find an engagement letter from Anderson Environmental Consulting (AEC) for work necessary to obtain a No Further Remediation (NFR) letter for 825 N. Main St. (“the Site”). As described in the statement of work, AEC will take samples on-site, update environmental reports when necessary, and work with IEPA to identify and design an acceptable option for the Site’s final corrective action (i.e. paved barrier, capping and seeding, etc.).

This engagement letter does not cover any cost of earthwork or paving that is ultimately needed to carryout the designed corrective action.

As I have explained in the past, all of the above work—and in fact all remaining costs necessary to obtain an NFR letter for the Site—are covered by the Illinois Leaking Underground Storage Tank Fund (“LUST Fund”). The required \$10,000 deductible for the Site has already been met by past owners in their efforts to remove all tanks and bring the property to the condition it is in today.

AEC has agreed to accept payment for all of its work directly from the LUST Fund. This would not require the Village to spend any money for these services. The Agreement does require the Village to temporarily cover its costs if IEPA’s LUST Fund reimbursement payments are delayed more than 2 years from the date of AEC’s LUST Fund reimbursement submission. This is rare, but possible. In this scenario, the delayed LUST Fund reimbursement will be received by the Village to cover its temporary costs.

At this time, the high-end estimate of costs for AEC's work on this project is \$49,000. However, the actual cost of AEC’s proposed work will be set by IEPA in the final IEPA Plan Budget for the Site.

As for next steps, the Village will wait for AEC and IEPA to identify options for final corrective action on the Site (all reimbursable from LUST funds). Once options are identified, the Village can decide which option to pursue depending on the desired end

ANCEL, GLINK, DIAMOND, BUSH, DICIANNI & KRAFTHEFER, P.C.

November 8, 2010

Page 2

use of the Site (i.e. parking lot, park, commercial land). Once the final corrective action is selected, the Village and AEC will work together to retain contractors to carry out the plans.

Given that AEC has agreed to receive all payment directly from the LUST Fund, take only those actions set forth in an IEPA-approved budget; has already familiarized itself with the Site by conducting the Village's Phase I Environmental Assessment; and has a proven record of professionalism on this project, I believe AEC is the clear choice for the scope of work outlined in the engagement letter.

For all of the above reasons, I recommend the Village sign the engagement letter without additional bids.

Sincerely,

A handwritten signature in black ink, appearing to read "Brent O. Denzin". The signature is stylized and includes a long horizontal flourish extending to the right.

Brent O. Denzin

cc: Stewart H. Diamond, Ancel Glink

Enclosure



Anderson Environmental Consulting, Inc.

November 3, 2010

Brent O. Denzin
Attorney at Law
Ancel, Glink, Diamond, Bush,
DiCianni & Krafthefer, P.C.
140 South Dearborn Street, 6th Floor
Chicago, IL 60603

Leaking UST Site Work
825 N. Main St.
Glen Ellyn, IL

Dear Brent:

Per your request, Anderson Environmental Consulting, Inc. (AEC) is pleased to provide the Village of Glen Ellyn with the following proposal for environmental services for the former service station at the subject location (site).

Background

AEC has previously completed a Phase I Environmental Site Assessment at the subject site. The subject site was formerly a service station and has four recorded Illinois Emergency Management Agency (IEMA) incident numbers. The Village of Glen Ellyn has acquired the site and desires to obtain a No Further Remediation (NFR) from the Illinois EPA. The site is regulated by 35 IAC 734, and is eligible for reimbursement from the Leaking Underground Storage Tank Fund (Fund) and has met has its \$10,000 deductible.

Scope of Work

AEC has contacted the Illinois EPA project manager, Mr. Mike Heaton and will be receiving three key site reports by U.S. Mail. AEC will couple these reports with the CD files previously received from the IEPA and files reviewed and received from the Village of Glen Ellyn and prepare a work plan and budget for client review, signature and submittal to the Illinois EPA. The Plan will be prepared in concert with discussion with the IEPA project manager. Please note that subsequent work scopes will be developed based upon these findings. Furthermore, when working in a regulatory program such as the Leaking Underground Storage Tank Program, you will be engaging in a regulatory dialogue and that will require subsequent work with the IEPA.

Please note that for future sub-surface work and in accordance with Illinois law, JULIE, the one call system will be notified at least two business days prior to commencing sub-surface work at the site. JULIE will mark utilities at the site for subscriber utilities in public right-of-ways and easements. No underground utilities are expected to be encountered, therefore, any interference or delays caused by underground utilities encountered during fieldwork will be considered outside this scope of work. AEC will also prepare a site-specific health and safety plan before initiating work at the site.

Cost Estimate

The Services to be performed by AEC are to be reimbursed by the Leaking Tank Fund. AEC's fees to Glen Ellyn for conducting IEPA mandated investigation, assessment and reporting will be based upon State of Illinois rates and budgets. This includes on-site activities, the data analysis and report compilation. AEC has conducted a brief review of previous reports and based upon discussion with the IEPA project manager, our estimate for this work is approximately \$49,000. This estimate covers, drilling, laboratory analysis and IEPA reporting. This work will be performed in accordance with the IEPA approved budget on a time and material basis. As additional work is

required, it will be scoped at that time and conducted with client approval. Costs for subcontracted site cleanup (soil excavation and landfill disposal or pavement) required by the IEPA are reimbursable, and will either be contracted directly by the Village of Glen Ellyn or possibly through AEC. If the Village of Glen Ellyn elects to contract with sub-contractors directly, AEC will support the Village with preparation of bidding documents, hosting the bidder's conference, bid tabulation and provide third party oversight and prepare a reimbursement package on the Village's behalf.

Assumptions

The following assumptions have been made in preparing this estimate:

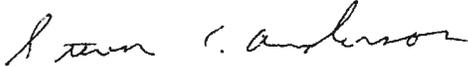
- AEC standard working hours are Monday through Friday during standard business hours.
- Free access and sufficient work area/space will be provided for drilling operations.
- AEC is not responsible for unidentified utilities or buried objects in the work areas.
- Repairs to site facilities, including utilities, are not included in this work.
- AEC will be provided with a copy of the site's plat of survey and legal description for purposes of IEPA reporting.
- Glen Ellyn will promptly (within one week) provide signature for IEPA submittals.
- Glen Ellyn will cooperate with AEC to address IEPA comments to obtain environmental closure of the site.
- Payments for environmental (LUST) work for the site received by Glen Ellyn will be promptly endorsed to Anderson Environmental Consulting, Inc.
- If the containerization, transportation, or disposal of any waste, material or substances (hazardous or non-hazardous) are required, AEC is not and has no authority to act as an owner, generator, transporter or disposer of any such waste, material or substances and in no event shall AEC be required to sign or certify a manifest, disposal ticket or like document without the specific written approval of Glen Ellyn.
- The Village of Glen Ellyn has not done nor allowed anything to occur that may cause the site to be or become ineligible for the reimbursement program, or that nothing has been done or allowed to occur which would prevent AEC from receiving reimbursement.
- Glen Ellyn understands and agrees that performance of the above scope of work does not assure or guarantee that hazardous or other environmentally regulated materials or soil and/or groundwater contamination will not exist or continue to exist at the site.
- The initial \$10,000 deductible has been met.
- Glen Ellyn understands and agrees that, if due to no fault on the part of AEC, the fund fails to pay AEC the full amount believed to be reimbursable (the total compensation less deductible), that Glen Ellyn is responsible for payment for services performed.
- Glen Ellyn is responsible for invoiced project cost if the leaking tank fund fails to reimburse AEC two years after invoicing.
- If Glen Ellyn stops the project prior to the submittal of a reimbursement package for work already conducted at the subject site, then Glen Ellyn is responsible for outstanding invoices/costs.

This proposal is valid for 60 days.

November 3, 2010
Mr. Brent O. Denzin
Ancel, Glink
Page 3

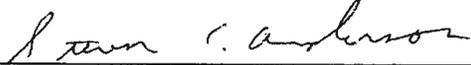
Should you have any questions, comments or concerns regarding this report please contact me at (630) 725-0400 or sanderson@anderson-env.com.

Sincerely yours,
ANDERSON ENVIRONMENTAL CONSULTING, INC.



Steven C. Anderson, LPG
Principal Geologist

To formalize your acceptance of this proposal and to provide AEC with authorization to proceed with the scope of work identified herein, please return a signed copy of this proposal to AEC.

Anderson Environmental Consulting, Inc.	Acceptance of Proposal and Authorization to Proceed
Steven C. Anderson	
Name (printed)	Name (printed)
Principal Geologist	
Title (printed)	Title (printed)
	
Signature	Signature
November 3, 2010.	
Date	Date

MEMORANDUM

Steve -
For Village
Board.
Staci

TO: Staci Hulseberg, Director of Planning and Development
FROM: Joe Kvapil, Building and Zoning Official 
DATE: November 16, 2010
SUBJECT: Building Board of Appeals Membership

A-7

This memorandum is in response to the questions and concerns raised by Village Trustees at the November 15 Village Board Workshop about potential conflicts that may occur with the appointment of staff member Mike Morange to the Building Board of Appeals. Mike is a building inspector in the Building Division of the Planning & Development Department and reports to Building and Zoning Official Joe Kvapil. There are significant benefits brought by Mike to the Building Board of Appeals from his extensive experience and knowledge.

Mike has been a full-time building inspector in the Planning & Development Department for 17 years and a Glen Ellyn Village employee for 34 years. Village Code Section 2-7-3(G) requires at least one member of the Building Board of Appeals be a Village staff member from the building division or the facilities maintenance division. Currently, the Building Board of Appeals has one open membership position with no members from the building or maintenance divisions of the Village.

In addition, Mike had been the Chairman of the Electrical Commission for 16 years. That Commission was recently eliminated by combination with the Building Board of Appeals. The intent and purpose of the Electrical Commission was to advise the Village Board regarding adoption of, and amendments to, the Electrical Code. The new 2011 National Electrical Code will be reviewed by the Building Board of Appeals next year. Mike would be a valuable asset in completing this task as a Building Board of Appeals member. The Building Board of Appeals has begun an aggressive schedule and goal of reviewing and evaluating eight building and fire codes for amendment and adoption by the Village Board. The additional input from someone with specific experience in this process and technical knowledge in the field would be highly desirable to accomplish this goal.

The Building Board of Appeals is also responsible for hearing appeals from any person who claims that the building official has not correctly interpreted or applied the provisions of any section of the building or fire code. These appeals rarely occur. We were advised by Jim Ryan, Chairman of the Building Board of Appeals for the last 10 years, that he recalls only two cases. The two cases appear to be requests for exceptions to the code requirements and not an appeal from an administrative decision. It could be argued that these code exception requests should have been processed as a waiver or text amendment to the Village Code which would have been presented directly to the Village Board. Other than these two cases, we found no records of any appeals to the Building Board of Appeals. In the event a valid appeal is to be heard by the

Building Board of Appeals, Mike has advised that he intends to recuse himself from the proceedings to avoid any appearance of conflict.

We support the pending membership appointment of Mike Morange to the Building Board of Appeals and have extreme confidence he will continue to act in a most professional and ethical manner.

X:\Plandev\BUILDING\JOEK\MEMOS\BBA appeals member.doc

Joe Kvapil

From: Jim Ryan [jryan@concretestructures.net]
Sent: Tuesday, November 16, 2010 5:21 PM
To: Joe Kvapil
Subject: RE: BBA History

Joe I believe I have been on the Board over 10 years now.

There have been two cases brought before the Board

- 1.) YMCA asked for permission to delay installation of sprinkler system in their phased expansion.
- 2.) The Glen Ellyn Chamber asked for relief on a specific building to eliminate the 2 hour exterior wall requirement.

Neither request was granted.

Jim Ryan

From: Joe Kvapil [mailto:jkvapil@glenellyn.org]
Sent: Tuesday, November 16, 2010 4:49 PM
To: James Ryan Jr.
Cc: Staci Hulseberg
Subject: BBA History

I was asked if the Building Board of Appeals has ever received an appeal from any person to a code interpretation or code application by the building official ? To the best of my knowledge this has not occurred since October 2005 when I began working for the village. Do you ever recall an appeal before the BBA while you were a member ? When did you become a member ? Thanks.

Joe Kvapil
Building and Zoning Official
Village of Glen Ellyn



A-8

To: Steve Jones, Village Manager

From: Larry Noller, Acting Finance Director

A handwritten signature in black ink, appearing to be "LN", is written over the name "Larry Noller".

Copy: Scott Raffensparger, Fire Chief

Date: November 3, 2010

Re: 2010 Fire Service SSA Levies

Background

Now that we have received and accepted the completed April 30, 2010 Comprehensive Annual Financial Report (CAFR), we can now project the 2010 tax levies for both unincorporated fire service SSAs which were initially established in 2009.

As previously presented, these calculations are based on the total cost of fire services (Village and Fire Company budgets combined) multiplied by the proportionate share of assessed valuation each SSA has relative to the total service area of the Fire Company. These calculations are illustrated on the attached schedule.

The north (SSA18) and south (SSA19) SSAs make up 6.75% and 6.04% of the total service area respectively. Based on total audited costs of fire services for FY10 of \$1,540,027, the tax levies for both districts are as follows:

North Fire SSA	\$104,018
South Fire SSA	<u>93,063</u>
Total	\$197,081

As previously communicated in the public meeting process which established the SSAs last year, we did not anticipate that the initial tax levies would require a tax rate near the 25 cent maximum; rather, we projected rates in the 8 to 10 cent range based on data estimates at the time. The initial levy rates for 2009 were \$0.0892 and \$0.0858 for SSAs 18 and 19 respectively.

Based on actual FY10 fire service costs, we should see tax rates in both of these SSAs which are very similar to the initial rates established in 2009. Even if there were a 20% reduction in EAVs from 2009, the resulting tax rate would only increase to about 11 cents so there should not be cause for concern related to recent property market declines and the maximum tax rate threshold. Levy ordinances and supporting materials are attached for your review.

Action Requested

Village Board adoption of the attached ordinances at the November 22, 2010 regular meeting.

Attachments

- A. SSA 18 and 19 levy calculations
- B. Pages from the FY2010 Annual Audit showing fire expenses for the Village and the Volunteer Fire Company
- C. DuPage County final 2009 levy sheets with EAV information for Village, SSA18 and SSA19
- D. Proposed levy ordinance for SSA 18
- E. Proposed levy ordinance for SSA 19

Village of Glen Ellyn
North and South Fire SSA Taxing Districts
2010 SSA Tax Levy Computation

<u>Total Cost of Fire Services, FYE April 30, 2010*</u>	<u>2010 LEVY</u>	<u>PRIOR YEAR LEVY</u>	Change from Prior Year
Village Expenses	\$ 1,345,098	\$ 668,068	
Less Ambulance Billing Collections	(444,226)	-	
Net Village Expense	900,872	668,068	34.8%
Volunteer Fire Company Expenses	639,155	798,091	-19.9%
Total Net Fire Service Cost*	<u>\$ 1,540,027</u>	<u>\$ 1,466,159</u>	5.0%
 <u>Allocation of Area Served by EAV</u>			
2009 Village Equalized Assessed Value	\$ 1,486,447,475	\$ 1,479,870,953	0.4%
2009 North Fire SSA (18) Equalized Assessed Value	115,132,765	117,794,307	-2.3%
2009 South Fire SSA (19) Equalized Assessed Value	103,007,340	101,404,718	1.6%
	<u>\$ 1,704,587,580</u>	<u>\$ 1,699,069,978</u>	0.3%
 <u>Allocation of Fire Services Costs</u>			
Village	\$ 1,342,946	\$ 1,277,008	5.2%
North Fire SSA (18)	104,018	101,647	2.3%
South Fire SSA (19)	93,063	87,504	6.4%
	<u>\$ 1,540,027</u>	<u>\$ 1,466,159</u>	
 <u>2010 Fire SSA Tax Levies</u>			
North Fire SSA (18)	\$ 104,018	\$ 101,647	2.3%
South Fire SSA (19)	93,063	87,504	6.4%
Projected FY11/12 Revenues	<u>\$ 197,081</u>	<u>\$ 189,151</u>	4.2%

* Source: Audited Village financial statements.

VILLAGE OF GLEN ELLYN, ILLINOIS

SCHEDULE OF DETAILED EXPENDITURES - BUDGET AND ACTUAL (Continued)
GENERAL FUND

For the Year Ended April 30, 2010
(with comparative actual)

	2010			2009
	Original Budget	Final Budget	Actual	Actual
PUBLIC SAFETY (Continued)				
Police department (Continued)				
Contractual services				
Insurance	\$ 506,200	\$ 506,200	\$ 498,396	\$ 417,588
Equipment services	374,900	374,900	374,900	321,300
Maintenance - equipment	18,000	18,000	17,820	16,480
Printing	7,000	7,000	7,064	4,562
Professional services - legal	80,000	80,000	76,835	79,662
Professional services - other	20,000	20,000	31,478	32,082
Dues, subscriptions and registration fees	7,500	7,500	11,433	11,563
Recruiting and testing	8,000	8,000	1,770	8,963
Employee education	30,000	30,000	23,045	43,706
Scholarship award	1,000	1,000	1,000	1,000
Radio and radar	8,000	8,000	4,339	7,259
Telecommunications	26,000	26,000	26,594	23,870
Drug forfeiture	8,000	8,000	6,184	14,335
Dare program	2,600	2,600	670	2,546
Seized property	6,000	6,000	1,680	4,809
Travel	9,000	9,000	1,916	8,691
Du-Comm	375,000	375,000	375,048	367,652
General services	20,000	20,000	29,778	25,212
Total contractual services	1,507,200	1,507,200	1,489,950	1,391,280
Commodities				
Office supplies	15,000	15,000	9,464	9,213
Operating supplies	40,000	40,000	38,654	28,327
Uniforms	30,000	30,000	20,956	36,656
Federal drug forfeiture	60,000	60,000	11,909	-
Dog impoundment	5,000	5,000	4,958	7,510
Total commodities	150,000	150,000	85,941	81,706
Capital outlay				
Capital improvements	-	-	9,546	52,641
Total capital outlay	-	-	9,546	52,641
Total police department	6,497,000	6,497,000	6,356,050	6,271,760
* Volunteer fire company				
Contractual services				
Du-Comm	114,500	114,500	114,584	110,920
Ambulance service	830,000	830,000	767,367	270,682
Ambulance billing service	30,000	30,000	22,211	-
Insurance (all types)	143,200	143,200	143,200	78,300
Equipment services	89,900	89,900	89,900	87,900

(This schedule is continued on the following pages.)

VILLAGE OF GLEN ELLYN, ILLINOIS

SCHEDULE OF DETAILED EXPENDITURES - BUDGET AND ACTUAL (Continued)
GENERAL FUND

For the Year Ended April 30, 2010
(with comparative actual)

	2010			2009
	Original Budget	Final Budget	Actual	Actual
PUBLIC SAFETY (Continued)				
Volunteer fire company (Continued)				
Contractual services (Continued)				
Printing	\$ -	\$ -	\$ -	\$ 619
Maintenance - building and ground	9,100	9,100	1,150	170
Utilities	9,000	9,000	7,085	8,461
Professional services - legal	-	-	13,435	-
Professional services - other	-	-	12,612	-
Disconnection taxes	-	-	29,650	-
Fire company contribution	114,000	114,000	114,000	105,000
Telecommunications	4,000	4,000	3,546	3,717
Total contractual services	1,343,700	1,343,700	1,318,740	665,769
Commodities				
Operating supplies	20,000	20,000	5,004	-
Capital Outlay				
Equipment	-	-	21,354	2,299
Total volunteer fire company	1,363,700	1,363,700	1,345,098	668,068
Less costs charges to other departments and funds	(12,100)	(12,100)	(12,100)	(12,800)
TOTAL PUBLIC SAFETY	\$ 7,848,600	\$ 7,848,600	\$ 7,689,048	\$ 6,927,028
HIGHWAYS AND STREETS				
Public works administration				
Personnel services				
Salaries - full time	\$ 532,000	\$ 532,000	\$ 511,125	\$ 573,609
Salaries - part time	-	-	21,272	-
FICA taxes	39,900	39,900	39,234	42,832
IMRF employer contributions	46,000	46,000	43,644	36,920
Overtime	3,500	3,500	2,323	1,346
Temporary help	5,800	5,800	3,619	5,841
Total personnel services	627,200	627,200	621,217	660,548
Contractual services				
Insurance	46,000	46,000	46,768	43,542
Equipment services	24,500	24,500	24,500	19,600
Maintenance - building and grounds	800	800	276	564
Maintenance - equipment	15,000	15,000	14,002	16,705
Printing	1,000	1,000	376	57
Professional services - other	10,000	18,065	15,439	10,938
Dues, subscriptions and registration fees	400	400	175	340
Employee education	2,400	2,400	1,771	3,344
Employee recognition	1,700	1,700	337	1,127

(This schedule is continued on the following pages.)

VILLAGE OF GLEN ELLYN, ILLINOIS

SCHEDULE OF REVENUES - BUDGET AND ACTUAL
GENERAL FUND

For the Year Ended April 30, 2010
(with comparative actual)

	2010		Actual	2009
	Original Budget	Final Budget		Actual
TAXES				
Property taxes - general - current	\$ 2,650,000	\$ 2,650,000	\$ 3,580,084	\$ 2,458,581
Property taxes - road and bridge - current	395,000	395,000	406,844	381,366
Replacement taxes	118,000	118,000	119,609	134,526
Total taxes	3,163,000	3,163,000	4,106,537	2,974,473
LICENSES AND PERMITS				
Vehicle licenses	350,000	350,000	402,828	383,604
Business registration licenses	35,000	35,000	32,431	36,575
Alcoholic beverage licenses	115,000	115,000	121,793	116,742
Total licenses and permits	500,000	500,000	557,052	536,921
INTERGOVERNMENTAL				
Sales tax	3,000,000	3,000,000	3,012,363	3,012,371
Home rule sales tax	875,000	875,000	1,400,959	-
Local use tax	380,000	380,000	321,172	386,523
Illinois income tax	2,440,000	2,440,000	2,144,363	2,460,009
Auto rental tax	25,000	25,000	19,564	19,637
Federal grants	10,000	10,000	11,000	31,739
State grants	-	-	2,090	1,980
Total intergovernmental	6,730,000	6,730,000	6,911,511	5,912,259
CHARGES FOR SERVICES				
Accounting - other agencies	242,000	242,000	243,100	247,000
Building/electrical permits	500,000	500,000	420,786	459,656
Contractor registration	-	-	10,340	-
Elevator inspections	-	-	9,840	-
Ambulance service	562,500	562,500	444,226	-
Other revenue	287,000	287,000	308,970	327,480
Police accident reports	-	-	2,820	-
Police department income	145,000	145,000	119,053	211,495
Total charges for services	1,736,500	1,736,500	1,559,135	1,245,631
FINES AND FORFEITS				
Traffic fines	350,000	350,000	291,324	343,034
Police fines	160,000	160,000	151,154	152,214
Drug forfeitures	-	-	11,251	13,906
Total fines and forfeits	510,000	510,000	453,729	509,154
INVESTMENT INCOME				
	12,000	12,000	18,646	105,420
TOTAL REVENUES	\$ 12,651,500	\$ 12,651,500	\$ 13,606,610	\$ 11,283,858

(See independent auditor's report.)

VILLAGE OF GLEN ELLYN, ILLINOIS

STATEMENT OF ACTIVITIES

For the Year Ended April 30, 2010

FUNCTIONS/PROGRAMS	Program Revenues			
	Expenses	Charges for Services	Operating Grants	Capital Grants
PRIMARY GOVERNMENT				
Governmental Activities				
General government	\$ 3,996,802	\$ 1,881,746	\$ 16,090	\$ 102,000
Public safety	7,770,565	1,037,105	-	11,000
Highways and streets	6,014,641	-	681,376	352,500
Interest	252,879	-	-	-
Total governmental activities	18,034,887	2,918,851	697,466	465,500
Business-Type Activities				
Water and sanitary sewer	8,503,696	9,311,949	-	639,000
Golf course and recreation	3,333,982	3,311,096	-	-
Parking	569,440	324,907	-	-
Residential solid waste	1,701,084	1,219,093	54,000	-
Total business-type activities	14,108,202	14,167,045	54,000	639,000
TOTAL PRIMARY GOVERNMENT	\$ 32,143,089	\$ 17,085,896	\$ 751,466	\$ 1,104,500
COMPONENT UNITS				
Glen Ellyn Public Library	\$ 3,135,325	\$ 137,605	\$ 33,626	\$ -
Glen Ellyn Volunteer Fire Company	* 639,155	117,925	130,200	-
TOTAL COMPONENT UNITS	\$ 3,774,480	\$ 255,530	\$ 163,826	\$ -

2150000
 VLG OF GLEN ELLYN

TOWNSHIPS: MILTON
 YORK
 DUPAGE COUNTY

2009 CUR VALUATION

RES: 1,317,361,423
 FARM: 7D2 RR: 309,678
 COMM: 168,775,672
 IND:
 T-RE: 1,486,137,797 GTOT: 1,486,447,475

1,472,014,795
 14,432,680
 1,486,447,475
 1,486,447,475

LIMITING RATE: TAX BURDEN: RATE REDUCTION:

LEVY	AMOUNT	PLUS	LIMIT	EXTD	RATE	TAXES EXTENDED	TAX LIMITATION ACT	DISTRICT ADJUSTMENT
						AMOUNT	EXTENSION	RATE
CORPORATE	3,697,000.00	3,733,970.00		.2513		3,735,442.50		
*BOND & INTEREST	2,168,648.76	2,190,335.25		.1474		2,191,023.58		
TOTAL CAP FUNDS	3,697,000.00	3,733,970.00		.2513		3,735,442.50		
*TOTAL NON CAP FUNDS	2,168,648.76	2,190,335.25		.1474		2,191,023.58		
GRAND TOTAL	5,865,648.76	5,924,305.25		.3987		5,926,466.08		

2170180
GLN ELLYN SPC SER 18

TOWNSHIPS: MILTON
DUPAGE COUNTY

2009 CUR VALUATION

115,132,765
115,132,765

115,132,765

RES: 92,433,302
FARM: 15,907,873 RR:
COMM: 6,791,590
IND: 115,132,765 GTOT: 115,132,765
T-RE: 115,132,765

TAX BURDEN:

LIMITING RATE:

RATE REDUCTION:

LEVY	AMOUNT	PLUS	RATE	LIMIT	EXTD	TAXES EXTENDED	TAX LIMITATION ACT	DISTRICT ADJUSTMENT
						AMOUNT	RATE	EXTENSION
SPECIAL SERVICE AREA	101,647.00	102,663.47	.2500	.0892		102,698.43		
TOTAL CAP FUNDS	101,647.00	102,663.47	.0892			102,698.43		
*TOTAL NON CAP FUNDS								
GRAND TOTAL	101,647.00	102,663.47	.0892			102,698.43		

2170190
GLN ELLYN SPC SER 19

TOWNSHIPS: MILTON 103,007,340
DUPAGE COUNTY 103,007,340
2009 CUR VALUATION 103,007,340

RES: 102,798,720 RR: 103,007,340
FARM: 208,620
COMM: 103,007,340 GTOT: 103,007,340
IND:
T-RE:

TAX BURDEN:		LIMITING RATE:		RATE REDUCTION:			
LEVY	AMOUNT	RATE	TAXES EXTENDED	TAX LIMITATION ACT	DISTRICT ADJUSTMENT		
		LIMIT	EXTD	AMOUNT	RATE	EXTENSION	RATE
	PLUS						EXTENSION
SPECIAL SERVICE AREA	87,504.00	.2500	.0858	88,380.30			
TOTAL CAP FUNDS	87,504.00	.0858		88,380.30			
*TOTAL NON CAP FUNDS							
GRAND TOTAL	87,504.00	.0858		88,380.30			

Ordinance No. _____

**An Ordinance for the Levy and Assessment of Taxes
for the 2010 Tax Levy Year in the Amount of \$104,018 for
Glen Ellyn Special Service Area Number 18**

Whereas, the Board of Trustees of the Village of Glen Ellyn, County of DuPage and the State of Illinois, pursuant to the Special Service Area Tax Law (35 ILCS 200/27 et seq. (the “Act”)), adopted Ordinance No. 5787 on August 10, 2009, proposing the establishment of a special service area (“SSA”) in an area of the Village, including unincorporated areas served by the Glen Ellyn Volunteer Fire Company, generally to the north of the Village limits, for the purpose of providing fire protection and related emergency services and levying a tax to be extended on the real property located within the proposed SSA to pay for said services, and setting a public hearing on the matter for August 24, 2009, and providing for notice of said public hearing; and

Whereas, a public hearing was convened before the corporate authorities on August 24, 2009, and continued to September 14, 2009, at which all interested persons were heard orally in respect to the issues embodied in the notice, and said public hearing being adjourned on September 14, 2009; and

Whereas, within sixty days following the conclusion of the public hearing, petitions objecting to the establishment of the SSA were submitted to the Village Clerk, and which were subsequently determined by the corporate authorities to be insufficient to prevent the establishment of the SSA; and

Whereas, on November 23, 2009, the Board of Trustees of the Village of Glen Ellyn adopted Ordinance No. 5822, “An Ordinance Establishing the North Glen Ellyn Fire Protection Special Service Area”, hereafter known as Glen Ellyn Special Service Area No. 18;

Now, therefore be it ordained by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in the exercise of its home rule powers as follows:

Section 1: Findings. Glen Ellyn Special Service Area No. 18 was established through Village Ordinance No. 5822 entitled “An Ordinance Establishing the North Glen Ellyn Fire Protection Special Service Area” adopted on November 23, 2009, and effective from and after its passage and publication in the manner provided by law. Said Special Service Area consists of the territory described in the Ordinance aforesaid.

Section 2: Levy of Tax. For the purpose of providing the funds required to provide the special services authorized for Glen Ellyn Special Service Area No. 18, there shall be and hereby is levied a tax upon all the taxable real property, as defined in the Revenue Act of 1939, within Glen Ellyn Special Service Area No. 18, at a rate not to exceed \$0.25 per \$100 of equalized assessed valuation of said property, but sufficient to produce a tax of \$104,018 for the 2010 tax year. Said tax shall be in addition to all other taxes presently levied by any taxing district against said property within the Glen Ellyn Special Service Area No. 18.

Section 3: Extension of Taxes. Forthwith as soon as this Ordinance becomes effective, the Village Clerk of this Village is hereby directed to file a copy of this Ordinance with the County Clerk of DuPage County, which copy shall be certified to by the Village Clerk and which certification shall recite that this Ordinance has been passed by the President and Board of Trustees of said Village, and it shall be the duty of said County Clerk, in order to produce the tax hereinbefore levied, to extend the same for collection on the tax books against all of the taxable property within said Glen Ellyn Special Service Area No. 18 in addition to other taxes levied in said year in said Special Service Area in order to raise the amount levied aforesaid; and such tax shall be computed,

extended and collected in the same manner as now or hereafter provided by law for the computation, extension and collection of taxes for statutorily authorized purposes of the Village. When collected, the taxes hereby levied shall be pledged to and shall be used only for the purposes authorized by the corporate authorities of the Village pursuant to Ordinance No. 5822.

Section 4: Effective Date. All ordinances, resolutions and orders, or parts thereof, in conflict herewith, be and the same are hereby repealed; and this Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

Passed by the Village President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____, 2010.

Ayes:

Nays:

Absent:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this _____ day of _____, 2010.

Village President of the
Village of Glen Ellyn, Illinois

Attest:

Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted this _____ day of _____, 2010).



STATE OF ILLINOIS)

COUNTY OF DU PAGE)

I, Mark Pfefferman, do hereby certify that I am the duly qualified and acting Village President of the Village of Glen Ellyn, DuPage County, Illinois.

I do further certify that the provisions of the "Truth in Taxation Act" (Illinois Compiled Statutes, Chapter 35, Sections 200/18-55 et seq.) are **inapplicable** to the Village of Glen Ellyn in connection with its 2010 Tax Levy Ordinance for the Glen Ellyn Special Service Area No. 18 (Ordinance No. _____).

IN WITNESS WHEREOF, I hereunto affix my official signature at Glen Ellyn, Illinois, this _____ day of _____, 2010.

Village President

(SEAL)

Ordinance No. _____

**An Ordinance for the Levy and Assessment of Taxes
for the 2010 Tax Levy Year in the Amount of \$93,063 for
Glen Ellyn Special Service Area Number 19**

Whereas, the Board of Trustees of the Village of Glen Ellyn, County of DuPage and the State of Illinois, pursuant to the Special Service Area Tax Law (35 ILCS 200/27 et seq. (the “Act”)), adopted Ordinance No. 5788 on August 10, 2009, proposing the establishment of a special service area (“SSA”) in an area of the Village, including unincorporated areas served by the Glen Ellyn Volunteer Fire Company, generally to the south of the Village limits, for the purpose of providing fire protection and related emergency services and levying a tax to be extended on the real property located within the proposed SSA to pay for said services, and setting a public hearing on the matter for August 24, 2009, and providing for notice of said public hearing; and

Whereas, a public hearing was convened before the corporate authorities on August 24, 2009, and continued to September 14, 2009, at which all interested persons were heard orally in respect to the issues embodied in the notice, and said public hearing being adjourned on September 14, 2009; and

Whereas, within sixty days following the conclusion of the public hearing, no petitions objecting to the establishment of the SSA were submitted to the Village Clerk; and

Whereas, on November 23, 2009, the Board of Trustees of the Village of Glen Ellyn adopted Ordinance No. 5823, “An Ordinance Establishing the South Glen Ellyn Fire Protection Special Service Area”, hereafter known as Glen Ellyn Special Service Area No. 19;

Now, therefore be it ordained by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in the exercise of its home rule powers as follows:

Section 1: Findings. Glen Ellyn Special Service Area No. 19 was established through Village Ordinance No. 5823 entitled “An Ordinance Establishing the South Glen Ellyn Fire Protection Special Service Area” adopted on November 23, 2009, and effective from and after its passage and publication in the manner provided by law. Said Special Service Area consists of the territory described in the Ordinance aforesaid.

Section 2: Levy of Tax. For the purpose of providing the funds required to provide the special services authorized for the Glen Ellyn Special Service Area No. 19, there shall be and hereby is levied a tax upon all the taxable real property, as defined in the Revenue Act of 1939, within Glen Ellyn Fire Special Service Area No. 19, at a rate not to exceed \$0.25 per \$100 of equalized assessed valuation of said property, but sufficient to produce a tax of \$93,063 for the 2010 tax year. Said tax shall be in addition to all other taxes presently levied by any taxing district against said property within Glen Ellyn Special Service Area No. 19.

Section 3: Extension of Taxes. Forthwith as soon as this Ordinance becomes effective, the Village Clerk of this Village is hereby directed to file a copy of this Ordinance with the County Clerk of DuPage County, which copy shall be certified to by the Village Clerk and which certification shall recite that this Ordinance has been passed by the President and Board of Trustees of said Village, and it shall be the duty of said County Clerk, in order to produce the tax hereinbefore levied, to extend the same for collection on the tax books against all of the taxable property within said Glen Ellyn Special Service Area No. 19 in addition to other taxes levied in said year in said Special Service Area in order to raise the amount levied aforesaid; and such tax shall be computed, extended and collected in the same manner as now or hereafter provided by law for the computation,

extension and collection of taxes for statutorily authorized purposes of the Village. When collected, the taxes hereby levied shall be pledged to and shall be used only for the purposes authorized by the corporate authorities of the Village pursuant to Ordinance No. 5823.

Section 4: Effective Date. All ordinances, resolutions and orders, or parts thereof, in conflict herewith, be and the same are hereby repealed; and this Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

Passed by the Village President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____, 2010.

Ayes:

Nays:

Absent:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this _____ day of _____, 2010.

Village President of the
Village of Glen Ellyn, Illinois

Attest:

Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted this _____ day of _____, 2010).



STATE OF ILLINOIS)

COUNTY OF DU PAGE)

I, Mark Pfefferman, do hereby certify that I am the duly qualified and acting Village President of the Village of Glen Ellyn, DuPage County, Illinois.

I do further certify that the provisions of the "Truth in Taxation Act" (Illinois Compiled Statutes, Chapter 35, Sections 200/18-55 et seq.) are **inapplicable** to the Village of Glen Ellyn in connection with its 2010 Tax Levy Ordinance for the Glen Ellyn Special Service Area No. 19 (Ordinance No. _____).

IN WITNESS WHEREOF, I hereunto affix my official signature at Glen Ellyn, Illinois, this _____ day of _____, 2010.

Village President

(SEAL)



A-9

To: Steve Jones, Village Manager
From: Larry Noller, Acting Finance Director *[Signature]*
Date: November 3, 2010
Re: Lambert Farms SSA12 Property Tax Levy - #5 of 20

Background

An additional property tax item for consideration by the Village Board at their November 22 meeting is the adoption of a tax levy ordinance for Special Service Area 12, which was established in 2006 to recover the cost of constructing a sanitary sewage collection system in the Lambert Farms subdivision. This is the 5th tax levy in the 20 year term of SSA12.

The total construction cost of these improvements was approximately \$1.5 million which was substantially financed through a low interest IEPA loan. Based on this, the SSA 12 property tax levy for 2010 is set at \$96,000, which is the same as the levies for the four preceding years.

Recall that one key provision in the enabling ordinance establishing SSA 12 was a maximum annual tax rate no to exceed \$1.86 per \$100 of assessed value. This estimate included a provision which allowed for more costly conventional GO Bond financing in the event we were not able to secure a below market loan from the IEPA revolving loan fund. Fortunately, the latter prevailed.

The tax rate history since inception is illustrated below:

<u>Levy Year</u>	<u>Tax Rate</u>
2006	\$1.38
2007	\$1.17
2008	\$1.13
2009	\$1.12

We should not have any issues keeping the requested rate below the \$1.86 henceforth, even considering anticipated reductions in assessed property values.

Action Requested

Village Board adoption of the attached ordinance at the November 22, 2010 regular meeting.

Attachments

- A. 2010 Levy Ordinance

Ordinance No. _____

**An Ordinance for the Levy and Assessment of Taxes
for the 2010 Tax Levy Year in the Amount of \$96,000 for the
Village of Glen Ellyn Special Service Area Number Twelve**

Whereas, the Board of Trustees of the Village of Glen Ellyn, County of DuPage and the State of Illinois, pursuant to the Special Service Area Tax Law (35 ILCS 200/27 et seq. (the “Act”)), adopted Ordinance No. 5446 on March 6, 2006, proposing the establishment of a special service area (“SSA”) in a portion of an area in the Village known as the Lambert Farms Subdivision, for the purpose of constructing a public sanitary sewer system and levying a tax to be extended on the real property located within the proposed SSA to pay for said improvements, and setting a public hearing on the matter for March 27, 2006, and providing for notice of said public hearing; and

Whereas, a public hearing was convened before the corporate authorities on March 27, 2006, at which all interested persons were heard orally in respect to the issues embodied in the notice, and was concluded on that same date; and

Whereas, within sixty days following the conclusion of the public hearing, petitions objecting to the establishment of the SSA were submitted to the Village Clerk, and which were subsequently determined by the corporate authorities to be insufficient to prevent the establishment of the SSA; and

Whereas, on September 11, 2006, the Board of Trustees of the Village of Glen Ellyn adopted Ordinance No. 5503, “An Ordinance of the Village of Glen Ellyn Establishing a Special Service Area in a Portion of Lambert Farms Subdivision”, hereinafter referred to as Village of Glen Ellyn Special Service Area Number Twelve;

Now, therefore be it ordained by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in the exercise of its home rule powers as follows:

Section 1: Findings. The Village of Glen Ellyn Special Service Area Number Twelve was established through Village Ordinance No. 5503 entitled:

An Ordinance of the Village of Glen Ellyn
Establishing a Special Service Area in a
Portion of Lambert Farms Subdivision

adopted on September 11, 2006, and effective from and after its passage and publication in the manner provided by law. Said Special Service Area Number Twelve consists of the territory described in the Ordinance aforesaid.

Section 2: Levy of Tax. For the purpose of providing the funds required to provide the special services authorized for Special Service Area Number Twelve, there shall be and hereby is levied a tax upon all the taxable real property, as defined in the Revenue Act of 1939, within Village of Glen Ellyn Special Service Area Number Twelve, at a rate not to exceed \$1.86 per \$100 of equalized assessed valuation of said property, but sufficient to produce a tax of \$96,000 for the 2010 tax year. Said tax shall be in addition to all other taxes presently levied by any taxing district against said property within Special Service Area Number Twelve.

Section 3: Extension of Taxes. Forthwith as soon as this Ordinance becomes effective, the Village Clerk of this Village is hereby directed to file a copy of this Ordinance with the County Clerk of DuPage County, which copy shall be certified to by the Village Clerk and which certification shall recite that this Ordinance has been passed by the President and Board of Trustees of said Village, and it shall be the duty of said County Clerk, in order to produce the tax hereinbefore levied, to extend the same for collection on the tax books against all of the taxable property within said Special Service Area Number Twelve in addition to other taxes levied in said year in said

Special Service Area in order to raise the amount levied aforesaid; and such tax shall be computed, extended and collected in the same manner as now or hereafter provided by law for the computation, extension and collection of taxes for statutorily authorized purposes of the Village. When collected, the taxes hereby levied shall be pledged to and shall be used only for the purposes authorized by the corporate authorities of the Village pursuant to Ordinance No. 5503.

Section 4: Effective Date. All ordinances, resolutions and orders, or parts thereof, in conflict herewith, be and the same are hereby repealed; and this Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

Passed by the Village President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____, 2010.

Ayes:

Nays:

Absent:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this _____ day of _____, 2010.

Village President of the
Village of Glen Ellyn, Illinois

Attest:

Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted this _____ day of _____, 2010).



STATE OF ILLINOIS)

COUNTY OF DU PAGE)

I, Mark Pfefferman, do hereby certify that I am the duly qualified and acting Village President of the Village of Glen Ellyn, DuPage County, Illinois.

I do further certify that the provisions of the "Truth in Taxation Act" (Illinois Compiled Statutes, Chapter 35, Sections 200/18-55 et seq.) are **inapplicable** to the Village of Glen Ellyn in connection with its 2010 Tax Levy Ordinance for Special Service Area Number 12 (Ordinance No. _____).

IN WITNESS WHEREOF, I hereunto affix my official signature at Glen Ellyn, Illinois, this _____ day of _____, 2010.

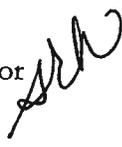
Village President

(SEAL)

MEMORANDUM

A-10

TO: Steve Jones, Village Manager

FROM: Staci Hulseberg, Planning and Development Director
Michele Stegall, Village Planner *MS* 

DATE: November 9, 2010

FOR: November 15, 2010 Workshop and November 22, 2010 Meeting

SUBJECT: Northwood University, 1200 Roosevelt Road – Special Use Permit

Background: Royal Glen LLC, owner of property located at 1200 Roosevelt Road, is requesting approval of a Special Use Permit for a Private School in accordance with Section 10-4-15(B)15 of the Glen Ellyn Zoning Code. The request is being made to allow Northwood University to occupy 2,500 square feet in the existing 50,025 square-foot, 4-story office building on the property. The subject property is located on the north side of Roosevelt Road between Finley Road and Royal Glen Drive in the C3 Service Commercial zoning district.

Northwood University moved into Suite 140 on the first floor of the building approximately 2 months ago and began offering classes at that time. Upon being informed that a Special Use Permit was required, the property owner promptly submitted an application for review. Class sizes at this location are currently capped at 12 students and classes are currently being offered between 6 p.m. and 9 p.m. Monday-Thursday and between 8:00 a.m. and 5:00 p.m. on Saturday.

Plan Commission Recommendation: The Plan Commission considered the petitioner's request for approval of a Special Use Permit at a public hearing on October 28, 2010. No members of the public spoke at the hearing either in favor of or in opposition to the request. By a vote of 9-1, the Plan Commission recommended approval of the request subject to the following conditions:

- A. The school shall be operated and maintained in substantial conformance with the plans as submitted and the testimony presented at the October 28, 2010 Plan Commission public hearing.
- B. The school shall not occupy more than 2,500 square feet in the building without receiving approval of a revised Special Use Permit.
- C. At no time shall the number of students exceed an amount that would violate the parking requirements for the property.

The Commissioner that voted against the request felt that insufficient information about the proposed use had been provided. In response, the petitioner has supplied additional information about Northwood University and the types of classes that would be offered at the site. This information has been inserted into the petitioner's application packet.

Village Board Action: The Village Board may approve, approve with conditions or deny the petitioner's request for approval of a Special Use Permit. The planning team has prepared an Ordinance approving the request for consideration at the November 22, 2010 Village Board meeting.

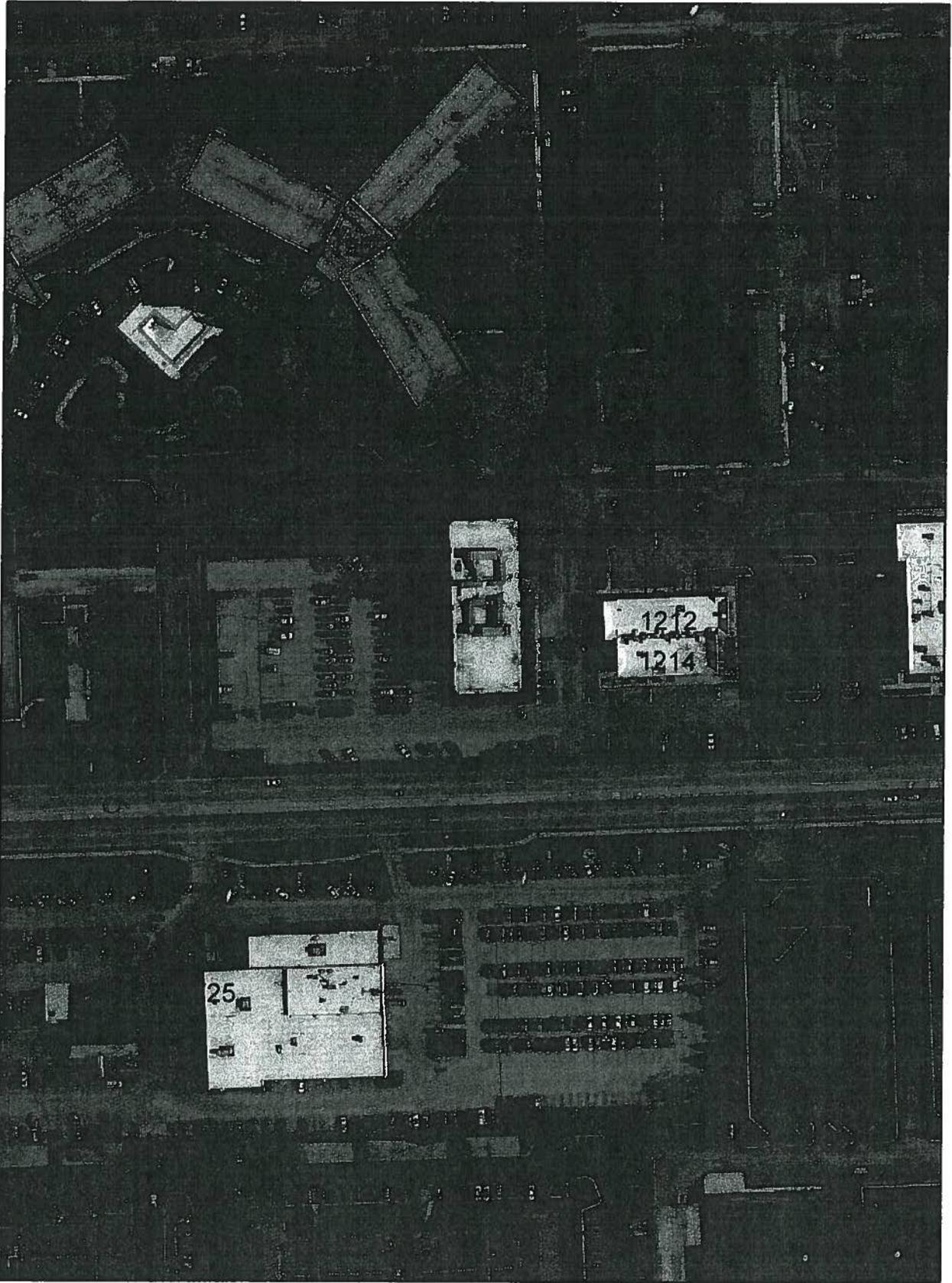
Attachments:

- Aerial Photo
- Location Map for Public Hearing Notice
- Public Hearing Notice
- Mailing Labels for Public Hearing Notice
- GIS Pictures of Property
- Draft Minutes from October 28, 2010 Plan Commission Meeting
- Ordinance
- Petitioner's Application Packet

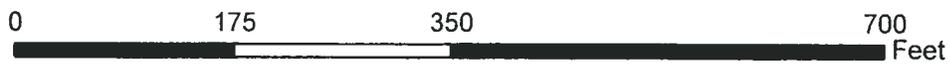
cc: Thomas Kolschowsky, Stahelin Properties

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Agenda Memo 110110.doc

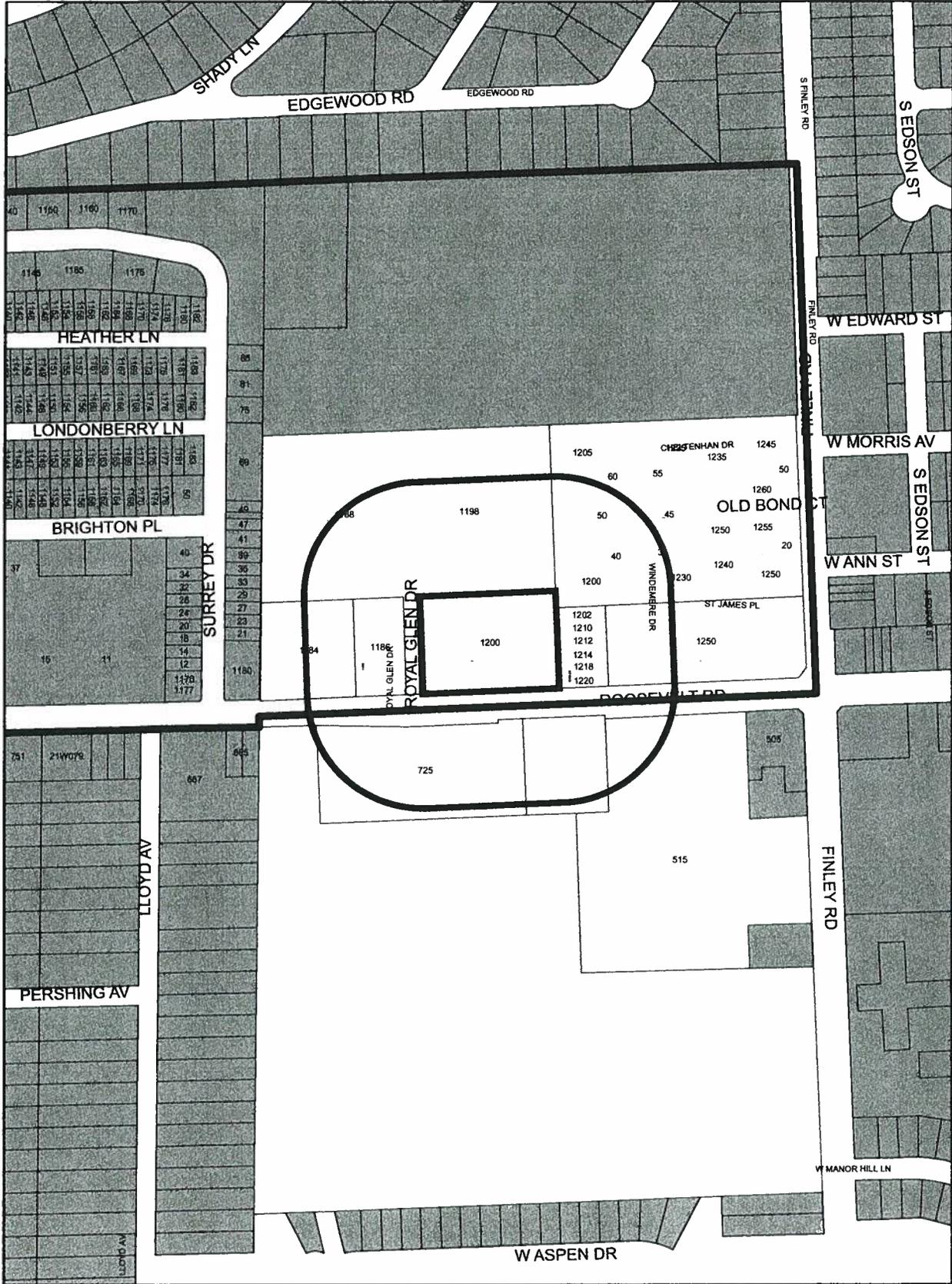
1200 Roosevelt Road



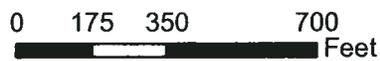
Prepared By: Planning and Development



1200 Roosevelt Road



Prepared By: Planning and Development



NOTICE OF PUBLIC HEARING BEFORE THE GLEN ELLYN PLAN COMMISSION

Royal Glen, LLC, owner of property located at 1200 Roosevelt Road, is requesting approval of a Special Use Permit in accordance with Section 10-4-15(B)15 of the Glen Ellyn Zoning Code to allow a Private School in the existing office building on the property. The request is being made to allow Northwood University to lease 2,502 square feet in the building. The subject property is located on the north side of Roosevelt Road between Finley Road and Royal Glen Drive in the C3 Service Commercial Zoning District.

Before the Glen Ellyn Village Board can consider the application, the Plan Commission must conduct a public hearing. The Plan Commission will consider the requested Special Use Permit at a public hearing on **Thursday, October 28, 2010 at 7:30 p.m.** in a meeting room on the third floor of the Civic Center, 535 Duane Street, Glen Ellyn, Illinois.

The subject property is legally described as follows:

PARCEL 1:

LOT 4 IN GLEN TERRACE PLAN DEVELOPMENT RESUBDIVISION OF LOTS 1, 2 AND 3 IN GLEN TERRACE PLAN DEVELOPMENT ASSESSEMENT PLAT OF THE SOUTH 850 FEET (AS MEASURED ON A PERPENDICULAR TO AND PARALLEL WITH THE SOUTH LINE OF) THE FOLLOWING DESCRIBED PROPERTY:

LOTS 4, 5, 6, AND 7 OF THE COMMISSIONER'S PLAT IN PARTITION OF THE ESTATE OF JOHN S. WIEGAND, DECEASED, IN CIRCUIT COURT, DUPAGE COUNTY, ILLINOIS, IN THE SOUTHWEST $\frac{1}{4}$ OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED NOVEMBER 8, 1965 AS DOCUMENT R65-44272, IN DUPAGE COUNTY, ILLINOIS, (EXCEPT THAT PART OF SAID LOTS 4, 5, 6 AND 7 LYING IN MILTON TOWNSHIP, DUPAGE COUNTY, ILLINOIS).

PARCEL 2:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY GRANT RECORDED AUGUST 20, 1970 AS DOCUMENT R70-29511, FOR INGRESS AND EGRESS OVER THE SOUTH 50.0 FEET OF THE EAST 130.0 FEET OF LOT 2 IN GLEN TERRACE PLAN DEVELOPMENT RESUBDIVISION, AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY GRANT RECORDED MAY 16, 1978 AS DOCUMENT R78-42321, FOR UNDERGROUND UTILITIES OVER THE NORTH 15.0 FEET OF THE WEST 150.0 FEET OF LOT 5 IN GLEN TERRACE PLAN DEVELOPMENT RESUBDIVISION, AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 4:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED MAY 16, 1978 AS DOCUMENT R78-42321, FOR PEDESTRIAN AND VEHICULAR TRAFFIC

OVER THE NORTH 25.0 FEET OF THE SOUTH 45.0 FEET OF THE WEST 150.0 FEET OF LOT 5 IN GLEN TERRACE PLAN DEVELOPMENT RESUBDIVISION, AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 5:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED MAY 16, 1978 AS DOCUMENT R78-42321, FOR FENCE OVER THE NORTH 2.0 FEET OF THE WEST 150.0 FEET OF LOT 5 IN GLEN TERRACE PLAN DEVELOPMENT RESUBDIVISION, AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 6:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED MAY 16, 1978 AS DOCUMENT R78-42321, FOR UNDERGROUND GASOLINE STORAGE TANK OVER THE EAST 25.0 FEET OF THE NORTH 50.0 FEET OF THE WEST 150.0 FEET OF LOT 5 IN GLEN TERRACE PLAN DEVELOPMENT RESUBDIVISION, AFORESAID IN DUPAGE COUNTY, ILLINOIS.

PARCEL 7:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED MAY 16, 1978 AS DOCUMENT R78-42321, FOR PEDESTRIAN TRAFFIC OVER THE NORTH 7.0 FEET OF THE SOUTH 173.0 FEET OF THE WEST 150.0 FEET OF LOT 5 IN GLEN TERRACE PLAN RESUBDIVISION, AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 8:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED MAY 16, 1978 AS DOCUMENT R78-42321, FOR PEDESTRIAN TRAFFICE OVER THE NORTH 7.0 FEET OF THE SOUTH 86.0 FEET OF THE WEST 150.0 FEET OF LOT 5 IN GLEN TERRACE PLAN RESUBDIVISION, AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 9:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED JANUARY 8, 1979 AS DOCUMENT R79-1902 FOR UNDERGROUND UTILITIES OVER THAT PART OF LOT 2 LYING SOUTH OF THE NORTH LINE OF LOT 3 AND SAID NORTH LINE EXTENDED EASTERLY TO THE NORTHWEST CORNER OF LOT 4, ALL IN GLEN TERRACE PLAN RESUBDIVISION, AFORESAID IN DUPAGE COUNTY, ILLINOIS.

PARCEL 10:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED JANUARY 8, 1979 AS DOCUMENT R79-1902 FOR PEDESTRIAN AND VEHICULAR TRAFFIC OVER THAT PART OF LOT 2 LYING SOUTH OF THE NORTH LINE OF LOT 3 AND SAID NORTH LINE EXTENDED EASTERLY TO THE NORTHWEST CORNER OF LOT 4, ALL IN GLEN TERRACE PLAN RESUBDIVISION, AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 11:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED JANUARY 8, 1979 AS DOCUMENT R79-1902, FOR UNDERGROUND UTILITIES OVER THE SOUTH 70.0 FEET (MEASURED AT RIGHT ANGLES TO THE SOUTH LINE THEREOF) OF Lot 2 (EXCEPT THAT PART THEREOF LYING SOUTH OF THE NORTH LINE OF LOT 3 AND SAID NORTH LINE EXTENDED EASTERLY TO THE NORTHWEST CORNER OF LOT 4), ALL IN GLEN TERRACE PLAN DEVELOPMENT, AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 12:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED JANUARY 8, 1979 AS DOCUMENT R79-1902 FOR PEDESTRIAN AND VEHICULAR TRAFFIC OVER THE SOUTH 70.0 FEET (MEASURED AT RIGHT ANGLES TO THE SOUTH LINE THEREOF) OF LOT 2 (EXCEPT THAT PART THEREOF LYING SOUTH OF THE NORTH LINE OF LOT 3 AND SAID NORTH LINE EXTENDED EASTERLY TO THE NORTHWEST CORNER OF LOT 4), ALL IN GLEN TERRACE PLAN DEVELOPMENT AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 13:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED JANUARY 8, 1979 AS DOCUMENT R79-1902 FOR UNDERGROUND UTILITIES OVER THE WEST 30.0 FEET, THE NORTH 30.0 FEET AND THE EAST 30.0 FEET (ALL MEASURED AT RIGHT ANGLES) OF LOT 2 (EXCEPT THAT PART THEREOF LYING SOUTH OF A LINE DRAWN 70.0 FEET NORTH AND PARALLEL WITH THE NORTH LINES OF LOTS 3 AND 4), ALL IN GLEN TERRACE PLAN DEVELOPMENT, AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 14:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED JANUARY 8, 1979 AS DOCUMENT R79-1902 FOR STORM SEWER AND RETENTION POND OVER THAT PART OF LOT 2 IN GLEN TERRACE PLAN DEVELOPMENT RESUBDIVISION OF LOTS 1, 2, AND 3 IN GLEN TERRACE PLAN DEVELOPMENT ASSESSMENT PLAT, AFORESAID DESCRIBED AS FOLLOWS:

COMMENCING AT THAT CORNER OF SAID LOT 2 WHICH IS ALSO THE NORTHWEST CORNER OF LOT 4 IN SAID RESUBDIVISION AND RUNNING THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 2, 59.5 FEET FOR A POINT OF BEGINNING; THENCE NORTHERLY, AT RIGHT ANGLES TO SAID SOUTH LINE, 45.00 FEET; THENCE WESTERLY, PARALLEL WITH SAID SOUTH LINE, 230.00 FEET; THENCE 90 DEGREES TO THE RIGHT, 25.0 FEET, THENCE 30 DEGREES TO THE RIGHT, 110.00 FEET; THENCE 90 DEGREES TO THE RIGHT, 65.00 FEET; THENCE 90 DEGREES TO THE RIGHT, 50 FEET; THENCE 120 DEGREES TO THE LEFT, 45 FEET; THENCE 60 DEGREES TO THE LEFT, 55.00 FEET; THENCE 30 DEGREES TO THE RIGHT, 40.00 FEET; THENCE 30 DEGREES TO THE RIGHT, 40.00 FEET; THENCE 60 DEGREES TO THE RIGHT, 70 FEET; THENCE 30 DEGREES TO THE RIGHT, 51.47 FEET; THENCE 90 DEGREES TO THE RIGHT, 23.43 FEET; THENCE 90 DEGREES TO THE LEFT, 45.00 FEET TO THE SAID SOUTH LINE OF LOT

2; THENCE WESTERLY ALONG SAID SOUTH LINE, 15.0 FEET TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

PARCEL 15:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED JANUARY 8, 1979 AS DOCUMENT R79-1902, FOR STORM SEWER OVER THAT PART OF LOT 2 IN GLEN TERRACE PLAN DEVELOPMENT RESUBDIVISION, AFORESAID DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 2, BEING ALSO THE NORTHWEST CORNER OF LOT 3 IN SAID RESUBDIVISION, AND RUNNING THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOT 2, 70.10 FEET; THENCE EASTERLY, PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, 84.04 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING EASTERLY, PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, 20.00 FEET; THENCE 86 DEGREES 04 MINUTES TO THE LEFT, 63.18 FEET; THENCE 43 DEGREES 56 MINUTES TO THE LEFT, 109.88 FEET TO THE EAST LINE OF THE WEST 30.00 FEET (MEASURED AT RIGHT ANGLES TO THE WEST LINE THEREOF) OF SAID LOT 2; THENCE SOUTHERLY, PARALLEL WITH THE WEST LINE OF SAID LOT 2, 29.33 FEET; THENCE 42 DEGREES 59 MINUTES TO THE LEFT, 80.38 FEET; THENCE SOUTHERLY 56.49 FEET TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

PARCEL 16:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED JANUARY 8, 1979 AS DOCUMENT R79-1902 FOR UNDERGROUND UTILITIES OVER THAT PART OF LOT 2 IN GLEN TERRACE PLAN DEVELOPMENT RESUBDIVISION, AFORESAID, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 2 BEING ALSO THE NORTHWEST CORNER OF LOT 3 IN SAID RESUBDIVISION, AND RUNNING THENCE NORTHERLY, ALONG THE WEST LINE OF SAID LOT 2, 70.10 FEET; THENCE EASTERLY, PARALLEL WITH THE SOUTH LINE OF SAID LOT 2 62.06 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING EASTELRY, PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, 20.05 FEET; THENCE 86 DEGREES 04 MINUTES TO THE LEFT 124.07 FEET; THENCE 52 DEGREES 24 MINUTES TO THE LEFT, 70.13 FEET TO THE EAST LINE OF THE WEST 30.00 FEET (AS MEASURED AT RIGHT ANGLES TO THE WEST LINE THEREOF) OF SAID LOT 2; THENCE SOUTHERLY, PARALLEL WITH THE WEST LINE OF SAID LOT 2, 25.55 FEET; THENCE 51 DEGREES 31 MINUTES TO THE LEFT 44.40 FEET, THENCE SOUTHERLY 115.60 FEET TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

PARCEL 17:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED JANUARY 8, 1979 AS DOCUMENT R79-1902, FOR UNDERGROUND UTILITIES EASEMENT OVER THAT PART OF LOT 3 IN GLEN TERRACE PLAN DEVELOPMENT RESUBDIVISION,

AFORESAID, LYING 10.0 FEET ON EACH SIDE OF A LINE DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2 AND RUNNING THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 3, 72.00 FEET FOR A POINT OF BEGINNING; THENCE RUNNING SOUTHERLY AT RIGHT ANGLES TO SAID NORTH LINE, 13.0 FEET; THENCE EASTERLY, 91.0 FEET TO A POINT WHICH FALLS 19.0 FEET SOUTHERLY OF SAID NORTH LINE; THENCE SOUTHERLY, 84.0 FEET TO A POINT WHICH FALLS 273.00 FEET WESTERLY OF A POINT 102.00 FEET SOUTHERLY OF THE NORTHEAST CORNER OF SAID LOT 3 (AS MEASURED ALONG THE EAST LINE OF SAID LOT 3); THENCE EASTERLY, 273.00 FEET TO A POINT 102.0 FEET SOUTHERLY OF THE NORTHEAST CORNER OF SAID LOT 3 (AS MEASURED ALONG SAID EAST LINE) FOR POINT OF TERMINATION, IN DUPAGE COUNTY, ILLINOIS.

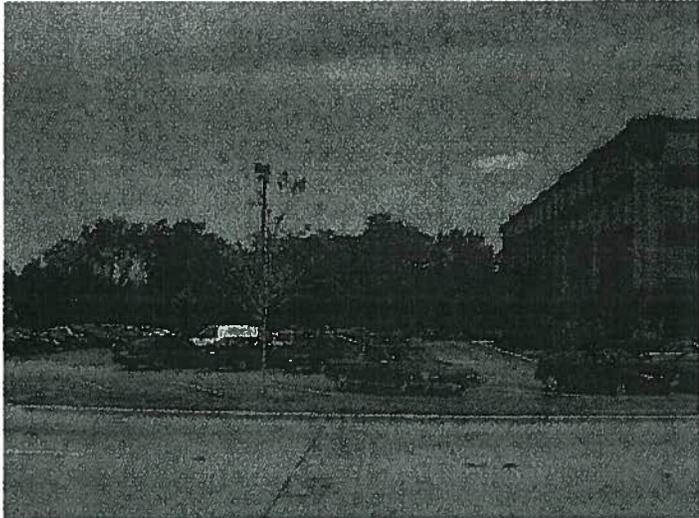
All persons in the Village of Glen Ellyn who are interested are invited to attend the public hearing to listen and be heard. Information related to the request is available for public review in the Planning and Development Department of the Civic Center, 535 Duane Street, Glen Ellyn, Illinois. Questions related to the request should be directed to Michele Stegall, Village Planner, 630-547-5249.

Individuals with disabilities who plan to attend the hearing and who require certain accommodations in order to allow them to observe and participate, or who have questions regarding the accessibility of the meeting or facilities, are requested to contact the Village 24 hours in advance of the meeting.

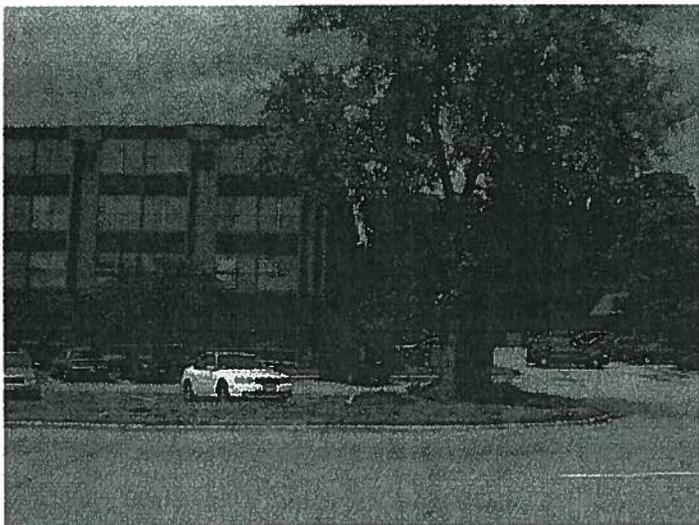
Michele Stegall,
Village Planner

(Published in The Daily Herald on Wednesday, October 13, 2010)

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1200 Roosevelt Road



DRAFT
PLAN COMMISSION
MINUTES
OCTOBER 28, 2010

The meeting was called to order by Chairman Julie Fullerton at 7:30 p.m. Commissioners Craig Bromann, Todd Buckton, Linda Dykstra, Robert Friedberg, Jeff Girling, Heidi Lannen, Julie McCormick, Lenard Swanson and Ray Whalen were present. Commissioner Jay Strayer was excused. Also present were Trustee Liaison Michelle Thorsell, Village Planner Michele Stegall and Recording Secretary Barbara Utterback.

Commissioner Friedberg moved, seconded by Commissioner Bromann, to approve the minutes of the September 23, 2010 Plan Commission meeting. The motion carried unanimously by voice vote.

Commissioner Girling moved, seconded by Commissioner Friedberg, to approve the minutes of the October 14, 2010 Plan Commission meeting. The motion carried unanimously by voice vote.

Chairman Fullerrton explained the procedures of the Plan Commission. On the agenda was one public hearing regarding a special use permit for Northwood University at 1200 Roosevelt Road.

PUBLIC HEARING – NORTHWOOD UNIVERSITY, 1200 ROOSEVELT ROAD

A REQUEST FOR APPROVAL OF A SPECIAL USE PERMIT FOR A PRIVATE SCHOOL TO ALLOW NORTHWOOD UNIVERSITY TO OCCUPY 2,502 SQUARE FEET IN THE EXISTING 50,025-SQUARE FOOT, 4-STORY OFFICE BUILDING AT 1200 ROOSEVELT ROAD. THE SUBJECT PROPERTY IS LOCATED ON THE NORTH SIDE OF ROOSEVELT ROAD BETWEEN FINLEY ROAD AND ROYAL GLEN DRIVE IN THE C3 SERVICE COMMERCIAL DISTRICT.

(Royal Glen, LLC/Stahelin Properties, owner and petitioner)

Staff Introduction

Village Planner Michele Stegall stated that Tom Kolschowsky from Stahelin Properties representing the property owner is requesting approval of a Special Use Permit to allow a private school in the existing office building at 1200 Roosevelt Road. Ms. Stegall displayed a map and described the location of the subject property and surrounding land uses. Ms. Stegall displayed a photo of the existing building and stated that the petitioner would like to lease 2,052 square feet for Northwood University in that building. Ms. Stegall clarified that the Notice of Public Hearing indicated that the petitioner is requesting approval to lease 2,502 square feet in the building, however, their request is for 2,052 square feet. Northwood University has been operating at this site for approximately two months and immediately applied for a special use permit when requested to do so by the Village. Ms. Stegall stated that, per the petitioner, the classroom

size is capped at 12 students, however, per the Zoning Code, parking requirements on the site would allow the school to have 44 students. Ms. Stegall that the conditions recommended by staff are for administrative reasons.

Petitioner's Presentation

Thomas Kolschowsky, 800 Roosevelt Road, Building A, Suite 140, Glen Ellyn, Illinois representing Stahelin Properties clarified that, in accordance with Northwood University's lease agreement, a maximum of nine (9) people can occupy the premises and that figure is calculated by a ratio of four (4) people per 1,000 square feet. Mr. Kolschowsky added that their calculations ensure that parking requirements will be met. Mr. Kolschowsky also requested a limit restriction to the special use permit of 5,000 square feet. Ms. Stegall added that because of the error in the notice of public hearing in favor of the applicant, the Plan Commissioners could recommend that the petitioner be allowed to occupy up to 2,500 square feet. Approval, however, cannot be granted for square footage exceeding the amount advertised in the notice of public hearing.

Responses to Questions from the Plan Commission

Ms. Stegall explained for Commissioner Buckton the process for calculating parking requirements and stated that the parking calculations for Northwood University fall under the private school category. Mr. Kolschowsky responded to Commissioner Buckton that Northwood University is identified as an adult education school. Commissioner Swanson asked questions regarding ownership, type of curriculum and number of faculty, however, Mr. Kolschowsky was unable to provide that information. Commissioner Lannen's research indicated that Northwood University is based out of Michigan, the subject site is their first campus in Illinois, learning is basically on line, and degrees in business courses are offered. Mr. Kolschowsky responded to Commissioner Buckton that parking calculations for the tenants of the subject building are based on square footage and their lease guarantees them their allotted parking spaces. Mr. Kolschowsky also responded to Commissioner Bromann that outside parking is open and is on a first come/first served basis. He added that underground parking is available for a separate fee. Mr. Kolschowsky responded to Commissioner McCormick that the exterior parking lot lights are on all night and timed to turn off in the morning. Ms. Stegall responded to Commissioner Buckton that there have been no problems identified with a trade school that was granted a special use permit in an office complex at 799 Roosevelt Road approximately 1-2 years ago.

Persons in Favor of or in Opposition to the Petition

No persons spoke in favor of or in opposition to the petitioner's request.

Comments from the Plan Commission

Nine of the ten Plan Commissioners present were in favor of recommending approval of the special use permit request. Eight of those nine Plan Commissioners were also in

favor of allowing the special use request to occupy 2,500 square feet since 2,502 square feet was inadvertently advertised in the public hearing notice. Commissioner Lannen felt that the recommended square footage should remain at 2,052 as requested by the petitioner, and Commissioner Dykstra stated she would like to recommend more than the 2,500 square feet as published. Commissioner Swanson was opposed to the petition because he felt that insufficient information was provided in the petitioner's application packet that should be part of the public record. Commissioner Whalen added that the applicant for this petition is Royal Glen LLC, not the school, and another tenant could lease the subject space without a public hearing for a special use permit.

Motion

Commissioner Friedberg moved, seconded by Commissioner Girling, to recommend that the Village Board approve a request by Royal Glen LLC to grant a special use permit in accordance with Section 10-4-15 of the Glen Ellyn Zoning Code to allow Northwood University to occupy 2,500 square feet in the existing office building at 1200 Roosevelt Road. The recommendation for approval was based on the following findings of fact: 1. The proposed use will be harmonious and in accordance with the general objectives, or within a specific objective, of the Comprehensive Plan and/or Zoning Code because a private school is permitted in the C3 Service Commercial District zoning district with a special use permit. 2. The proposed use is designed and shall be maintained so as to be harmonious and appropriate in appearance with the existing character of the general vicinity and will not change the essential character of the area because the proposed use will be fully contained within the existing building and will have no effect on the appearance or character of the general vicinity. 3. The proposed use will not be hazardous or disturbing to existing or future neighborhood uses of the property because the proposed use will be fully contained within the existing building and the parking requirements for the property will be met. 4. The proposed use will be served adequately by existing public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewers and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services because the occupancy of the proposed use within the existing building will not place additional burdens on the public services already provided to the property. 5. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the Village because the cost to provide public services to the site are not anticipated to increase with the addition of the proposed use. 6. The proposed use will not involve activities, processes, materials, equipment and/or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare and odors because the proposed use will generate minimal traffic and will not produce excessive noise, smoke, fumes, glare or odors. 7. The project will have vehicular approaches to the property which shall be so designed as not to create an undue interference of traffic on surrounding public streets or roads because the existing vehicular access drives will not change. 8. The project will not increase the potential for flood damage to adjacent property or require additional public expense for flood protection, rescue or relief

because no changes to the land will be made that would affect the existing runoff. 9. The project will not result in the destruction, loss or damage of natural, scenic or historic features of major importance to the community because no changes are proposed to the existing building or site and no natural, scenic or historic features of major importance to the community are located on the property.

The recommendation for approval was subject to the following conditions: 1. The school shall be operated and maintained in substantial conformance with the plans as submitted and testimony presented at this meeting. 2. The school shall not occupy more than 2,500 square feet in the building without receiving approval of a revised Special Use Permit. 3. At no time shall the number of students exceed an amount that would violate the parking requirements for the property.

The motion carried with nine (9) "yes" votes and one (1) "no" vote as follows: Commissioners Girling, Bromann, Buckton, Dykstra, Friedberg, Lannen, McCormick, Swanson, Whalen and Chairman Fullerton voted yes; Commissioner Swanson voted no.

Trustee Report

Trustee Thorsell informed the Plan Commission that Nicor met with residents prior to the Village Board vote, and she thanked the Plan Commission for their efforts on that project. She also urged the Plan Commissioners to comment on the DuPage County Stormwater ordinance which is now on line.

Chairman Report

Chairman Fullerton reminded the Plan Commissioners about recusal in conflict of interest situations and stated that staff and she are available to answer any questions. Commissioner Whalen added that the Village Board is currently working on an ethics code, a draft of which is on line, that he believes may affect some board/commission members' ability to serve. Commissioner Whalen would like board/commission members to provide feedback to the Village Board. Trustee Thorsell stated that the Village Board has been having discussions about an ethics ordinance for approximately six months and will likely vote on this issue in approximately one month.

Staff Report

Ms. Stegall summarized meetings with Nicor, Planning staff and residents. She also announced that the next Plan Commission meeting will most likely be on November 18. Ms. Stegall stated that staff will bring forward for the Plan Commission's consideration at some time in the future a text amendment to allow private schools as a permitted use in the office district. Commissioner Buckton commented that he would prefer that staff e-mail any general information sent to the Plan Commissioners rather than forwarding hard copies with the packets, and the other Plan Commissioners agreed with that recommendation.

There being no further business before the Plan Commission, the meeting was adjourned at 8:15 p.m.

Prepared by:
Barbara Utterback, Recording Secretary

Reviewed by:
Michele Stegall, Village Planner

Village Of Glen Ellyn

Ordinance No. _____

**An Ordinance Granting Approval of a Special Use Permit
for Northwood University to Allow a Private School
at 1200 Roosevelt Road
Glen Ellyn, IL 60137**

**Adopted by the
President and the Board of Trustees
of the Village of Glen Ellyn
DuPage County, Illinois
This ____ Day of _____, 20_____.**

Published in pamphlet form by the authority of the
President and Board of Trustees of the Village of
Glen Ellyn, DuPage County, Illinois, this _____
day of _____, 20_____.

Ordinance No. _____

**An Ordinance Granting Approval of a Special Use Permit
for Northwood University to Allow a Private School
at 1200 Roosevelt Road
Glen Ellyn, IL 60137**

Whereas, Royal Glen LLC, owner of property located at 1200 Roosevelt Road, is requesting approval of a Special Use Permit for a Private School in accordance with Section 10-4-15(B)15 of the Glen Ellyn Zoning Code to allow Northwood University to occupy 2,500 square feet on the first floor of the existing 50,025-square foot, 4-story office building on the property; and

Whereas, the subject property is located on the north side of Roosevelt Road between Finley Road and Royal Glen Drive in the C3 Service Commercial zoning district and is legally described as follows:

PARCEL 1:

LOT 4 IN GLEN TERRACE PLAN DEVELOPMENT RESUBDIVISION OF LOTS 1, 2 AND 3 IN GLEN TERRACE PLAN DEVELOPMENT ASSESSEMENT PLAT OF THE SOUTH 850 FEET (AS MEASURED ON A PERPENDICULAR TO AND PARALLEL WITH THE SOUTH LINE OF) THE FOLLOWING DESCRIBED PROPERTY:

LOTS 4, 5, 6, AND 7 OF THE COMMISSIONER'S PLAT IN PARTITION OF THE ESTATE OF JOHN S. WIEGAND, DECEASED, IN CIRCUIT COURT, DUPAGE COUNTY, ILLINOIS, IN THE SOUTHWEST ¼ OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED NOVEMBER 8, 1965 AS DOCUMENT R65-44272, IN DUPAGE COUNTY, ILLINOIS, (EXCEPT THAT PART OF SAID LOTS 4, 5, 6 AND 7 LYING IN MILTON TOWNSHIP, DUPAGE COUNTY, ILLINOIS).

PARCEL 2:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY GRANT RECORDED AUGUST 20, 1970 AS DOCUMENT R70-29511, FOR INGRESS AND EGRESS OVER THE SOUTH 50.0 FEET OF THE EAST 130.0 FEET OF LOT 2 IN GLEN TERRACE PLAN DEVELOPMENT RESUBDIVISION, AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY GRANT RECORDED MAY

16, 1978 AS DOCUMENT R78-42321, FOR UNDERGROUND UTILITIES OVER THE NORTH 15.0 FEET OF THE WEST 150.0 FEET OF LOT 5 IN GLEN TERRACE PLAN DEVELOPMENT RESUBDIVISION, AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 4:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED MAY 16, 1978 AS DOCUMENT R78-42321, FOR PEDESTRIAN AND VEHICULAR TRAFFIC OVER THE NORTH 25.0 FEET OF THE SOUTH 45.0 FEET OF THE WEST 150.0 FEET OF LOT 5 IN GLEN TERRACE PLAN DEVELOPMENT RESUBDIVISION, AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 5:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED MAY 16, 1978 AS DOCUMENT R78-42321, FOR FENCE OVER THE NORTH 2.0 FEET OF THE WEST 150.0 FEET OF LOT 5 IN GLEN TERRACE PLAN DEVELOPMENT RESUBDIVISION, AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 6:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED MAY 16, 1978 AS DOCUMENT R78-42321, FOR UNDERGROUND GASOLINE STORAGE TANK OVER THE EAST 25.0 FEET OF THE NORTH 50.0 FEET OF THE WEST 150.0 FEET OF LOT 5 IN GLEN TERRACE PLAN DEVELOPMENT RESUBDIVISION, AFORESAID IN DUPAGE COUNTY, ILLINOIS.

PARCEL 7:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED MAY 16, 1978 AS DOCUMENT R78-42321, FOR PEDESTRIAN TRAFFIC OVER THE NORTH 7.0 FEET OF THE SOUTH 173.0 FEET OF THE WEST 150.0 FEET OF LOT 5 IN GLEN TERRACE PLAN RESUBDIVISION, AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 8:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED MAY 16, 1978 AS DOCUMENT R78-42321, FOR PEDESTRIAN TRAFFICE OVER THE NORTH 7.0 FEET OF THE SOUTH 86.0 FEET OF THE WEST 150.0 FEET OF LOT 5 IN GLEN TERRACE PLAN RESUBDIVISION, AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 9:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED JANUARY 8, 1979 AS DOCUMENT R79-1902 FOR UNDERGROUND UTILITIES OVER THAT PART OF LOT 2 LYING SOUTH OF THE NORTH LINE OF LOT 3 AND SAID NORTH LINE EXTENDED EASTERLY TO THE NORTHWEST CORNER OF LOT 4, ALL IN GLEN TERRACE PLAN RESUBDIVISION, AFORESAID IN DUPAGE COUNTY, ILLINOIS.

PARCEL 10:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED

JANUARY 8, 1979 AS DOCUMENT R79-1902 FOR PEDESTRIAN AND VEHICULAR TRAFFIC OVER THAT PART OF LOT 2 LYING SOUTH OF THE NORTH LINE OF LOT 3 AND SAID NORTH LINE EXTENDED EASTERLY TO THE NORTHWEST CORNER OF LOT 4, ALL IN GLEN TERRACE PLAN RESUBDIVISION, AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 11:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED JANUARY 8, 1979 AS DOCUMENT R79-1902, FOR UNDERGROUND UTILITIES OVER THE SOUTH 70.0 FEET (MEASURED AT RIGHT ANGLES TO THE SOUTH LINE THEREOF) OF Lot 2 (EXCEPT THAT PART THEREOF LYING SOUTH OF THE NORTH LINE OF LOT 3 AND SAID NORTH LINE EXTENDED EASTERLY TO THE NORTHWEST CORNER OF LOT 4), ALL IN GLEN TERRACE PLAN DEVELOPMENT, AFORSAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 12:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED JANUARY 8, 1979 AS DOCUMENT R79-1902 FOR PEDESTRIAN AND VEHICULAR TRAFFIC OVER THE SOUTH 70.0 FEET (MEASURED AT RIGHT ANGLES TO THE SOUTH LINE THEREOF) OF LOT 2 (EXCEPT THAT PART THEREOF LYING SOUTH OF THE NORTH LINE OF LOT 3 AND SAID NORTH LINE EXTENDED EASTERLY TO THE NORTHWEST CORNER OF LOT 4), ALL IN GLEN TERRACE PLAN DEVLEOPMENT AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 13:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED JANUARY 8, 1979 AS DOCUMENT R79-1902 FOR UNDERGROUND UTILITIES OVER THE WEST 30.0 FEET, THE NORTH 30.0 FEET AND THE EAST 30.0 FEET (ALL MEASURED AT RIGHT ANGLES) OF LOT 2 (EXCEPT THAT PART THEREOF LYING SOUTH OF A LINE DRAWN 70.0 FEET NORTH AND PARALLEL WITH THE NORTH LINES OF LOTS 3 AND 4), ALL IN GLEN TERRACE PLAN DEVLEOPMENT, AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 14:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED JANUARY 8, 1979 AS DOCUMENT R79-1902 FOR STORM SEWER AND RETENTION POND OVER THAT PART OF LOT 2 IN GLEN TERRACE PLAN DEVELOPMENT RESUBDIVISION OF LOTS 1, 2, AND 3 IN GLEN TERRACE PLAN DEVELOPMENT ASSESSMENT PLAT, AFORESAID DESCRIBED AS FOLLOWS:

COMMENCING AT THAT CORNER OF SAID LOT 2 WHICH IS ALSO THE NORTHWEST CORNER OF LOT 4 IN SAID RESUBDIVISION AND RUNNING THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 2, 59.5 FEET FOR A POINT OF BEGINNING; THENCE NORTHERLY, AT RIGHT ANGLES TO SAID SOUTH LINE, 45.00 FEET; THENCE WESTERLY, PARALLEL WITH SAID SOUTH LINE, 230.00 FEET; THENCE 90 DEGREES TO

THE RIGHT, 25.0 FEET, THENCE 30 DEGREES TO THE RIGHT, 110.00 FEET; THENCE 90 DEGREES TO THE RIGHT, 65.00 FEET; THENCE 90 DEGREES TO THE RIGHT, 50 FEET; THENCE 120 DEGREES TO THE LEFT, 45 FEET; THENCE 60 DEGREES TO THE LEFT, 55.00 FEET; THENCE 30 DEGREES TO THE RIGHT, 40.00 FEET; THENCE 30 DEGREES TO THE RIGHT, 40.00 FEET; THENCE 60 DEGREES TO THE RIGHT, 70 FEET; THENCE 30 DEGREES TO THE RIGHT, 51.47 FEET; THENCE 90 DEGREES TO THE RIGHT, 23.43 FEET; THENCE 90 DEGREES TO THE LEFT, 45.00 FEET TO THE SAID SOUTH LINE OF LOT 2; THENCE WESTERLY ALONG SAID SOUTH LINE, 15.0 FEET TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

PARCEL 15:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED JANUARY 8, 1979 AS DOCUMENT R79-1902, FOR STORM SEWER OVER THAT PART OF LOT 2 IN GLEN TERRACE PLAN DEVELOPMENT RESUBDIVISION, AFORESAID DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 2, BEING ALSO THE NORTHWEST CORNER OF LOT 3 IN SAID RESUBDIVISION, AND RUNNING THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOT 2, 70.10 FEET; THENCE EASTERLY, PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, 84.04 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING EASTERLY, PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, 20.00 FEET; THENCE 86 DEGREES 04 MINUTES TO THE LEFT, 63.18 FEET; THENCE 43 DEGREES 56 MINUTES TO THE LEFT, 109.88 FEET TO THE EAST LINE OF THE WEST 30.00 FEET (MEASURED AT RIGHT ANGLES TO THE WEST LINE THEREOF) OF SAID LOT 2; THENCE SOUTHERLY, PARALLEL WITH THE WEST LINE OF SAID LOT 2, 29.33 FEET; THENCE 42 DEGREES 59 MINUTES TO THE LEFT, 80.38 FEET; THENCE SOUTHERLY 56.49 FEET TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

PARCEL 16:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED JANUARY 8, 1979 AS DOCUMENT R79-1902 FOR UNDERGROUND UTILITIES OVER THAT PART OF LOT 2 IN GLEN TERRACE PLAN DEVELOPMENT RESUBDIVISION, AFORESAID, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 2 BEING ALSO THE NORTHWEST CORNER OF LOT 3 IN SAID RESUBDIVISION, AND RUNNING THENCE NORTHERLY, ALONG THE WEST LINE OF SAID LOT 2, 70.10 FEET; THENCE EASTERLY, PARALLEL WITH THE SOUTH LINE OF SAID LOT 2 62.06 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING EASTELRY, PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, 20.05 FEET; THENCE 86 DEGREES 04 MINUTES TO THE LEFT 124.07 FEET; THENCE 52 DEGREES 24 MINUTES TO THE LEFT, 70.13 FEET TO THE EAST LINE OF THE WEST 30.00 FEET (AS MEASURED AT RIGHT ANGLES TO THE WEST LINE THEREOF) OF SAID LOT 2; THENCE SOUTHERLY, PARALLEL WITH THE WEST LINE OF SAID LOT 2, 25.55 FEET; THENCE 51 DEGREES 31 MINUTES TO THE LEFT 44.40 FEET, THENCE

SOUTHERLY 115.60 FEET TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

PARCEL 17:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY GRANT RECORDED JANUARY 8, 1979 AS DOCUMENT R79-1902, FOR UNDERGROUND UTILITIES EASEMENT OVER THAT PART OF LOT 3 IN GLEN TERRACE PLAN DEVELOPMENT RESUBDIVISION, AFORESAID, LYING 10.0 FEET ON EACH SIDE OF A LINE DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2 AND RUNNING THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 3, 72.00 FEET FOR A POINT OF BEGINNING; THENCE RUNNING SOUTHERLY AT RIGHT ANGLES TO SAID NORTH LINE, 13.0 FEET; THENCE EASTERLY, 91.0 FEET TO A POINT WHICH FALLS 19.0 FEET SOUTHERLY OF SAID NORTH LINE; THENCE SOUTHERLY, 84.0 FEET TO A POINT WHICH FALLS 273.00 FEET WESTERLY OF A POINT 102.00 FEET SOUTHERLY OF THE NORTHEAST CORNER OF SAID LOT 3 (AS MEASURED ALONG THE EAST LINE OF SAID LOT 3); THENCE EASTERLY, 273.00 FEET TO A POINT 102.0 FEET SOUTHERLY OF THE NORTHEAST CORNER OF SAID LOT 3 (AS MEASURED ALONG SAID EAST LINE) FOR POINT OF TERMINATION, IN DUPAGE COUNTY, ILLINOIS.

P.I.N: 06-18-305-006; and

Whereas, following due and proper publication of notice in the Daily Herald, not less than fifteen (15) nor more than thirty (30) days prior thereto, and following written notice to all property owners within 250 feet, and following the placement of a placard on the subject property, the Plan Commission of the Village of Glen Ellyn conducted a public hearing on October 28, 2010 at which hearing the Plan Commission considered the petitioner's request for approval of the requested Special Use Permit; and

Whereas, at the October 28, 2010 public hearing, the petitioner presented evidence and testimony in support of the application, and no members of the public spoke either in favor of or in opposition to the request; and

Whereas, after having considered the evidence presented, including the exhibits and materials submitted, the Plan Commission made its findings of fact and recommendations as set forth in the minutes from the October 28, 2010 Plan Commission meeting, a draft of which is

attached hereto as Exhibit “A”, and pursuant to Section 10-10-14 of the Zoning Code, by a vote of nine (9) “yes” and one (1) “no,” the Plan Commission recommended approval of the requested Special Use Permit; and

Whereas, the Village President and Board of Trustees have reviewed the evidence, exhibits, and materials presented at the October 28, 2010 Plan Commission public hearing and have considered the findings of fact and recommendations of the Plan Commission; and

Whereas, the President and Board of Trustees have determined that granting the requested Special Use Permit is consistent with the goals of the Glen Ellyn Zoning Code.

Now, Therefore, be it Ordained by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in the exercise of its home rule powers, as follows:

Section One: The minutes from the October 28, 2010 Plan Commission meeting, a draft of which is attached hereto as Exhibit “A,” and the findings of fact set forth therein and in the preambles above are hereby adopted as the findings of fact of the Village President and Board of Trustees based upon their review of the evidence, exhibits, and materials presented at the October 28, 2010 public hearing before the Plan Commission.

Section Two: Based upon the findings of fact and recommendations of the Plan Commission, as adopted herein, and the findings of fact and conclusions set forth in the preambles above, the Village President and Board of Trustees hereby grant approval of the requested Special Use Permit to allow Northwood University to occupy 2,500 square feet on the first floor of the existing building at 1200 Roosevelt Road.

Section Three: This grant of approval of the requested Special Use Permit is subject to the following conditions:

A. The use shall be operated and maintained in substantial conformance with the plans as

submitted and the testimony presented at the October 28, 2010 Plan Commission public hearing and with the petitioner's application packet stamped received October 19, 2010, including the following plans and documents referenced below, as though they were attached to this Ordinance:

1. Special Use Permit application signed October 18, 2010
2. Narrative Statement prepared September 29, 2010
3. Quantitative Summary prepared September 29, 2010
4. Design Capacity prepared September 29, 2010
5. Plat of Survey dated September 18, 1996

and these plans and documents shall be filed with and made part of the permanent records of the Glen Ellyn Planning and Development Department.

- B. The school shall not occupy more than 2,500 square feet in the building without receiving approval of a revised Special Use Permit.
- C. At no time shall the number of students exceed an amount that would violate the parking requirements for the property.

Section Four: The Building and Zoning Official is hereby authorized to issue all necessary building and occupancy permits pursuant to the Special Use Permit approved herein, provided that all the conditions set forth hereinabove have been met and that the applicant complies with all other applicable laws and ordinances of the Village of Glen Ellyn. This grant of approval of the requested Special Use Permit shall expire and become null and void within 24 months of the date of this Ordinance unless an occupancy permit is applied for within said time period, provided, however, that the Village Board, by motion, may extend the period during which an occupancy permit must be applied for. Further, the Village Board may, for good cause shown, waive or modify any conditions set forth in this ordinance without requiring that the matter return for public hearing.

Section Five: This Ordinance shall be in full force and effect from and after the passage, approval, and publication in pamphlet form.

Section Six: Failure of the owners or other party in interest or a subsequent owner or other party in interest to comply with the terms of this Ordinance, after execution of such Ordinance, shall subject the owners or party in interest to the penalties set forth in Section 10-10-18 (A) and (B) of the

Village of Glen Ellyn Zoning Code.

Section Seven. The Village Clerk is hereby authorized to record this Ordinance with the DuPage County Recorder.

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____, 20____.

Ayes:

Nays:

Absent:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this _____ day of _____, 20____.

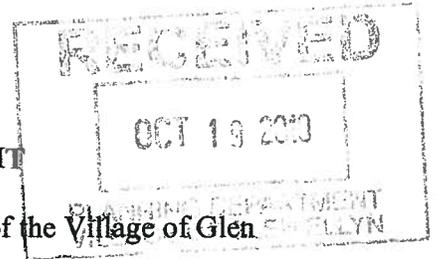
Village President of the
Village of Glen Ellyn, Illinois

Attest:

Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the ____ day of _____.)

APPLICATION FOR SPECIAL USE PERMIT



The undersigned petitions the President and Village Board of Trustees of the Village of Glen Ellyn, Illinois, to consider the Special Use described in this application.

Date Filed: September 13, 2010 **Application No:** _____

Name of Applicant: Royal Glen, LLC c/o Stahelin Properties

Contact Information:

Address of Applicant: 800 Roosevelt Rd, Suite A-120, Glen Ellyn, Illinois 60137

Business Phone: (630) 469-3331 **Fax:** (630) 469-3390

Cell/Home Phone: _____ **Email:** _____

Property Interest of Applicant: Owner
(Owner, Contract Purchaser, Owner Representative)

Contact Information:

Name of Owner: Same as Applicant (above)

Address of Owner: _____

Business Phone: _____ **Fax:** _____

Cell/Home Phone: _____ **Email:** _____

Address and Legal Description of Property: _____
See attached title commitment dated May 30, 2007.

Permanent Index No. (PIN): 06-18-305-006 **Zoning:** C3, Service Commercial

Lot Dimensions: 300-feet x 409.5-feet **Lot Area:** 2.820 acres or 122,849.57 s.f.

Present Use: Commercial Office Space

Requested Use/Construction: School (commercial)

Estimated Date to Begin New Use/Construction: September 1, 2010

Name(s), Address(es) and Phone No(s). of Experts (architects, engineers, etc.):
Chad William Wooters, A.I.A, Illinois Licensed Architect, Phone: (630) 469-3331

Narrative Statement evaluating the economic effects on adjoining property, the effect of such elements as noise, glare, odor, fumes and vibration on adjoining property, a discussion of the general compatibility with the adjacent and other properties in the district, the effect of traffic, and the relationship of the proposed use to the Comprehensive Plan, and how it fulfills the

requirements of paragraph (E) of Section 10-10-14 of the Zoning Code: _____
Northwood University is a private university that offers courses for adult college level
education. Class sizes at the proposed site are capped at maximum of 12 students. Class
hours will be 6pm to 9pm, Monday through Thursday, and 8am to 5pm on Saturday. An
average of 10 students are anticipated to be in attendance at any given time. Northwood
University will occupy suite 140 on the first floor. Suite 140 has a rentable area of 2052
square feet. The building has a gross area of approximately 50,025 square feet. _____

Describe How the Special Use:

1. Will be harmonious with and in accordance with the general objectives, or within a specific objective of the Comprehensive Plan and/or this Zoning Code: _____
The proposed use is that of a private school for commercail adult education. The existing building complies with all applicale Zoning requirements for the Village of Glen Ellyn. _____
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area: The proposed use will be fully contained within the existing building and have no effect on the appearance or character of the general vicinity. _____
3. Will not be hazardous or disturbing to existing or future neighborhood uses: _____
The proposed use is not hazardous and will not disturb the existing neighborhood. _____
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewers and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services: _____
Occupancy of this use within the existing building will not place additional burdens on existing public infrastructures. _____
5. Will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the Village: _____
The intended use will not impact public cost or require additional public services or facilities. _____
6. Will not involve uses, activities, processes, materials, equipment and/or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors: _____
The proposed use will not produce excessive traffic, noise, smoke, fumes, glare, or odors. _____
7. Will have vehicular approaches to the property, which shall be so designed as not to create an undue interference with traffic on surrounding public streets or roads: _____
Current vehicular approaches to the property adequately serve the existing building, its tenants and the proposed use. _____

8. Will not increase the potential for flood damage to adjacent property or require additional public expense for flood protection, rescue or relief: _____
Occupancy of this use within the existing building will not increase the potential for flood damage to adjacent property or require additional public expense for flood protection, rescue, and relief.
9. Will not result in destruction, loss or damage of natural, scenic or historic features of major importance to the community: _____
Occupancy by the proposed use within the existing building will not result in the damage or loss of any natural, scenic, or historic features of the community.

I (We) certify that all of the statements and documents submitted as part of this application are true to the best of my (our) knowledge and belief.

I (We) consent to the entry in or upon the premises described in this application by any authorized official of the Village of Glen Ellyn for the purpose of inspection.

I (We) consent to pay the Village of Glen Ellyn all costs incurred for transcribing the public hearing on this application.

I (We) understand that no final action shall be taken by the Village Board subsequent to the public hearing until and upon payment of transcribing fees.

10/18/10
Date


Signature of Applicant

**THE BEST INTERESTS OF THE APPLICANT WILL BE SERVED
BY COMPLETING THIS APPLICATION IN DETAIL**

**Narrative Statement
for
Proposed Use at 1200 Roosevelt Rd., Glen Ellyn**

Royal Glen, LLC, the property located at 1200 Roosevelt Road, is the proposed location of for Northwood University. The property consists of a 2.82 acres of land in the C3 Service Commercial Zoning District of Glen Ellyn.

The property is improved with a four-story, with basement, commercial office building. The building has a gross area of approximately 50,025 square feet (45,760 usable square feet within the office suites). The basement of the building is occupied primarily by garage parking, maintenance rooms, and some storage. The top four floors are occupied by commercial office space and related common and service areas. Parking is available for 203 vehicles in both exterior and garage parking (see Quantitative Summary.)

Northwood University is a private university that offers courses for adult college level education. Class sizes at the proposed site are capped at maximum of 12 students. Class hours will be 6 pm to 9 pm, Monday through Thursday, and 8am to 5pm on Saturday. An average of ten (10) students is anticipated to be in attendance at any given time.

Northwood University will occupy suite 140 on the first floor, which is located in the northeast corner of the building. Suite 140 has a rentable area of 2052 square feet (1,837 usable square feet within the suite).

*Prepared on 9/29/2010 by
Chad William Wooters
Illinois Licensed Architect*

Quantitative Summary
for
Proposed Use at 1200 Roosevelt Road, Glen Ellyn

Northwood University will occupy suite 140 on the first floor. The gross area of the building is currently 50,025 square feet. The occupancy of Suite 140 by Northwood University will reduce the rentable area by 2052 square feet to 47,973 gross square feet. At one space for every 250 sq. ft., a total of 192 parking spaces are required to serve the 47,973 sq. ft. of office space.

Northwood University is a private university that offers courses for adult college level education. Northwood University class sizes at the proposed site are capped at maximum of 12 students. Based on the ordinance requirement of 1 space for every 4 students, Northwood University will require a total of three (3) parking spaces.

With the occupancy of Northwood University, *the design capacity of the property actually goes down*, from the current requirement of **200** total parking spaces to only **195** parking spaces. In addition, Northwood University classes will be held outside of regular business hours for the building when parking loads are low. Class hours will be 6 pm to 9 pm, Monday through Thursday, and 8 am to 5 pm on Saturday.

*Prepared on 9/29/2010 by
Chad William Wooters
Illinois Licensed Architect*

Design Capacity
at
1200 Roosevelt Road, Glen Ellyn

As per item 2 of Section 10-4-15 (G) "Parking and Loading Requirements" for Service Commercial Zoning District C3, the property needs to provide 1 parking space for every 250 square feet. The office tower of the property has a gross area of 50,025 square feet (45,760 usable square feet within office suites). By ordinance 200 parking spaces are required.

The property currently exceeds the minimum parking requirement. Parking is available for a total of 203 vehicles, in both standard and accessible spaces, as follows:

1. Exterior open parking is available in 177 parking spaces, of which four (4) are designated accessible spaces.
2. Interior garage parking is available for a total of 26 vehicles in standard size parking stalls.

*Prepared on 9/29/2010 by
Chad William Wooters
Illinois Licensed Architect*

AFFIDAVIT OF AUTHORIZATION

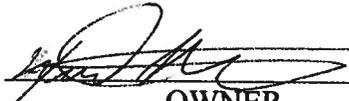
I, Michael A. Stahelin, President of Royal Glen, LLC owner of the property described as

Royal Glen, LLC, located at 1200 Roosevelt Road in Glen Ellyn, Illinois

verify that Thomas L. Kolschowsky, corporate counsel for Stahelin Properties
is duly authorized to apply and represent my interests before the Glen Ellyn Plan Commission,
Zoning Board of Appeals, Architectural Review Commission, and/or Village Board of Trustees.
Owner acknowledges that any notice given applicant is actual notice to owner.



NOTARY



OWNER
President





MANAGEMENT Curriculum Guide

INSTITUTIONS ATTENDED

STUDENT NAME:	Northwood University	NU
STUDENT ID#:		
EVALUATOR:		
DATE:		

FOUNDATION COURSES 18 Semester Hours		
ENG 1150 English Comp I	3	
ENG 1200 English Comp II	3	
MTH 1150 College Algebra	3	
SPC 2050 Speech	3	
MIS 1050 Basic Comp. Applications	3	
FDN 1100, 1200	2	
FDN 3100	1	

MAJOR 21 Semester Hours		
MGT 2500 Human Resource Mgt.	3	
MGT 3500 Operations Management	3	
MGT 3700 Practice of Mgt & Leader.	3	
MGT 4030 International Mgt.	3	
MGT 4300 Management of Info. Tech.	3	
MGT 4250 Organizational Behavior	3	
MGT 4800 Strategic Management	3	

GENERAL EDUCATION 48 Semester Hours		
ECN 2210 Prin. Of Microeconomics	3	
ECN 2220 Prin. Of Macroeconomics	3	
ENG 3200 Report Wr. & Prof. Comm.	3	
PHL 3100 Ethics	3	
MTH 2310 Statistics I	3	
ENG 4010 Comm. & Interpersonal Ref	3	
PHL 4100 Phil. Of Amer. Enterprise	3	
NSC Environmental Science	3	
HIS History	3	
Global Elective	3	
<i>PSC Government</i>	3	
<i>Psychology or Sociology</i>	3	
<i>HIS History</i>	3	
<i>HUMANITIES Elective</i>	3	
<i>NSC or MTH Elective</i>	3	
<i>Civic Literacy</i>	3	

BUSINESS CORE 18 Semester Hours		
ACC 2410 Fund of Financial Acct.	3	
ACC 2415 Fund of Managerial. Acct.	3	
MGT 2300 Principles of Management	3	
MKT 2080 Principles of Marketing	3	
FIN 3010 Financial Management	3	
LAW 3000 Business Law	3	

General Electives 18 Semester Hours		

TOTAL HOURS (At least 123 hours required)
PRIOR LEARNING ASSESSMENT (PLA)

MINOR: 6 SEMESTER HOURS (2 Courses) MINOR REQUIREMENT 18 semester hours with at least 1/2 300/400 level.

Continuing students; defined as enrolled in the past 5 years AND successfully completed Northwood credit(s) prior to Fall Semester 2010, have until August 1, 2016 to complete degree & residency requirements under the current quarter hour policy. At least 31 semester hours required at NU.
 07/23/10

COMMENTS:

Tom

From: Mark Wilson
Sent: Monday, November 01, 2010 3:03 PM
To: Tom
Cc: Bill Dunkley
Subject: FW: Requested Items
Attachments: Management_Semester_CG (3).pdf

Mark L. Wilson
Stahelin Properties
M.A.S. Brokerage, LLC
630-469-3331

www.stahelin.com

From: Croan, James
Sent: Monday, November 01, 2010 3:00 PM
To: Mark Wilson
Subject: Requested Items

Mark,

As mentioned in our conversation. Much of the following material is located on our website at www.northwood.edu. We are a private, not-for-profit institution that focuses on providing adults the opportunity to complete a business degree in an accelerated format. Our mission is to develop the leaders of a global, free-enterprise society.

Attached is a copy of the curriculum for our management program guide.

Hope this helps.

Core Values Statement

We believe in:

- the advantages of an entrepreneurial, free-enterprise society.
- individual freedom and individual responsibility.
- functioning from a foundation of ethics and integrity.
- promoting and leveraging the global, diverse and multi-cultural nature of enterprise.

Core Purpose Statement

The core purpose is to develop leaders, managers, and entrepreneurs with the skills and character to drive personal, organizational and societal success.

Code of Ethics

The community of students, faculty, and staff of Northwood University affirms this code of ethics as the behaviors that advance our shared values.

Integrity: In all our actions, we shall be guided by a code of behavior which reflects our values, unimpeded by circumstance, personal gain, public pressure or private temptation.

Respect: We will treat all others with consideration for their circumstances and with thoughtful regard for their value as human beings.

Honesty: We will embrace truthfulness, fairness, probity and demand the absence of fraud or deceit in ourselves and others with whom we act.

Responsibility: We will be accountable for the care and welfare of others and responsible for the intended and unintended consequences of our actions.

Freedom: We will exercise personal freedom while insuring others be immune from arbitrary interference on account of condition or circumstance, insuring that freedom will be constrained only by our responsibility for its consequences.

Empathy: We will endeavor to understand the feelings, thoughts and notions of others in order that compassion and fairness of our actions may result.

Spirituality: We will seek the spiritual development necessary for our happiness and growth and encourage an environment that supports this growth for all.

Achievement: We will exercise our skills to create high achievement and applaud the high achievement of others.

Outcomes

Our graduates:

1. Understand the tradition of freedom.
2. Have a broad practical understanding of their chosen field.
3. Are familiar with the ideas driving enterprise leaders.
4. Communicate effectively in speech and writing.
5. Understand complex global issues.
6. Have a constant attraction to new ideas.
7. Can explain their personal values.
8. Understand the aesthetic, creative, and spiritual elements of life.
9. Are effective self-evaluators.
10. Are action oriented.
11. Are skilled at detecting and solving problems.
12. Seek lifelong education.

Accreditation:

Northwood University is accredited by the Higher Learning Commission and is a member of the North Central Association (800.621.7440; higherlearningcommission.org).

The Higher Learning Commission is part of the North Central Association of Colleges and Schools. The Association was founded in 1895 as a membership organization for educational institutions. It is committed to developing and maintaining high standards of excellence.

The Association is one of six regional institutional accrediting associations in the United States. Through its Commissions, it accredits and thereby grants membership to educational institutions in the nineteen-state North Central region.

The Higher Learning Commission is recognized by the Secretary of Education and the Committee on Recognition of Postsecondary Accreditation (CORPA, now continued under the Council on Higher Education Accreditation, or CHEA).

History

On March 23, 1959, two young men with an idea, a goal, and a pragmatic philosophy to encompass it all, broke away from their careers in a traditional college structure to create a new concept in education.

Their visionary idea became a reality when Dr. Arthur E. Turner and Dr. R. Gary Stauffer enrolled 100 students at Northwood Institute, using a 19th century mansion in Alma, Michigan, as a school building, a small amount of borrowed money for operating expenses, and a large amount of determination.

Northwood was created as the world was changing. The Russians had launched Sputnik and America was soon to follow. Stauffer and Turner watched the race to space. They envisioned a new type of university—one where the teaching of management led the way. While the frontiers of space were revealing their mysteries, Stauffer and Turner understood all endeavors - technical, manufacturing, marketing, retail, every type of business - needed state-of-the-art, ethics-driven management.

Time has validated the success of what these two young educators called "The Northwood Idea" - incorporating the lessons of the American free-enterprise society into the college classroom.

Dr. David E. Fry took the helm in 1982 and then Dr. Keith A. Pretty in 2006, each continuing the same ideals as Stauffer and Turner, never wavering from the core values, the University grew and matured. Campuses were added in Florida and Texas; academic curricula expanded; Northwood went from being an Institute to an accredited University, the DeVos Graduate School of Management was created and then expanded; the Adult Degree Program and its program centers expanded to over 20 locations in eight states; international program centers were formed in Malaysia, People's Republic of China, Sri Lanka, and Switzerland; and significant construction like the campus Student Life Centers added value to the Northwood students' experience. New endeavors such as Aftermarket Studies, entertainment and sports management and fashion merchandising along with a campus partnership in Montreux, Switzerland, demonstrate an enriched experience for all our students.

With a clearly articulated mission to develop the future leaders of a global, free-enterprise society, Northwood University is expanding its presence in national and international venues. Professors are engaged in economic and policy dialogue; students are emerging as champions in regional and national academic competitions. At all campuses and in all divisions, Northwood University is energized and is actively pursuing dynamic programming and increased influence.

Northwood University educates managers and entrepreneurs - highly skilled and ethical leaders. With over 35,000 alumni and a vibrant future ahead, The Northwood Idea is alive and well.

Brief History in IL

Northwood University has been a leader in providing business degree programs for non-traditional students for more than 39 years, and has served the students in Lisle, IL area for more than 10 years. Experience has repeatedly demonstrated that the students at this location are qualified learners who perform at levels similar to those on our main campus. The University takes a strong interest in the degree completion plans of its students

and celebrates those who complete their programs. No graduate of our Illinois program has ever reported to us that s/he was not well-prepared for the marketplace.

Northwood has established strong partner relationships with area community colleges to allow their students maximum transferability into our Bachelor of Business Administration degree. Specifically, we have an articulation agreement with College of DuPage (COD) that allows students to take 3 years worth of credits (up to 92 credit hours) and transfer them into Northwood for their final year of their bachelor degree. This provides a a "WIN, WIN, WIN" for all parties involved. Most importantly, the students win because they have the option to remain at COD where they have reduced tuition costs and have a strong academic program that is effective in preparing students for the transition into a Bachelor degree program. COD wins because they get to retain the student for an additional year resulting in increase of revenues. Northwood wins by establishing a pipeline of well prepared students.

The criteria are consistent with campus criteria. The Program Center Manager interviews potential candidates and forwards his/her recommendations to the UC Central Office for review by the Associate Dean of Administration to ensure they are qualified to teach the requested courses. The VP of Academics, Dean of University College and Associate Dean of Administration also regularly review faculty files. The general practice is to limit faculty course approval to three or four courses, so that learners are exposed to a variety of views, ideas, and teaching styles.

Faculty Credential Guidelines used by Northwood University:

The criteria are consistent with Midland campus criteria. The Program Center Manager interviews potential candidates and forwards his/her recommendations to the UC Central Office for review by the Associate Dean of Administration to ensure they are qualified to teach the requested courses. The VP of Academics, Dean of University College and Associate Dean of Administration also regularly review faculty files. The general practice is to limit faculty course approval to three or four courses, so that learners are exposed to a variety of views, ideas, and teaching styles.

All faculty hires within ADP must be approved by the Dean of ADP and meet one of the following criteria:

1. The candidate has a Master or Doctoral degree in the course content and/or major area.

OR

2. The candidate has a Master or Doctoral degree with at least 18 credit hours at the graduate level in the course content and/or major area.

OR

3. The candidate has a BBA, BA or BS degree in the major area and meets both of the following:
 - A. Related Master degree.

- i. Example would be a BA in English with an MA in Education

AND

- B. Strong professional experience.

- i. In addition to the BA in English and the MA in Education, the faculty person has 5 years of successful experience teaching English at the secondary level.

This candidate would then be qualified to teach ENG 111.

James Croan
Midwest Region Outreach Director

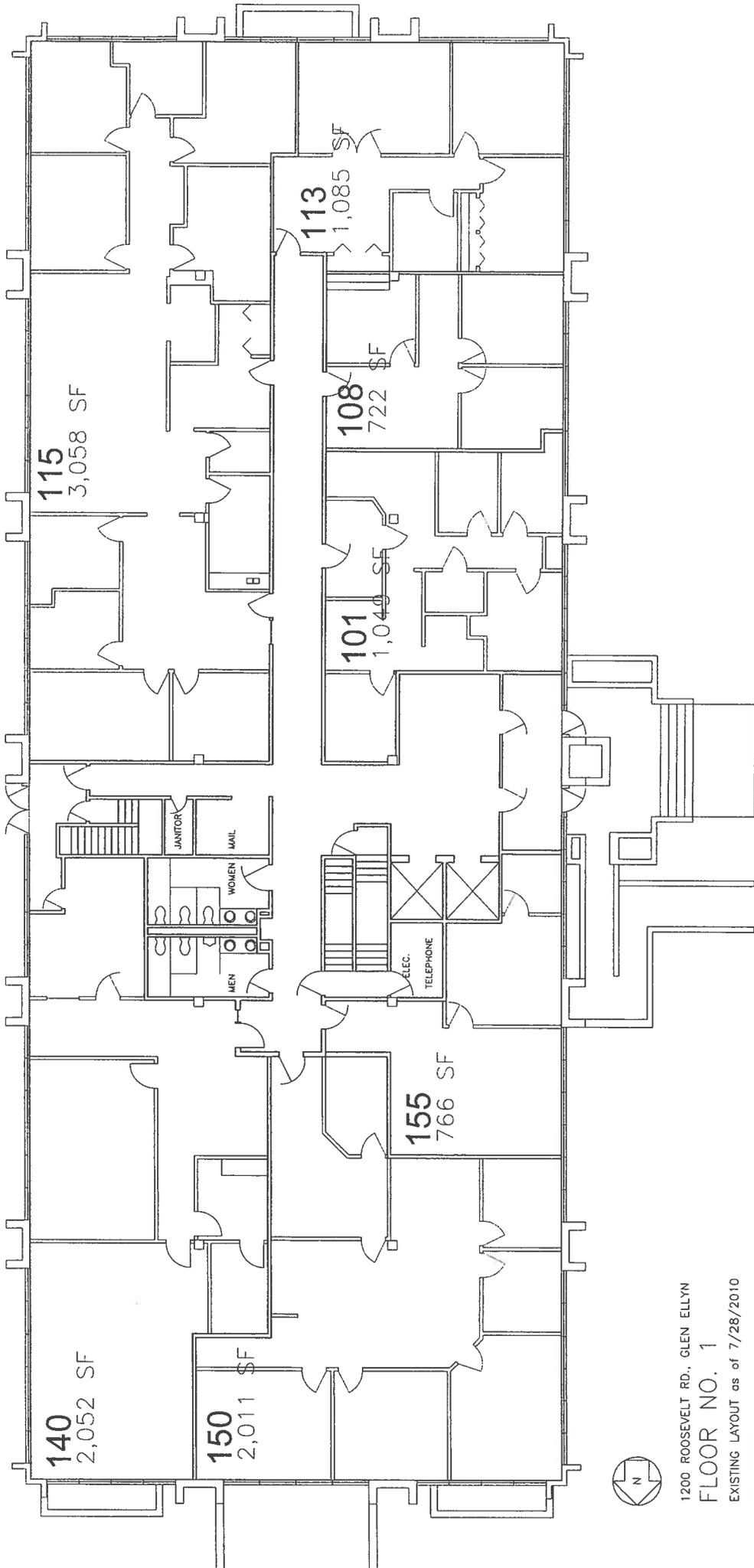


11492 Bluegrass Parkway, Suite 112, Louisville, KY 40299

Phone: (502) 261-1977

Fax: (502) 261-0776

www.northwood.edu



140
2,052 SF

150
2,011 SF

155
766 SF

101
1,049 SF

108
722 SF

113
1,085 SF

115
3,058 SF

JANITOR

WOMEN MAIL

MEN

ELEC.
TELEPHONE

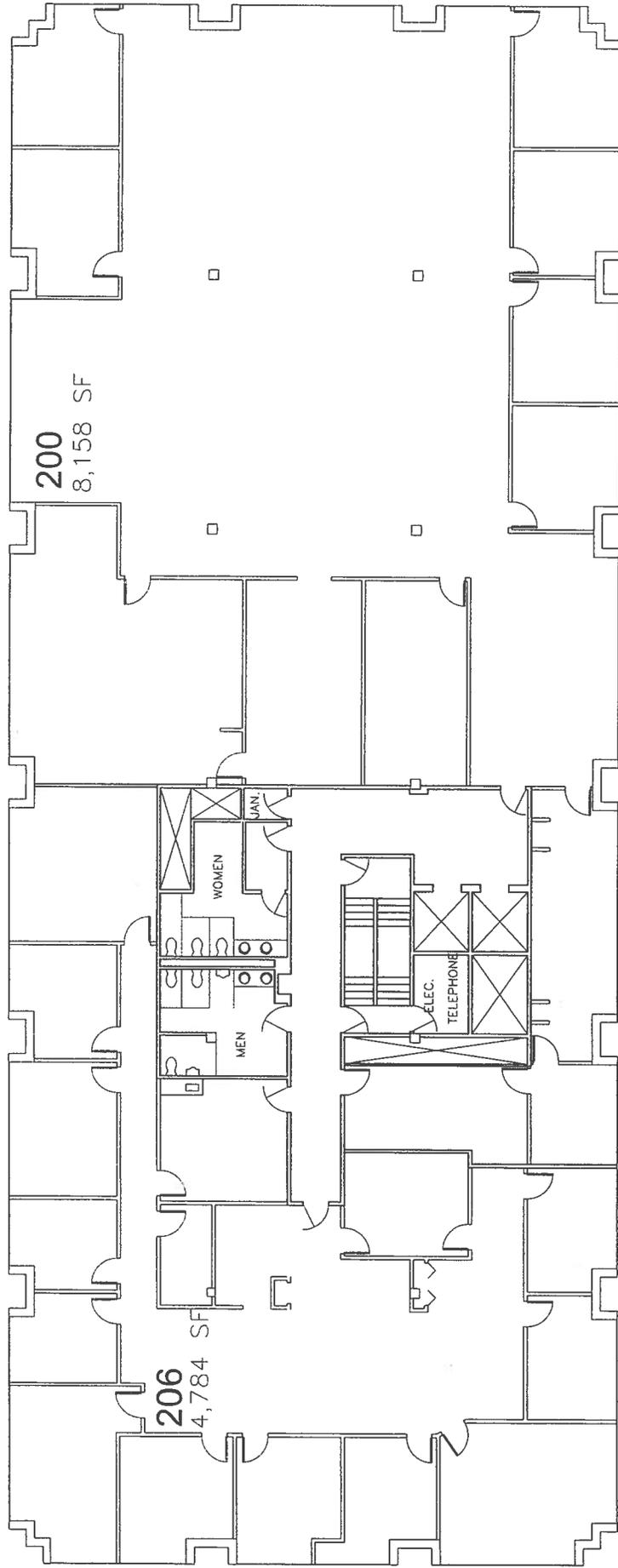


1200 ROOSEVELT RD., GLEN ELLYN

FLOOR NO. 1

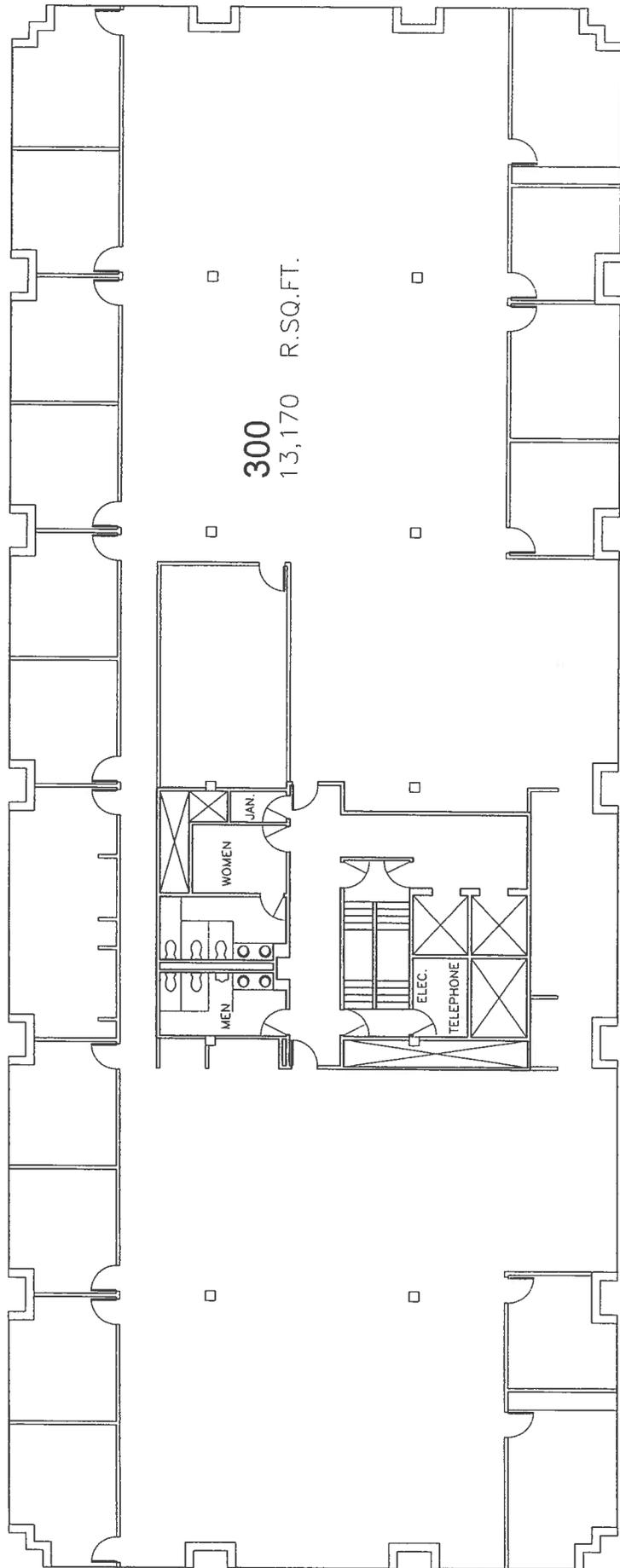
EXISTING LAYOUT as of 7/28/2010



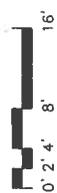


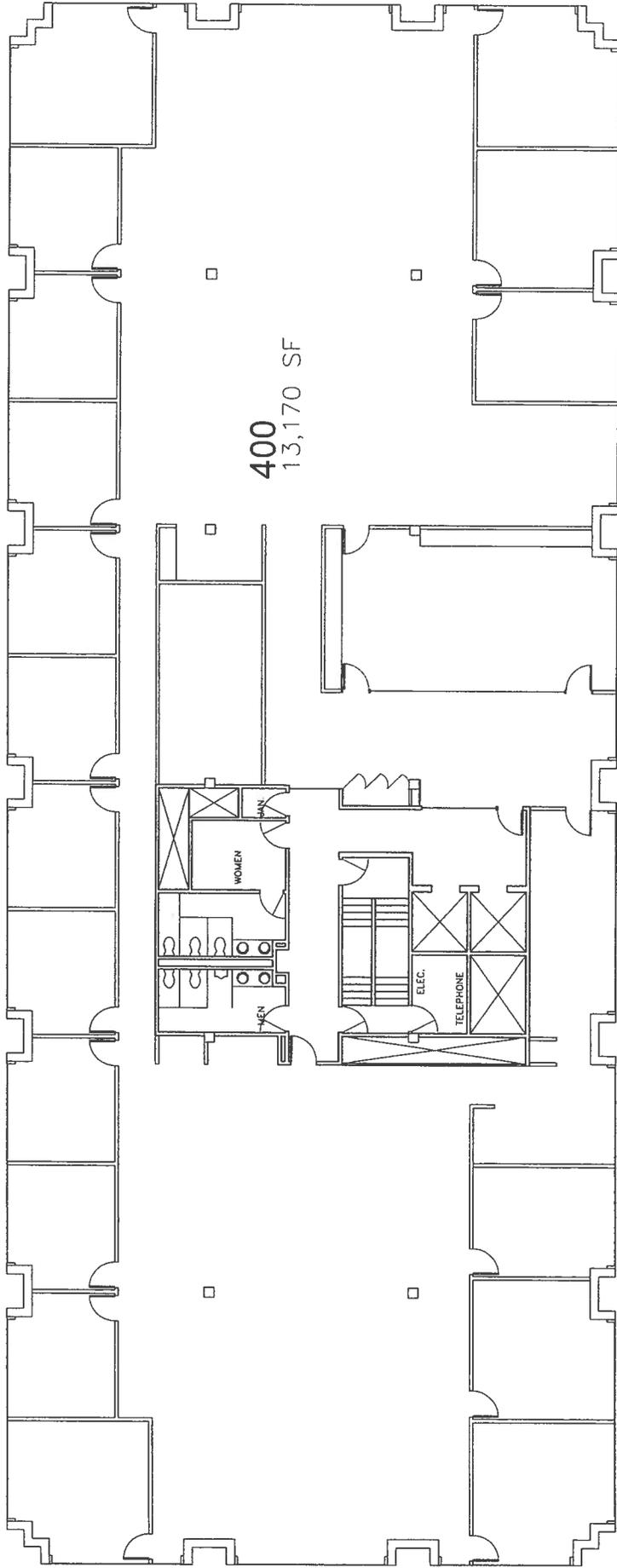
1200 ROOSEVELT RD., GLEN ELLYN
 FLOOR NO. 2
 EXISTING LAYOUT as of 4/27/2010





1200 ROOSEVELT RD., GLEN ELLYN
FLOOR NO. 3
 EXISTING LAYOUT as of 4/27/2010





1200 ROOSEVELT RD., GLEN ELLYN
FLOOR NO. 4
EXISTING LAYOUT as of 7/28/2010



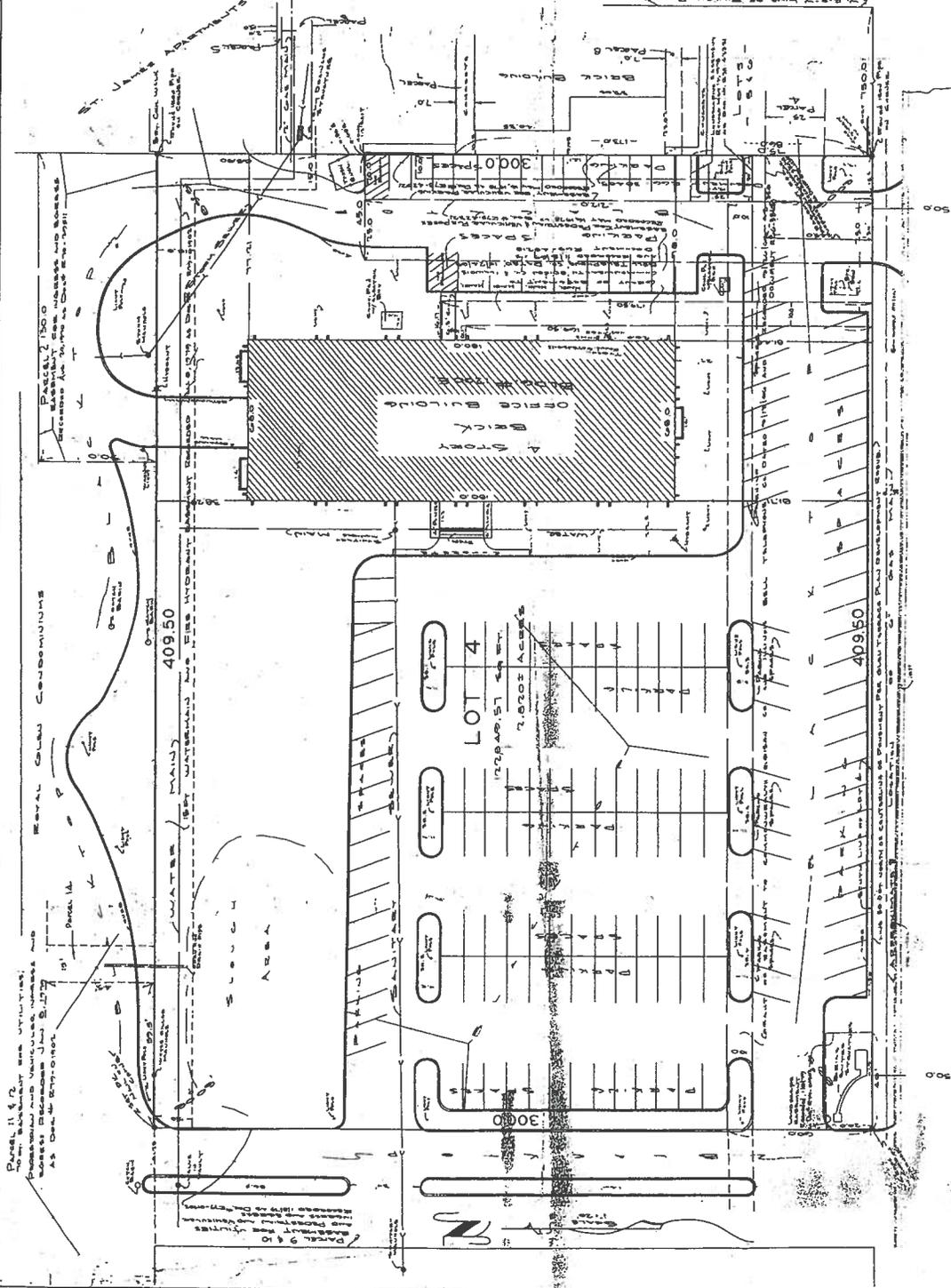
PLAT OF SURVEY

THESE ARE THE TERMS AND CONDITIONS OF THE SALE OF THE LAND DESCRIBED IN THE FOREGOING AND THE BUYER SHALL BE DEEMED TO HAVE ACCEPTED THE SAME BY THE SIGNATURE OF HIS NAME TO THE DEED OF CONVEYANCE...

THE BUYER SHALL BE RESPONSIBLE FOR THE PAYMENT OF ALL TAXES AND CHARGES WHICH MAY BE IMPOSED ON THE LAND DESCRIBED IN THE FOREGOING...

THE BUYER SHALL BE RESPONSIBLE FOR THE PAYMENT OF ALL TAXES AND CHARGES WHICH MAY BE IMPOSED ON THE LAND DESCRIBED IN THE FOREGOING...

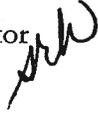
NOTES: 1. THE BUYER SHALL BE RESPONSIBLE FOR THE PAYMENT OF ALL TAXES AND CHARGES WHICH MAY BE IMPOSED ON THE LAND DESCRIBED IN THE FOREGOING...



ROOSEVELT ROAD (HASTINGS SUBDIVISION) 1/2 mile
ST. JAMES AVENUE
409.50
300.0
12,000 ACRES
LOT 4
OFFICE BUILDING
4 STORY
300.0
409.50

MEMORANDUM

TO: Steve Jones, Village Manager

FROM: Staci Hulseberg, Planning and Development Director
Michele Stegall, Village Planner *MFS* 

DATE: November 17, 2010

FOR: November 22, 2010 Meeting

SUBJECT: Light Pole Banner Text Amendment

Background. At the November 15, 2010 workshop, the Village Board discussed a proposal to allow banners on light poles in some of the Village's larger shopping centers. At this meeting, some Trustees questioned if the proposed allowance should be expanded to other properties such as the College of DuPage, office complexes and the Glen Ellyn Clinic.

Issues. The planning team is not aware of any past or present interest by the various office complexes in the Village to install light pole banner signs and such banners are not traditionally associated with offices uses which are destination driven. The parking lots in the Village's two main office complexes (Royal Glen and Stahelin) are largely located behind the buildings and those parking areas are already broken up by the buildings. Therefore, allowing banners in these locations would not provide the same public benefit in terms of visually breaking up the appearance of these parking lots and providing visual interest along the streetscape that may be gained by allowing the Village's regional shopping centers which have larger, more visible and more expansive parking lots to display light pole banners. The visibility of such banner signs would also be partially impeded by the buildings and therefore, the suspected benefit to the property owners would be minimal. Multi-family developments are located around the periphery of these sites. Therefore, the impact of the banners on the surrounding residential properties would also need to be considered.

The Glen Ellyn Clinic is surrounded by single-family residences to the west and north and The Legacy development to the east. Such banners could potentially have a negative impact on these surrounding residential properties by drawing more attention to the commercial nature of the property and reducing the ability of the development to blend in with the surrounding residential area. It is also staff's opinion that such banners would not be in keeping with the existing and envisioned character of the downtown. The Glen Ellyn Clinic has also not made any request to install light pole banners and the Clinic is a destination use. Therefore, additional identification of the property should not be needed.

Due to the unique nature of the College of DuPage, signage on the campus is dealt with in the Sign Code by way of an overall sign plan. Therefore, this code amendment would not be the method to allow such signs for COD. An amendment to their previously approved sign plan would be necessary. Like the other properties discussed above, the College of DuPage is also located in a residential area. Therefore, any signage proposed on the campus must be considered in this context.

If a request was made by any of the Village's office complexes or the Glen Ellyn Clinic to amend the Sign Code to allow light pole banners for these types of developments, the request could be considered

in short order as amendments to the Sign Code do not currently require a public hearing or Commission review. In addition, light pole banners are shown on the College of DuPage's most recent sign plan and approval of such banners could be considered as part of any sign plan proposed for the campus.

Action Requested. For the reasons stated above, at this time, the planning team does not recommend expanding the proposed allowance for light pole banners to other types of developments. It is requested that the Village Board consider the proposed amendment to allow light pole banners signs in shopping centers comprised of 6.5 or more acres at the November 22, 2010 meeting.

Cc: Architectural Review Commission

X:\Plandev\PLANNING\CODES\SIGN CODE\Shopping Center Light Pole Banners\VB Agenda Memo 111710.doc

MEMORANDUM

To: Steve Jones, Village Manager

From: Staci Hulseberg, Planning and Development Director
Michele Stegall, Village Planner *MIS* 

Date: November 3, 2010

For: November 15, 2010 Workshop and November 22, 2010 Meeting

Re: Light Pole Banners - Sign Code Amendment

Background. The planning team recently received an inquiry from the owners of the Market Plaza shopping center about applying for a sign code variation to allow banners on their parking lot light poles. Last year, the Village Board approved a Sign Code amendment that permits car dealerships to display such banners. Light pole banners are not permitted elsewhere in the Village. The planning team believes that it would be appropriate to allow the regional shopping centers in the Village to display such banners. Therefore, we are proposing an amendment to the Sign Code.

Issues. Light pole banners are not uncommon in regional shopping centers and can liven up and provide visual interest in the often expansive parking lots associated with larger shopping centers. However, if used too frequently or on smaller properties, they can clutter the streetscape and their impact can be diminished.

Three regional shopping centers are located in the Village, including Market Plaza, Pickwick Place and Baker Hill. The buildings on each of these sites have relatively deep setbacks. Allowing light pole banners on these properties could provide additional interest along the Roosevelt Road corridor and additional identification for these shopping centers which are among our strongest sales tax generators.

The planning team is therefore proposing an amendment to the Glen Ellyn Sign Code that would expand the allowance for light pole banner signs to include shopping centers with 6.5-acres or more. The signage consultant for Market Plaza has indicated that he believes the current regulations for car dealerships should also be sufficient for the shopping center. These regulations and the proposed amendment are below.

(M) *~~Motor Vehicle Dealer~~ Light Pole Banners. Motor vehicle dealerships and shopping centers comprised of 6.5-acres or more shall be permitted to install banners on no more than 50% of the light poles on their dealership's property. A maximum of 2 styles of banners shall be permitted with no more than one banner per pole and the banners shall be secured to the pole(s) at both the top and bottom. Each banner shall have an area of no more than 18 square feet and a minimum clearance of 12 feet shall be maintained between the banners and ground level. Light pole banners shall only be displayed on privately owned light standards and shall not extend over public property.*

The Sign Code does not specify any required procedure for the review of amendments. In the past, the Village Board has reviewed most proposed amendments absent Commission review. However, as the ARC is responsible for reviewing and making a recommendation on sign variation requests

and is the Commission most familiar with the Sign Code, a copy of this memorandum has been forwarded to them. Any comments or questions from the ARC have been requested by Friday, November 12, 2010.

Village Board Action. The Village Board is being asked to consider the proposed Sign Code amendment. An Ordinance approving the proposed amendment is attached for consideration at the November 22, 2010 Village Board meeting.

Attachment: Ordinance

Cc: Architectural Review Commission
Brian Blizzard, Ramco-Gershenson
Ern Kovacs, Fast Signs

X:\Plandev\PLANNING\CODES\SIGN CODE\Shopping Center Light Pole Banners\VB memo 110310.docx

Village of Glen Ellyn

Ordinance No. _____ - VC

**An Ordinance Approving a Text Amendment
to the Village Sign Code to Allow Light Pole Banner Signs
at Shopping Centers Comprised of 6.5-acres or More
Glen Ellyn, IL 60137**

**Adopted by the
President and the Board of Trustees
of the
Village of Glen Ellyn
DuPage County, Illinois
This ___ Day of _____, 20_____.**

Published in pamphlet form by the authority of the
President and Board of Trustees of the Village of
Glen Ellyn, DuPage County, Illinois, this _____
day of _____, 20_____.

Ordinance No. _____ - VC

**An Ordinance Approving a Text Amendment
to the Village Sign Code to Allow Light Pole Banner Signs
at Shopping Centers Comprised of 6.5-acres or More
Glen Ellyn, IL 60137**

Whereas, the Village Board approved an amendment to the Sign Code in 2009 to allow motor vehicle dealerships to display light pole banner signs; and

Whereas, it is not uncommon for regional shopping centers to also display banner signs on their parking lot light poles; and

Whereas, light pole banners can liven up and provide visual interest in the often expansive parking lots associated with large shopping centers. However, if used too frequently or on smaller properties, such banners can clutter the streetscape and their impact can be diminished; and

Whereas, the Planning and Development Department has proposed an amendment to the Sign Code to allow the larger regional shopping centers in the Village to display light pole banner signs; and

Whereas, sales tax revenue resulting from the success of the Village's largest shopping centers provides a substantial source of revenue to the Village; and

Whereas, the President and Board of Trustees of the Village of Glen Ellyn find that it is in the best interest of the Village to amend the Glen Ellyn Sign Code to allow light pole banner signs to be displayed at shopping centers comprised of 6.5-acres or more.

Now, Therefore, Be It Ordained by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in the exercise of its home rule powers, as follows:

Section One: The Glen Ellyn Sign Code shall be and is hereby amended as set forth in Exhibit "A" attached hereto to allow light pole banner signs to be displayed at shopping centers comprised of 6.5-acres or more.

Section Two: If any provision in the Village Code would prevent a property or business owner from taking advantage of the approvals granted herein, the amendments granted herein shall supersede such provisions in the Village Code.

Section Three: The Village Clerk is hereby directed to cause the text of the Glen Ellyn Sign Code to be amended as approved by this Ordinance and said amendment shall be inserted in proper order into the Sign Code, and said Sign Code shall be published and made available for inspection and purchase by the general public.

Section Four: This Ordinance shall be in full force and effect from and after the passage, approval and publication in pamphlet form.

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this ____ day of _____, 20____.

Ayes:

Nays:

Absent:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this ____ day of _____, 20____.

Village President of the
Village of Glen Ellyn, Illinois

Attest:

Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the ____ day of _____, 20 ____).

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EXHIBIT "A"

Amend Section 4-5-8(M) of the Sign Code to read as follows:

Bold = New Text

~~Strike-through~~ = Deleted Text

- (M) ~~Motor Vehicle Dealer~~ Light Pole Banners. Motor vehicle dealerships **and shopping centers comprised of 6.5-acres or more** shall be permitted to install banners on no more than 50% of the light poles on their ~~dealership's~~ property. A maximum of 2 styles of banners shall be permitted with no more than one banner per pole and the banners shall be secured to the pole(s) at both the top and bottom. Each banner shall have an area of no more than 18 square feet and a minimum clearance of 12 feet shall be maintained between the banners and ground level. Light pole banners shall only be displayed on privately owned light standards and shall not extend over public property.

A-12

MEMORANDUM

TO: Steve Jones, Village Manager

FROM: Staci Hulseberg, Planning and Development Director
Michele Stegall, Village Planner *MJS* *SH*

DATE: November 16, 2010

FOR: November 22, 2010 Village Board Meeting

SUBJECT: Zoning Code Text Amendment-Vacant Storefront Windows

At the November 15, 2010 workshop, the Village Board requested some minor changes to the text of the proposed "dark windows" ordinance. Attached please find a redline version of the proposed text amendment which has been revised pursuant to the Village Board's discussion.

Attachment: Revised Text Amendment

Cc: Patti Underhill, Administrative Services Coordinator
Andrew Letson, Planning Intern

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- (A) **Treatment of Storefront Windows During Vacancy:** Any ground floor space located within the Village's C5A or C5B Central Business District zoning districts that is vacant or becomes vacant shall within 30 calendar days of the date of a letter from the Village notifying the property owner of their responsibility, contain a decorative storefront window display. Said display shall be in place until the commercial space is no longer vacant. Property owners are encouraged to partner with a local government or community service organization to create a decorative display. The window display shall be in accordance with the provisions of this Section.
1. A decorative storefront window display shall be placed in any vacant storefront window visible from the public sidewalk or right-of-way. The purpose of the window display is to make the business areas more attractive, to encourage shopping in other stores even if there are vacancies in the C5A or C5B zoning districts, and to deter vandalism. Among the window displays which would satisfy with the obligation established in this section are the following: paintings, photos, sculptures, art, student projects (i.e. elementary, middle or high school projects for art, social studies, language arts, etc), merchandise from local businesses (i.e. merchandise from area ~~for nearby~~ stores to help advertise those businesses), current religious holiday displays (i.e. displays commemorating Christmas, Chanukah, Easter, etc), current secular holiday displays (i.e. displays commemorating Independence Day, Labor Day, Memorial Day, Halloween, etc), live or artificial plants, community organization projects (i.e. projects completed by the Boy Scouts, Girl Scouts, Glen Ellyn Historical Society, Jaycees, etc), seasonal displays (i.e. displays depicting fall, summer, winter or spring), announcements for local events and other similar items or products. These items may be displayed inside the window or painted or affixed to the glass in storefront windows. An informational sign up to one square foot in total sign area, identifying the name and contact information for each exhibit shall be permitted.
 2. Visibility into the space shall be maintained in a manner that allows public safety officials the ability to view the interior of the space.
 3. Window or other signage shall be permitted in accordance with Title 4, Chapter 5 of the Village Code entitled "Sign Code."
- (B) **Prohibited Window Display Content:**
1. Covering vacant display windows with plain paper, butcher paper, newspaper, soap, tarp, plastic sheets or unpainted plywood is prohibited. The previously mentioned items may be acceptable if they are used as a backdrop or background to a decorative display.
 2. Lewd or obscene words or images shall not be allowed in any window display.
 3. No trash, debris, crates, cardboard boxes or other packing materials may be stacked or stored in any vacant storefront windows.
- (C) **Vacant Ground Floor Storefront Maintenance:** The storefront window of any vacant ground floor space in the Village's C5A or C5B Central Business District zoning districts shall be maintained in good condition and kept neat, clean and attractive.
- (D) **Responsibility for Compliance:** Any person owning, leasing, maintaining, in possession of, or control of any vacant ground floor space located within the C5A or C5B Central Business District zoning districts shall be responsible for adherence to the provisions of this Section.

MEMORANDUM

TO: Steve Jones, Village Manager

FROM: Staci Hulseberg, Planning and Development Director
Michele Stegall, Village Planner *MJS*
Andrew Letson, Planning Intern *AL*

DATE: November 9, 2010

FOR: November 15, 2010 Village Board Workshop and November 22, 2010 Village Board Regular Meeting

SUBJECT: Zoning Code Text Amendment-Vacant Storefront Windows

Background. In recent years, the Central Business District has seen an increase in the number of vacant commercial units and buildings. The Glen Ellyn Downtown Strategic Plan states that vacant retail space detracts from the character of the Central Business District.

In the course of interviewing other communities, the Transitional Downtown Advisory Committee (TDAC) came across a “dark windows” ordinance adopted by Highland Park on November 14, 2005 which requires property owners to place a display in vacant downtown storefront windows. Over the last several years, such ordinances have gained popularity across the country.

On September 13, 2010, a Zoning Code Text Amendment requiring owners of vacant storefront commercial buildings in the C5A and C5B Central Business District zoning districts was removed from the Village Board agenda due to some questions raised by the Glen Ellyn Chamber of Commerce. Director Hulseberg met with the Executive Directors of the Chamber of Commerce on September 26 to discuss the matter. The Chamber raised a number of issues which were addressed in a revised version of the text amendment that was included with a memo to the Village Board dated October 7, 2010 (attached).

On October 7, 2010 the planning team sent a draft copy of the text amendment to the downtown property owners and requested their comments (see attached letter). We have not received any communication from the downtown property owners regarding this issue. Therefore, we are bringing this text amendment back to the Village Board with the revisions suggested by the Chamber of Commerce.

Action Requested. The Village Board is being asked to consider the proposed text amendment. An Ordinance approving the amendment has been prepared for discussion at the November 15, 2010 Village Board workshop and for consideration at the November 22, 2010 Village Board regular meeting.

Attachments: Revised Text Amendment
Ordinance
September 7, 2010 Memorandum
October 7, 2010 Memorandum
October 7, 2010 Letter to Downtown Property Owners

CC: Janie Patch, Executive Director, Economic Development Corporation
Georgia Koch, Executive Director, The Glen Ellyn Chamber of Commerce
Mike Formento, Executive Director, The Glen Ellyn Chamber of Commerce
Janet Avila, Downtown Glen Ellyn Alliance
Transitional Downtown Advisory Committee

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10-5-18

VACANT GROUND FLOOR STOREFRONT WINDOWS:

(A) ~~Treatment of Storefront Windows During Vacancy or Interior Renovation:~~ Any ground floor space located within the Village's C5A or C5B Central Business District zoning districts that is vacant or becomes vacant~~undergoing interior renovation~~ shall within 30 calendar days of the date of a letter from first day the Village notifying~~space becomes vacant, or for the property owner of their responsibility~~ total duration of the interior renovation, contain a decorative storefront window display. Said display shall cover at least 50% of the storefront window area and shall be in place until the commercial space is no longer vacant. Property owners are encouraged to partner with a local government or community service organization to create a decorative display~~or the interior renovation is complete~~. The treatment of the window display shall be in accordance with the following provisions of this~~as well as the provisions in Section 10-5-18(B)~~ below.

- ~~1.~~ A decorative storefront window display~~In order to enrich the character of the downtown and enliven the streetscape, property owners shall be placed~~ display in any vacant storefront window visible from the public sidewalk or right-of-way. The purpose of the window display is to make the business areas more attractive, to encourage shopping in other stores even if there are vacancies in the C5A or C5B zoning districts, and to deter vandalism. Among the window displays which would satisfy with the obligation established in this section are the following: paintings, photos, sculptures, art, student projects (i.e. elementary, middle or high school projects for art, social studies, language arts, etc), merchandise from local businesses (i.e. merchandise for nearby stores to help advertise those businesses), religious holiday displays (i.e. displays commemorating Christmas, Chanukah, Easter, etc), secular holiday displays (i.e. displays commemorating Independence Day, Labor Day, Memorial Day, Halloween, etc), live or artificial plants, community organization projects (i.e. projects completed by the Boy Scouts, Girl Scouts, Glen Ellyn Historical Society, Jaycees, etc), seasonal displays (i.e. displays depicting fall, summer, winter or spring), announcements for local events and other similar items or products. These items may be displayed inside the window or, painted or affixed to~~on~~ the glass in storefront windows. An informational sign up to one square foot in total sign area, identifying the name and contact information for each exhibit shall be permitted
- ~~2.~~ Property owners are encouraged to partner with a local government or community service organization to create a decorative display.
- ~~3.1.~~ A decorative window display advertising an existing business may be displayed in a storefront window in a manner consistent with the Village's Sign Code.
- ~~4.2.~~ Visibility into the space shall be maintained in a manner that allows public safety officials the ability to view the interior of the space.
- ~~5.3.~~ Window or other signage shall be permitted in accordance with Title 4, Chapter 5 of the Village Code entitled "Sign Code."

(B) Prohibited Window Display Content:

1. Covering vacant display windows ~~with~~ or creating a display where the main focus of the display is plain paper, butcher paper, newspaper, soap, tarp, plastic sheets or unpainted

plywood is prohibited. The previously mentioned items may be acceptable if they are used as a backdrop or background to a decorative display.

2. Lewd or obscene words or images shall not be allowed in any window display.
3. No trash, debris, crates, cardboard boxes or other packing materials may be stacked or stored in any vacant storefront windows.

(C) **Vacant Ground Floor Storefront Maintenance:** The storefront window of any vacant ground floor space ~~or space undergoing interior renovation~~ in the Village's C5A or C5B Central Business District zoning districts shall be maintained in good condition and kept neat, clean and attractive.

(D) **Responsibility for Compliance:** Any person owning, leasing, maintaining, in possession of, or control of any vacant ground floor space located within the C5A or C5B Central Business District zoning districts shall be responsible for adherence to the provisions of this Section.

10-5-18 VACANT GROUND FLOOR STOREFRONT WINDOWS:

(A) **Treatment of Storefront Windows During Vacancy:** Any ground floor space located within the Village's C5A or C5B Central Business District zoning districts that is vacant or becomes vacant shall within 30 calendar days of the date of a letter from the Village notifying the property owner of their responsibility, contain a decorative storefront window display. Said display shall be in place until the commercial space is no longer vacant. Property owners are encouraged to partner with a local government or community service organization to create a decorative display. The window display shall be in accordance with the provisions of this Section.

1. A decorative storefront window display shall be placed in any vacant storefront window visible from the public sidewalk or right-of-way. The purpose of the window display is to make the business areas more attractive, to encourage shopping in other stores even if there are vacancies in the C5A or C5B zoning districts, and to deter vandalism. Among the window displays which would satisfy with the obligation established in this section are the following: paintings, photos, sculptures, art, student projects (i.e. elementary, middle or high school projects for art, social studies, language arts, etc), merchandise from local businesses (i.e. merchandise for nearby stores to help advertise those businesses), religious holiday displays (i.e. displays commemorating Christmas, Chanukah, Easter, etc), secular holiday displays (i.e. displays commemorating Independence Day, Labor Day, Memorial Day, Halloween, etc), live or artificial plants, community organization projects (i.e. projects completed by the Boy Scouts, Girl Scouts, Glen Ellyn Historical Society, Jaycees, etc), seasonal displays (i.e. displays depicting fall, summer, winter or spring), announcements for local events and other similar items or products. These items may be displayed inside the window or painted or affixed to the glass in storefront windows. An informational sign up to one square foot in total sign area, identifying the name and contact information for each exhibit shall be permitted.
2. Visibility into the space shall be maintained in a manner that allows public safety officials the ability to view the interior of the space.
3. Window or other signage shall be permitted in accordance with Title 4, Chapter 5 of the Village Code entitled "Sign Code."

(B) **Prohibited Window Display Content:**

1. Covering vacant display windows with plain paper, butcher paper, newspaper, soap, tarp, plastic sheets or unpainted plywood is prohibited. The previously mentioned items may be acceptable if they are used as a backdrop or background to a decorative display.
2. Lewd or obscene words or images shall not be allowed in any window display.
3. No trash, debris, crates, cardboard boxes or other packing materials may be stacked or stored in any vacant storefront windows.

(C) **Vacant Ground Floor Storefront Maintenance:** The storefront window of any vacant ground floor space in the Village's C5A or C5B Central Business District zoning districts shall be maintained in good condition and kept neat, clean and attractive.

- (D) **Responsibility for Compliance:** Any person owning, leasing, maintaining, in possession of, or control of any vacant ground floor space located within the C5A or C5B Central Business District zoning districts shall be responsible for adherence to the provisions of this Section.

Village of Glen Ellyn

Ordinance No. _____

**An Ordinance Approving a Text Amendment
to the Glen Ellyn Zoning Code to Require Decorative Displays
in Ground Floor Storefront Windows of Vacant Commercial Buildings
and Buildings Undergoing Interior Renovation
in the C5A and C5B Central Business District Zoning Districts**

**Adopted by the
President and the Board of Trustees
of the
Village of Glen Ellyn
DuPage County, Illinois
This ___ Day of _____, 20 ____.**

Published in pamphlet form by the authority of the
President and Board of Trustees of the Village of
Glen Ellyn, DuPage County, Illinois, this _____
day of _____, 20 ____.

Ordinance No. _____

**An Ordinance Approving a Text Amendment
to the Glen Ellyn Zoning Code to Require Decorative Displays
in Ground Floor Storefront Windows of Vacant Commercial Buildings
and Buildings Undergoing Interior Renovation
in the C5A and C5B Central Business District Zoning Districts**

Whereas, there has recently been an increase in the number of vacant commercial buildings in the Central Business District due in part to a downturn in the economy; and

Whereas, during periods of economic decline, vacancies in stores can cause a depressing atmosphere in commercial business districts; and

Whereas, if the storefront window displays are left empty or contain only “For Rent” signs or show clutter left behind by the business that vacated the space, other significant efforts to make business areas attractive will be significantly diminished; and

Whereas, the Corporate Authorities find that vacant storefronts are more subject to vandalism than occupied premises;

Whereas, the Downtown Strategic Plan and the Transitional Downtown Advisory Committee recognize this as a problem and have recommended that the Zoning Code be amended to require property owners to install decorative displays in vacant ground floor storefront windows and storefront windows of properties undergoing interior renovation in the C5A and C5B zoning districts in order to maintain a more vibrant streetscape; and

Whereas, during the course of interviewing other communities, the Transitional Downtown Advisory Committee came across a “dark windows” ordinance adopted by Highland Park; and

Whereas, the Transitional Downtown Advisory Committee felt this would be a good fit for the Village of Glen Ellyn and recommended that the Village adopt a similar ordinance; and

Whereas, the goal of this ordinance is compliance, with the requirements set forth in this ordinance and the Village shall do all it can to work with property owners in the C5A and C5B zoning districts to reach compliance as desired; and

Whereas, following due and proper public notice in the Daily Herald not less than fifteen (15) nor more than thirty (30) days prior thereto, the Glen Ellyn Plan Commission conducted a public hearing on August 26, 2010, at which hearing the Plan Commission considered a proposed amendment to the Glen Ellyn Zoning Code to require decorative displays in ground floor storefront windows of vacant commercial buildings and buildings undergoing interior renovation in the C5A and C5B Zoning Districts, all as set forth in the August 26, 2010 minutes of the Plan Commission, a draft of which is attached hereto as Exhibit "A"; and

Whereas, at the August 26, 2010 Plan Commission public hearing, one member of the public spoke in favor of the proposed amendment; and

Whereas, at the August 26, 2010 Plan Commission public hearing, by a vote of eleven (11) "yes" and zero (0) "no", the Glen Ellyn Plan Commission recommended approval of the proposed Zoning Code Text Amendment in accordance with Section 10-10-13 of the Glen Ellyn Zoning Code to require decorative displays in the ground floor storefront windows of vacant commercial buildings and buildings undergoing interior renovation in the C5A and C5B Zoning Districts; and

Whereas, the President and Board of Trustees have reviewed the draft minutes from the August 26, 2010 Plan Commission public hearing and considered the recommendation of the Plan Commission; and

Whereas, the President and Board of Trustees of the Village of Glen Ellyn find that it is in the best interest of the Village to accept the recommendation of the Glen Ellyn Plan Commission and to amend the Zoning Code to require decorative displays in the ground floor storefront windows of vacant commercial buildings and buildings undergoing interior renovation in the C5A and C5B Zoning Districts.

Now, Therefore, be it Ordained by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in the exercise of its home rule powers, as follows:

Section One: The minutes from the August 26, 2010 public hearing of the Glen Ellyn Plan Commission, a draft of which is attached hereto as Exhibit “A,” are hereby accepted by the Village President and Board of Trustees.

Section Two: The Glen Ellyn Zoning Code shall be and is hereby amended as set forth in Exhibit “B” attached hereto by adding a new Section 10-5-18 entitled “*Vacant Ground Floor Storefront Windows*” to require decorative displays in ground floor storefront windows of vacant commercial buildings and buildings undergoing interior renovation in the C5A and C5B Zoning Districts.

Section Three: The Director of Planning and Development is hereby directed to cause the text of the Glen Ellyn Zoning Code to be amended as approved by this Ordinance and said amendments shall be inserted in proper order into the Zoning Code, and said Zoning Code shall be published and made available for inspection and purchase by the general public.

Section Four: This Ordinance shall be in full force and effect from and after the passage, approval, and publication in pamphlet form.

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____, 20____.

Ayes:

Nays:

Absent:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this ____ day
of _____, 20_____.

Village President of the
Village of Glen Ellyn, Illinois

Attest:

Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the ____ day of _____, 20 ____).

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Persons in Favor of or in Opposition to the Petition

Robert Denney, 110 George Street, Wheaton, Illinois is a volunteer at The Treasure House who is in favor of the proposed expansion in order to assist more people in DuPage County. Mr. Denney stated that if the addition is made smaller than proposed, the addition will not be economically feasible. Mr. Denney responded to Commissioner Whalen that the second floor mezzanine is being constructed in order to create space.

Comments from the Plan Commission

All of the Plan Commissioners were in favor of the proposed project. Commissioner Buckton commented that the proposed use was appropriate for the site and consistent with the downtown plan. A concern expressed by some Plan Commissioners was a lack of egress from Curly's patio in the event of an emergency after construction of the proposed addition. Commissioner Friedberg recommended that the Fire Company be consulted regarding the egress issue and also expressed a concern regarding rescue equipment being able to access that area. Commissioner Lannen did not feel that Curly's egress issue was the petitioner's responsibility. Another concern was the informal agreement currently in place with the owners of 499 Pennsylvania regarding the location of their trash on the petitioner's property, and most Commissioners felt that the situation needs to be resolved. Commissioner Strayer commented that if an easement agreement is put in place, the 5-foot area will need to be kept clear of snow and ice and, therefore, grass will not be feasible. Commissioners Whalen and Dykstra requested that the Plan Commission is forwarded any information regarding approvals given to the property owners for construction access onto their neighbors' properties. Commissioners Girling and McCormick wanted to be sure that any stormwater variation will not negatively affect the neighbors, and Commissioner McCormick preferred some detention on the subject site. All of the Commissioners were in favor of a one-step review process.

ZONING CODE TEXT AMENDMENTS – PUBLIC HEARING

PUBLIC HEARING WITH DISCUSSION, CONSIDERATION AND RECOMMENDATION REGARDING THREE PROPOSED AMENDMENTS TO THE ZONING CODE RELATED TO VACANT DOWNTOWN STOREFRONT WINDOWS, LIVE ENTERTAINMENT AND THE LENGTH OF TIME ZONING APPROVALS ARE VALID FOR BEFORE CONSTRUCTION MUST BEGIN.

Staff Introduction

Village Planner Michele Stegall stated that staff is proposing three amendments to the Zoning Code that relate to vacant storefront windows, live entertainment and the length of time for which zoning approvals are valid. She stated that both the downtown plan and the Transitional Downtown Advisory Committee have made recommendations regarding dark window and live entertainment ordinances.

DARK WINDOWS ORDINANCE

Dark Windows Ordinance - Ms. Stegall stated that the vacant storefront windows ordinance would require all property owners in the C5A and C5B zoning districts with vacant storefront windows to install such items as paintings, photos, art, sculptures, merchandise and announcements for local events in vacant storefront windows or a ground floor space undergoing renovation. Ms. Stegall stated that the purpose of this amendment is to create a vibrant streetscape. Ms. Stegall reviewed items proposed to be prohibited from display in storefronts. Upon the adoption of this ordinance, it is hoped that business/property owners will work with community organizations regarding displays.

Dark Windows Ordinance – Responses to Questions from the Commission

Ms. Stegall responded to Chairman Fullerton that political messages would be allowed in storefront windows based on First Amendment rights. Ms. Stegall responded to Commissioner Lannen that no discussions have been had regarding whether or not the Village will provide property owners with a list of organizations who would like to utilize vacant storefronts but that it is envisioned that these organizations would work with business and property owners to find creative ways to comply with the ordinance. Ms. Stegall added that the Economic Development Corporation and Chamber of Commerce have held educational seminars with downtown property owners in the past regarding window displays. Commissioner Buckton questioned why the property owners are allowed 30 days to fill the storefront instead of 15 as permitted in Highland Park, and Ms. Stegall responded that they were trying to give owners sufficient time to comply. Ms. Stegall responded to Commissioner Swanson that the planning team did not recommend that windows be allowed to be blacked out as allowed in some other communities because a black window breaks up the streetscape and does not create vibrancy. Mr. Letson responded to Commissioner Girling that costs to the property owner regarding displays should be minimal with the person/organization displaying or advertising their goods or services bearing the major portion of the costs. Mr. Letson and Ms. Stegall responded to Commissioner Swanson that the penalties for not complying with the proposed dark window ordinance will be the same as other penalties for non-compliance of the Zoning Code—not to exceed \$500.00 for each week the violation remains uncorrected (to be determined by a judge).

Dark Windows Ordinance – Comments from the Commission

All of the Plan Commissioners were in favor of a dark windows ordinance. Commissioner Buckton recommended allowing the property owners 14 days rather than 30 to have a display set up in a vacant storefront window, and Commissioners Friedberg and Lannen agreed with his recommendation. Commissioners Whalen, Girling, Strayer, McCormick, Dykstra, Swanson, Bromann and Chairman Fullerton were in favor of 30 days which they felt allowed enough time for property owners to locate a party interested in displaying in a storefront and setting up the display. Commissioner Swanson felt that the proposed ordinance was vague, ambiguous and unenforceable. Commissioner Strayer

commented that property owners must spend time focusing their efforts on renting their property rather than on displays, and he also expressed concern regarding enforcement of the proposed ordinance as some of the property owners are absentee landlords. Some Commissioners expressed concern regarding potential excessive fines. Commissioner Girling commented that landlords tend to enforce each other. Commissioner Friedberg commented that the EDC or other downtown organizations should have a list of not-for-profits and he is aware of some not-for-profits who are currently eager for the opportunity to advertise their organizations in storefronts. Commissioner Swanson felt that blacking out the windows would be a good alternative to a display but was prohibited by the proposed ordinance requiring visibility into the windows. Mr. Letson explained that visibility into the windows is desired so that police can see into the buildings if necessary. Commissioner Dykstra felt a painted black window would be unattractive and recommended prohibiting that option. Chairman Fullerton expressed a concern regarding the possibility of controversial displays in storefronts.

Dark Windows Ordinance - Comments from the Public

Rinda Allison, 537 Hillside Avenue, Glen Ellyn, a former member of the Downtown Advisory Committee and the Transitional Downtown Advisory Committee, commented that the schools in Glen Ellyn are happy to display artwork, etc. Ms. Allison added that the downtown organizations will assist in the display process.

Dark Windows Ordinance – Motion

Commissioner Friedberg moved, seconded by Commissioner Whalen, to recommend approval of the dark windows amendment as written. The motion carried unanimously with eleven (11) “yes” votes as follows: Commissioners Friedberg, Whalen, Bromann, Buckton, Dykstra, Girling, Lannen, McCormick, Strayer, Swanson and Chairman Fullerton voted yes.

LIVE ENTERTAINMENT ORDINANCE

Live Entertainment Ordinance – Ms. Stegall reviewed the current requirements for live entertainment in the downtown. She stated that the downtown plan and a report prepared via the Transitional Downtown Advisory Committee recommend administrative approval of live entertainment or by right with conditions. Ms. Stegall reviewed occasions in the past when amendments regarding live entertainment had been proposed. She stated that the proposed amendment would allow live entertainment with staff approval and, if approved, a permit valid for 3 years would be issued at a fee of \$150. Ms. Stegall stated the proposed amendment would increase the number of districts that live entertainment would be allowed in and live entertainment would not be limited to restaurants. Ms. Stegall reviewed proposed conditions of approval and conditions by which the approval could be rescinded by the Village Board.

MEMORANDUM

TO: Steve Jones, Village Manager

FROM: Staci Hulseberg, Planning and Development Director
Michele Stegall, Village Planner *MMS*
Andrew Letson, Planning Intern *A* *JW*

DATE: September 7, 2010

FOR: September 13, 2010 Village Board Meeting

RE: Zoning Code Text Amendment – Vacant Storefront Windows

Background. In recent years the Central Business District has seen an increase in the number of vacant commercial units and buildings. The Glen Ellyn Downtown Strategic Plan states that vacant retail space detracts from the character of the Central Business District. In the course of interviewing other communities, the Transitional Downtown Advisory Committee (TDAC) came across a “dark windows” ordinance adopted by Highland Park which requires property owners to place a display in vacant downtown storefront windows. Over the last several years, such ordinances have gained popularity. As part of its report, the TDAC recommended that Glen Ellyn adopt a similar ordinance. This recommendation notes that vacant windows can be uninviting; however having property owners decorate them can improve the general appearance of the downtown (see attached TDAC recommendation).

Proposed Amendments. The planning team has crafted an amendment to the Zoning Code adding a new section to Chapter 5 “Supplemental Regulations” which would require a decorative display be placed in vacant ground floor commercial property and commercial property undergoing interior renovation in the Central Business District. This will help to beautify the Central Business District and create a more vibrant streetscape. It will also help to maintain the continuity of the streetscape by not having it broken up by vacant windows. This is an easy and inexpensive solution to enliven the downtown. We have used examples of similar ordinances from Lake Forest, Illinois and Highland Park, Illinois to help craft the proposed amendment.

It is our hope that property owners will work with community organizations to find creative ways to meet the proposed ordinance requirement and support each other’s activities. The Economic Development Corporation and Downtown Glen Ellyn Alliance are already facilitating a program in the Central Business District which is similar to this proposal. They have placed window screenings in three vacant downtown storefronts with the intention of covering the empty windows and advertising the space to potential tenants. A picture of one of these window screenings is attached. Property owners may also wish to work with organizations such as the Historical Society or the library to promote upcoming events. In Chicago many artists have begun to use empty storefronts as temporary art galleries. In New York, San Francisco and Chicago major corporations such as Delta have been using empty storefronts for advertising purposes. While it may be possible for Glen Ellyn to attract a major company to advertise in the Central Business District, it may be beneficial for local business owners to advertise their products and services in these empty windows. Articles describing these advertisements and the art galleries in Chicago are attached.

Plan Commission Recommendation. The Plan Commission considered the text amendment at a public hearing on August 26, 2010. During the public hearing, many Commissioners expressed positive opinions of the amendment. However, some concerns were also raised by members of the Plan Commission. These concerns included: questions about how the Ordinance would be enforced, that the punishment for non-compliance may be too severe, and some commissioners felt that the window for compliance could be smaller. The Commission also stressed that a local organization such as the Village, the Economic Development Corporation, the Chamber of Commerce or the new downtown group should work with property owners to meet the new requirement and create a list of interested community organizations interested in displaying materials in vacant storefronts to make the Ordinance easier for property owners comply with. One commissioner also suggested allowing property owners to paint vacant windows black as is permitted in Lake Forest.

One member of the public spoke in favor of the amendment during the public hearing.

Upon completion of testimony and deliberation, the Commission voted eleven (11) to zero (0) in favor of recommending approval of the amendment as written.

Village Board Action. The Village Board is being asked to consider the proposed text amendment. An Ordinance approving the amendment has been prepared for consideration at the September 13, 2010 meeting.

Attachments: Draft Minutes from August 26, 2010 Plan Commission Meeting
Transitional Downtown Advisory Committee Recommendation (Dark Windows)
Picture of Window Screenings
New York Times Article dated May 12, 2009
New York Times Article dated March 12, 2010
Ordinance with proposed Text Amendment Attached

Cc: Joe Kvpil, Building and Zoning Official
Janie Patch, Executive Director, Economic Development Corporation
Georgia Koch, Executive Director, The Glen Ellyn Chamber of Commerce
Mike Formento, Executive Director, The Glen Ellyn Chamber of Commerce
Janet Avila, Downtown Glen Ellyn Alliance
Transitional Downtown Advisory Committee

MEMORANDUM

TO: Steve Jones, Village Manager

FROM: Staci Hulseberg, Planning and Development Director
Andrew Letson, Planning Intern *AL* *SH*

DATE: October 7, 2010

SUBJECT: Zoning Code Text Amendment-Vacant Storefront Windows

On September 13, 2010, a Zoning Code Text Amendment requiring owners of vacant storefront commercial buildings in the C5A and C5B Central Business District zoning districts was removed from the Village Board agenda due to some questions raised by the Glen Ellyn Chamber of Commerce. Director Hulseberg met with the Executive Directors of the Chamber of Commerce on September 26 to discuss the matter. The Chamber raised a number of issues.

They suggested that we clarify the list of items that are permitted to be displayed in the vacant windows. In order to provide more detail, we expanded the list of permitted items to include examples for several categories. This should assist property owners with developing ideas for possible displays.

There was a concern over the percentage of the window that was required to be covered by a display. How the window coverage is to be calculated was questioned. A similar concern was raised by members of the Plan Commission during their meeting on August 26, 2010. This requirement has now been removed from the text amendment.

The Chamber of Commerce also mentioned potential difficulties in requiring displays in units undergoing renovation. It is possible that displays could be damaged or stolen during renovation. We also recognize that displays may be in the way of renovation activities. Therefore, the text amendment will no longer require window displays for properties undergoing interior renovation.

The Chamber initially raised a concern that the timeframe of 30 days for compliance may not be long enough. However, we discussed that both Highland Park's ordinance (adopted on 11/14/05) and Lake Forest's ordinance (adopted on 4/7/10) require a 15-day compliance timeframe and a number of the Plan Commission members were recommending 15 days as well. The Planning team recommended 30 days. Following discussion, we concluded that a timeframe of 30 days is appropriate.

The Chamber was concerned that the Village may take an aggressive code enforcement stance with property owners who are unable to have a display established within the 30-day timeframe due to unforeseen circumstances. Actually, it is our internal policy to make every effort to work with property owners. We make accommodations, suggestions, and grant extensions for those who are interested in working toward compliance. We generally only issue citations to those who refuse to

work with us or who are frequent violators. In order to address this concern, we have added a WHEREAS clause to the ordinance which makes it clear that the Village is concerned with compliance with the ordinance and will work with property owners to reach compliance. As always, citations will only be issued as a last resort.

The Chamber wondered if we had sent a copy of the draft text amendment to the property owners in the downtown. We will prepare a letter to the property owners and request that the EDC distribute it via email to downtown property owners this week.

Following the conversation with the Chamber, the planning team recognized that we may have difficulty determining the exact date the space became vacant and therefore the date the display must be installed. In order to clarify compliance dates, we decided that we would send a letter to property owners notifying them of the compliance date and including a copy of the approved ordinance. The text amendment has been modified to explain this procedure.

We appreciate that the Chamber has offered to create a list of organizations and businesses who are interested in placing displays in storefront windows. This will be very helpful to property owners working to create displays. Since this ordinance currently only applies to the downtown, it may make sense to transfer this responsibility to a downtown organization at some point in the future.

We anticipate that we will present the revised text amendment to the Village Board for consideration at the November 15 and 22nd meetings.

Attachments: Revised Text Amendment

CC: Janie Patch, Executive Director, Economic Development Corporation
Georgia Koch, Executive Director, The Glen Ellyn Chamber of Commerce
Mike Formento, Executive Director, The Glen Ellyn Chamber of Commerce
Janet Avila, Downtown Glen Ellyn Alliance
Transitional Downtown Advisory Committee



October 7, 2010

Village President
Mark Pfefferman

Re: Proposed Ordinance for Displays in Downtown Vacant Windows

Trustees

Jim Comerford
Peter E. Cooper
Phillip Hartweg
Carl L. Henninger
Peter F. Ladesic
Michelle Z. Thorsell

Dear Downtown Property Owner:

I am writing to provide some background information on a proposed ordinance under consideration by the Village Board that would require displays to be placed inside the windows of vacant storefront spaces in the downtown.

As a property owner, you know that occupancy turnover is a normal course of business. Vacancies naturally occur and vacancy rates fluctuate. It is no surprise that with the recent economic challenges, the region has been experiencing an increase in vacancy rates. While vacant units present an opportunity for new businesses to enter the local market, much of the public views them as a negative occurrence. Depending on location, frequency, and total numbers of vacancies, these empty spaces may also break up the continuity of the streetscape and detract from the overall appearance of the downtown.

In order to enhance the appearance of the downtown, provide some interest in the streetscape, and minimize the appearance of vacant units, the Downtown Plan and the Transitional Downtown Advisory Committee both recommend that the Village adopt a "Dark Windows Ordinance" similar to the ones adopted by Highland Park and Lake Forest.

Such an ordinance would require property owners to place a display of their choosing and design in the windows of vacant units within 30 days of the space becoming vacant. Ideally, property owners could work with local artists, businesses, or non-profit, government, and community organizations to place displays in the windows. Seasonal and holiday decorations, along with a host of other options, would also be welcome. A full list of possible display items is included in the attachment.

The Planning and Development Department Team prepared a draft text amendment for consideration by the Plan Commission and Village Board. A copy of the draft is attached along with a copy of the memorandum prepared for Village Board review of the proposal.

It is our desire to work with and assist property owners in meeting these new objectives. To that end, a list of businesses and organizations interested in providing displays for downtown storefronts will be compiled and made available to property owners upon request.

Village Clerk
Suzanne R. Connors

Village Manager
Steve Jones

Civic Center
535 Duane Street
Glen Ellyn, IL 60137
630 469-5000
Fax 630 469-8849
Web: www.glenellyn.org

Police Department
535 Duane Street
630 469-1187
Fax 630 469-1861

Public Works Department
South Lambert Road
630 469-6756
Fax 630 469-3128



Village President
Mark Pfefferman

We would welcome your comments and questions on the attachments prior to Village Board consideration of the proposed amendment. Please forward any feedback you may have to me at shulseberg@glenellyn.org prior to October 15. It is expected that the Village Board will discuss and consider the text amendment at the November 15 and 22 Village Board meetings. I look forward to hearing from you and appreciate your time in reviewing this information.

Trustees

Jim Comerford
Peter E. Cooper
Phillip Hartweg
Carl L. Henninger
Peter F. Ladesic
Michelle Z. Thorsell

Sincerely,

Staci Hulseberg, Director
Planning and Development Department

Village Clerk
Suzanne R. Connors

Attachments: September 7, 2010 Village Board Agenda Memo
Draft Zoning Text Amendment

Village Manager
Steve Jones

C: Steve Jones, Village Manager
Michele Stegall, Village Planner
Andrew Letson, Planning Intern
Janie Patch, Executive Director, Economic Development Corporation
Georgia Koch, Executive Director, Glen Ellyn Chamber of Commerce
Mike Formento, Executive Director, Glen Ellyn Chamber of Commerce
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MEMORANDUM

A-13

TO: Steve Jones, Village Manager

FROM: Staci Hulseberg, Director of Planning & Development
Joe Kvapil, Building and Zoning Official

DATE: November 15, 2010

FOR: November 22 Village Board Meeting

SUBJECT: 244 Anthony Street – Zoning Variation Requests

Petition: Randy and Kate Briasco, the property owners of 244 Anthony Street, are requesting approval of two variations from the Glen Ellyn Zoning Code to allow the construction of a one-story attached garage addition to the front of the home that does not meet the minimum required front yard and side yard setback requirements. The subject property is an interior lot located on the north side of Anthony Street between Kenilworth Avenue to the east and a dead end at the Glen Ellyn Village limits to the west in the R2 Residential District.

Zoning Data: The existing home is a two-story split-level structure that was constructed with an attached garage depressed approximately 4 feet below grade. The proposed garage addition is to be above grade and the garage opening closed with a new foundation wall to protect the lower level of the home from flooding. The original garage space will become unfinished basement space. The property owners are requesting approval of two variations from Glen Ellyn Zoning Code as follows:

1. Section 10-4-8(D)1 to allow the construction of a one-story attached garage addition with a front yard setback of 7 feet in lieu of the minimum required front yard setback of 32 feet.
2. Section 10-4-8(D)3 to allow the construction of a one-story attached garage addition with a side yard setback of 4.9 feet in lieu of the minimum required side yard setback of 6.5 feet.

Public Hearing: The Zoning Board of Appeals conducted a public hearing on the requested variations on October 12, 2010 and November 9, 2010. Notice of the public hearing was published in the Daily Herald on September 27, 2010. At the meetings, no persons spoke in favor of or in opposition to the variation requests. The Zoning Board of Appeals was in favor of the variations because they felt that the flooding events in the past constituted a hardship and no other stormwater or garage alternatives were feasible. The Zoning Board of Appeals voted on a motion to recommend approval of the variations by a vote of five (5) “yes” votes and zero (0) “no” votes.

Village Board: It is requested that the Village Board consider the petitioners' request and the recommendation offered by the Zoning Board of Appeals. Staff has prepared an ordinance to approve the requested variations as recommended by the Zoning Board of Appeals.

Attachments:

- Minutes of ZBA meetings dated October 12, 2010 and November 9, 2010
- Photo of the Subject Property
- Location Map
- Ordinance
- Notice of Public Hearing
- List of Addresses
- Petitioners' Application packet
- Drainage Study dated 11/3/10

cc: Randy and Kate Briasco

DRAFT
ZONING BOARD OF APPEALS
MINUTES
OCTOBER 12, 2010

The meeting was called to order by Chairman Richard Garrity at 7:30 p.m. Board Members Gregory Constantino, Barbara Fried, Edward Kolar, Dale Siligmüller and Michael Waterman were present. Board Member Mary Ozog was excused. Also present were Trustee Liaison Pete Ladesic, Building and Zoning Official Joe Kvapil and Recording Secretary Barbara Utterback.

Chairman Garrity described the proceedings of the Zoning Board of Appeals.

Board Member Fried moved, seconded by Board Member Kolar, to approve the minutes of the July 27, 2010 Zoning Board of Appeals meetings. The motion carried unanimously by voice vote.

A public hearing was on the agenda for the property at 244 Anthony Street.

PUBLIC HEARING – 244 ANTHONY STREET

A REQUEST FOR APPROVAL OF ONE (1) VARIATION FROM THE GLEN ELLYN ZONING CODE, SECTION 10-4-8(D)1, TO ALLOW THE CONSTRUCTION OF A ONE-STORY GARAGE ADDITION ATTACHED TO THE PRINCIPAL STRUCTURE WITH A FRONT YARD SETBACK OF 7 FEET IN LIEU OF THE MINIMUM PERMITTED FRONT YARD SETBACK OF 32 FEET.

(Randy and Kate Briasco, owners)

Staff Report

Building and Zoning Official Joe Kvapil stated that Randy and Kate Briasco, the owners of the property at 244 Anthony Street, are requesting one (1) variation from Section 10-4-8(D)1 of the Glen Ellyn Zoning Code to allow the construction of a one-story garage addition attached to the front of their existing house with a front yard setback of 7 feet in lieu of the minimum required front yard setback of 32 feet. Mr. Kvapil displayed a location map and a photograph of the subject house which is located three lots in from the Village limits. He stated that the subject property is in the R2 Residential zoning district and he described the surrounding uses. Mr. Kvapil stated that no variations have previously been issued for the subject home and he reviewed a history of building permits that have been issued in the past. Mr. Kvapil stated that the width of the subject property is nonconforming at 50 feet but that the lot meets the minimum lot area requirements for a zoning lot. Mr. Kvapil displayed a survey of the subject property.

Mr. Kvapil stated that the subject house is a split-level design with an attached garage and a family room that are approximately four (4) feet below the adjacent grade. He stated that the petitioners would like to protect the lower level from future flooding by

abandoning the lower level garage and constructing a new foundation wall across the opening. The petitioners would also like to reconstruct a garage on grade in the front yard in the general area of the existing driveway. Mr. Kvpil stated that the petitioners have decided since first submitting their application to move the proposed garage to the west to align with the side of the house. Mr. Kvpil responded to Ms. Fried that moving the garage creates a side yard variation of 4.9 feet in lieu of the minimum side yard setback of 6.5 feet and that the petitioners will need to return to the ZBA for a side yard setback variation. Mr. Kvpil referred to a memo from Village Professional Engineer Bob Minix regarding flood conditions in the subject area and possible solutions to the problem. Mr. Kvpil also referred to a memo from Marilyn Sucoe of Engineering Resource Associates, an engineering consultant for the Village, that is a preliminary evaluation of existing conditions and possible available mitigation.

Petitioners' Presentation

Kate and Randy Briasco, the petitioners, of 244 Anthony Street, spoke regarding their variation request. Ms. Briasco described how water floods their property during 100-year rain events which now occur approximately every four years. She stated that the conditions on their street are unique and that their driveway is the only driveway on the street that slopes downward. She stated that their neighbors have standing water in their yards after some rains and also get some water in their basements. Ms. Briasco explained that the storm sewer system on Kenilworth Avenue does not reach down Anthony Street to the rest of the storm sewer in Wheaton. Ms. Briasco also stated that new homes in the area have elevations that are raised and that the topography of the petitioners' property has become increasingly lower over the years. She described methods they have used to try to alleviate their flooding problem. Mr. Briasco stated that their homeowners insurance has increased significantly over the years. He stated that during the last heavy rains, they lost two cars, a furnace, a hot water heater, a washer and dryer and all the contents of their family room and that this is the fourth time that their home has significantly flooded. Ms. Briasco added that they cannot sell their home in good conscience.

Responses to Questions from the ZBA

Mr. Kvpil agreed with Mr. Constantino that, based on Marilyn Sucoe's memo, Village facilities are inadequate to deal with the petitioners' drainage problem. Mr. Kvpil responded to Mr. Constantino that Village staff are not aware of any other homes with significant flooding issues in the subject area. Mr. SiligmueLLer asked if the Village could require the next door neighbor to share a driveway with the petitioners as the petitioners have insufficient space for a driveway and Mr. Kvpil replied no. Mr. Kvpil confirmed for Mr. Kolar that the petitioner could park on a driveway with no garage on the property without a zoning variation. Mr. Kvpil responded to Chairman Garrity that it could take years for the Village to correct the drainage problem in the subject area, including time for project approval, engineering and funding. Mr. Kolar commented that there is no storm sewer under Anthony Street so there would be nothing to tie to in a storm sewer on

Kenilworth Avenue. Ms. Briasco responded to Mr. Constantino that they have spoken with three engineers who believe the proposed plan is the only reasonable solution to help alleviate the flooding. Ms. Briasco responded to Mr. Constantino that the proposed plan will not cause any problems for the neighbors and she displayed an architectural drawing of the proposed garage. She stated that she has been unable to contact the renters at 248 Anthony about their requested variation. Mr. Siligmueller asked if the homeowners at 240 Anthony were aware of the potential problem with sight lines when backing out of their driveway, and Ms. Briasco responded that the neighbors are aware of the configuration and use a turnaround so that they do not have to back out. Ms. Briasco responded to Ms. Fried that the current garage will become additional space in the house. Ms. Briasco responded to Ms. Fried that an engineer explained to her that the displaced water will be infinitesimal because of the way it will spread out. Ms. Briasco responded to Mr. Kolar that they have owned their home since 1986. Ms. Briasco responded to Chairman Garrity that the design of the garage was meant to align with the house on the western wall but the line indicating the garage was incorrectly drawn on the plan. Mr. Kolar questioned if a berm built on a Wheaton College-owned property near the petitioners' home is causing stormwater from Wheaton to spill into Glen Ellyn. Mr. Kvapil responded that the stormwater engineers evaluating the petitioners' home did not have a problem with the berm at that location. Ms. Briasco added that one foot had been added onto the berm just last year but that their property was flooding prior to when they moved in over 20 years ago. Mr. Kvapil responded to Mr. Siligmueller that the width of the proposed garage is less than the actual minimum size of a two-car garage. Ms. Briasco responded to Mr. Waterman that their neighbors to the west prefer not to have a shared driveway with them.

Persons in Favor of or in Opposition to the Petition

No persons spoke in favor of or in opposition to the variation requests.

Comments from the ZBA

The ZBA members were supportive of the petitioners' variation request because they felt the petitioners demonstrated unique circumstances, practical difficulties and an extreme hardship related to severe flooding they have experienced over a course of more than 20 years. Based on opinions of engineers contacted by the petitioners, the ZBA members felt that the proposed plan was the only option the petitioners have to protect the inside of their home from water. Connecting to the storm sewer is not an option because there is no storm sewer in Anthony Street. Although Mr. Kolar expressed a concern regarding setting a precedent, the other ZBA members felt that the style of the petitioners' home with the below grade level garage was unique to the neighborhood. Mr. Constantino added that he would be in favor of recommending approval for a variation if another resident had the same flooding issues as the petitioners. Mr. Constantino stated that the variation request is necessary for safety and health reasons and for the petitioners to retain the value of their home. Mr. Constantino also commented that he was in favor of the proposed variation request because there will be no adverse effects on the neighbors.

Motion

Because the side yard setback variation needed to be published in the newspaper, a motion was made by Ms. Fried and seconded by Mr. Waterman to continue the meeting to November 9, 2010. The motion carried unanimously by voice vote.

Staff Report

Mr. Kvapil announced that the next regularly scheduled ZBA meeting is cancelled due to a lack of petitions and he reviewed upcoming items on the two following regularly scheduled meetings.

Trustee Report

Trustee Ladesic stated that drop-down microphones are being considered for audience participation purposes in the Board Room.

There being no further business before the Zoning Board of Appeals, the meeting was adjourned at 8:44 p.m.

Submitted by:

Barbara Utterback
Recording Secretary

Reviewed by:

Joe Kvapil
Building & Zoning Official

DRAFT
ZONING BOARD OF APPEALS
MINUTES
NOVEMBER 9, 2010

The meeting was called to order by Chairman Richard Garrity at 7:34 p.m. Board Members Gregory Constantino, Edward Kolar, Mary Ozog and Dale Siligmuller were present. Board Members Barbara Fried and Michael Waterman were excused. Also present were Trustee Peter Cooper (substituting for Trustee Liaison Peter Ladesic), Building and Zoning Official Joe Kvapil and Recording Secretary Barbara Utterback.

Chairman Garrity described the proceedings of the Zoning Board of Appeals.

Board Member Kolar moved, seconded by Board Member Constantino, to approve the minutes of the October 12, 2010 Zoning Board of Appeals meeting. The motion carried unanimously by voice vote.

A continuation of the public hearing from October 12, 2010 regarding 244 Anthony Street was on the agenda. Board Member Ozog, who was not present at the October 12, 2010 meeting, verified for Chairman Garrity that she had read all material related to the variation requests at 244 Anthony Street and visited the site.

CONTINUED PUBLIC HEARING – 244 ANTHONY STREET - ATTACHED GARAGE ADDITION

A REQUEST FOR APPROVAL OF TWO VARIATIONS FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS: 1. SECTION 10-4-8(D)1 TO ALLOW THE CONSTRUCTION OF A ONE-STORY GARAGE ADDITION ATTACHED TO THE PRINCIPAL STRUCTURE WITH A FRONT YARD SETBACK OF 7 FEET IN LIEU OF THE MINIMUM REQUIRED FRONT YARD SETBACK OF 32 FEET. 2. SECTION 10-4-8(D)3 TO ALLOW THE CONSTRUCTION OF A ONE-STORY GARAGE ADDITION ATTACHED TO THE PRINCIPAL STRUCTURE WITH A SIDE YARD SETBACK OF 4.9 FEET IN LIEU OF THE MINIMUM REQUIRED SIDE YARD SETBACK OF 6.5 FEET.

(Randy and Kate Briasco, owners)

Staff Report

Building and Zoning Official Joe Kvapil stated that this public hearing is a continuation from the October 12, 2010 ZBA meeting and that Randy and Kate Briasco, the owners of the property at 244 Anthony Street, are requesting approval of a one-story, attached garage addition. Mr. Kvapil displayed a revised architectural plan submitted at the October 12 meeting indicating the proposed garage in alignment with the west side of the residence. Mr. Kvapil stated that aligning the garage with the house requires a variation to allow the side yard setback to be 4.9 feet in lieu of the minimum required side yard setback of 6.5 feet. Mr. Kvapil also stated that the plan indicates that the width of the proposed garage is 20 feet 5 inches. Mr. Kvapil added that the width of the garage on the

original plan was 19.6 feet and that the side yard setback complied with the code at 6.5 feet. Mr. Kvapil distributed Exhibits 3 and 4 to be included in the drainage study and explained that those exhibits had been received by staff after the packets had been sent to the ZBA.

Petitioners' Presentation

Randy Briasco, the petitioner, stated that he felt it was important for the ZBA members to review the drainage study submitted prior to this meeting.

Responses to Questions from the ZBA

Mr. Kvapil confirmed for Mr. Siligmuller that the drainage study submitted states that flooding of the subject property would not be alleviated even if storm sewers were installed in the area and even if a change was made in the flow path across a grassed area to the south. Mr. Kvapil added that the engineer who prepared the study feels that the proposed plan is the only feasible option available to the petitioners.

Persons in Favor of or in Opposition to the Petition

No persons spoke in favor of or in opposition to the variation requests.

Comments from the ZBA

The ZBA members present were unanimously in favor of the variations requested by the petitioners because the petitioners have experienced severe flooding several times over the past 20 years, the flooding causes health and safety issues, flood insurance costs are prohibitive, the subject property is the only property on the block below grade, the subject driveway funnels water into the lower level of the home, no storm sewers are available to tie into and engineers have stated that the current proposal is the only feasible option available to the petitioners. Board Member Siligmuller commented that the front of the proposed garage will be 27 feet from the street so there will be a significant setback. The Board Members were supportive of the side yard setback because the request is the same as others that have been recommended for approval by the ZBA in the past.

Motion

Board Member Constantino moved, seconded by Board Member Kolar, to recommend that the Village Board approve two (2) variations from the Glen Ellyn Zoning Code for the property at 244 Anthony Street as follows: 1. Section 10-4-8(D)1 to allow the construction of a one-story garage addition attached to the principal structure with a front yard setback of 7 feet in lieu of the minimum front yard setback of 32 feet. 2. Section 10-4-8(D)3 to allow the construction of a one-story garage addition attached to the principal structure with a side yard setback of 4.9 feet in lieu of the minimum required side yard setback of 6.5 feet. The recommendation for approval was based on the findings of fact

that the variation requests will allow flooding to be alleviated that would not otherwise be remediable and will allow the value of the petitioners' home to be retained. The recommendation for approval was also contingent on the conditions that the construction will be in substantial compliance with the plans as submitted at this public hearing and that a second story cannot be added above the garage at any time in the future.

The motion carried unanimously with five (5) "yes" votes as follows: Board Members Constantino, Kolar, Ozog, Siligmuller and Chairman Garrity voted yes.

Trustee Report

Trustee Cooper stated that the Village Board has begun the levy process. He also briefly summarized the Nicor project recently approved by the Village Board. Trustee Cooper also stated that issues continue between the Village and the College of DuPage. Trustee Cooper also announced that Finance Director Jon Batek recently resigned.

Staff Report

Mr. Kvapil briefly reviewed items scheduled for upcoming ZBA meetings.

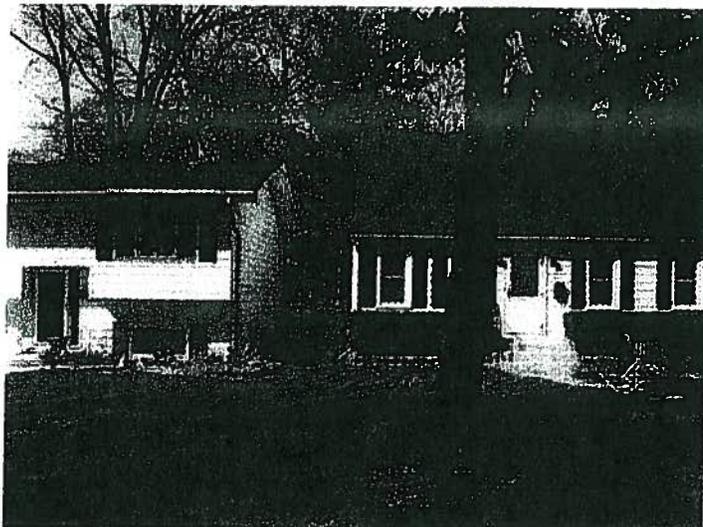
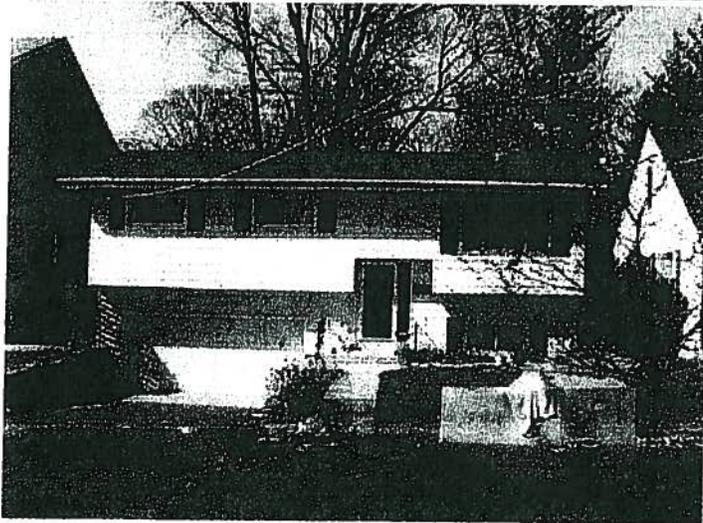
There being no further business before the Zoning Board of Appeals, the meeting was adjourned at 8:02 p.m.

Submitted by:

Barbara Utterback
Recording Secretary

Reviewed by:

Joe Kvapil
Building & Zoning Official



Village of Glen Ellyn

Ordinance No. _____

**An Ordinance Approving Variations from the
Front Yard and Side Yard Setback Requirements
of the Zoning Code to Allow a
One-Story Garage Addition to the Existing Home
For Property at 244 Anthony Street
Glen Ellyn, IL 60137**

**Adopted by the
President and Board of Trustees
Of the Village of Glen Ellyn
DuPage County, Illinois
this _____ day of _____, 20____.**

Published in pamphlet form by the authority of the
President and Board of Trustees of the Village of
Glen Ellyn, DuPage County, Illinois, this _____
day of _____, 20____.

Ordinance No. _____

**An Ordinance Approving Variations from the
Front Yard and Side Yard Setback Requirements
of the Zoning Code to Allow a
One-Story Garage Addition to the Existing Home
For Property at 244 Anthony Street
Glen Ellyn, IL 60137**

Whereas, Randy and Kate Briasco, owners of the property at 244 Anthony Street, Glen Ellyn, Illinois, which is legally described as follows:

Of the South 200.0 feet of the West 50.0 feet of the East 321.5 feet measured on the South line of Lot 3 and Block 3 in Robertson's Seventh Addition to Glen Ellyn, being a subdivision in the East half of Section 10, Township 39 North, Range 10 East of the Third Principal Meridian, according to the Plat thereof recorded October 20, 1908 as Document 94950, in DuPage County, Illinois.

P.I.N.: 05-10-403-050

have petitioned the President and Board of Trustees of the Village of Glen Ellyn for variations from the Glen Ellyn Zoning Code, Section 10-4-8(D)1, to allow the construction of a garage addition to the existing home with a front yard setback of 7 feet lieu of the minimum required side yard setback of 32 feet, and Section 10-4-8(D)3 to allow the construction of a garage addition with a side yard setback of 4.9 feet in lieu of the minimum permitted side yard setback of 6.5 feet; and

Whereas, following due notice by publication in the Daily Herald not less than fifteen (15) nor more than thirty (30) days prior thereto, and by mailing notice to all property owners within 250 feet of the subject property at least ten (10) days prior thereto, and following the placement of a placard on the subject property not less than fifteen (15) days prior thereto, the Glen Ellyn Zoning Board of Appeals conducted public hearings on October 12, 2010 and November 9, 2010, at which

the petitioners presented evidence, testimony, and exhibits in support of the variation requests and no persons appeared in favor of the variation requests and no persons appeared in opposition thereto; and

Whereas, based upon the evidence, testimony, and exhibits presented at the public hearings on October 12, 2010 and November 9, 2010, the Zoning Board of Appeals adopted findings of fact and voted on a motion to approve the variations, which carried by a vote of five (5) “yes” and zero (0) “no,” resulting in a recommendation for approval as set forth in its Minutes dated October 12, 2010 and November 9, 2010, a draft of which is appended hereto as Exhibit "A"; and

Whereas, the President and Board of Trustees have reviewed the exhibits and evidence presented at the aforementioned public hearing and have considered the findings of fact and recommendations of the Zoning Board of Appeals; and

Whereas, the President and Board of Trustees make the following findings of fact:

- A. That the plight of the owner is due to particular physical topographical conditions that include the existing below grade garage and lower level of the home that is below the level of the street and unprotected from flooding;
- B. That the plight of the owner is due to particular physical surroundings including the nonconforming lot width and inadequate width of either side yard to allow driveway access to a detached garage in the rear yard;
- C. That the plight of the owner is due to unique circumstances including the flooding events in the area for which no feasible mitigation was identified in the drainage study;
- D. That the variations, if granted, will not alter the essential character of the locality or negatively impact the adjacent property since the garage is the practical minimum size;

E. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property since it is intended to improve future living conditions for the current occupants;

F. That the practical difficulty or particular hardship has not been created by any persons presently having an interest in the property since the configuration of the garage, house and lot were pre-existing conditions when the owners purchased the property;

G. That the variation will not diminish or impair property values within the neighborhood since the flood risk to the property will be reduced; and

Whereas, the President and Board of Trustees, based on the aforementioned findings of fact, find it appropriate to grant the variations presented to the Zoning Board of Appeals.

Now, Therefore, be it Ordained by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in exercise of its home rule powers, as follows:

Section One: The draft minutes of the October 12, 2010 and November 9, 2010 Glen Ellyn Zoning Board of Appeals meetings, Exhibit "A" appended hereto, are hereby accepted, and the findings of fact and conclusions set forth in the preambles above are hereby adopted as the findings of fact and conclusions of the corporate authorities of the Village of Glen Ellyn.

Section Two: Based upon the above findings of fact, the President and Board of Trustees hereby approve variations from the Glen Ellyn Zoning Code, Section 10-4-8(D)1, to allow the construction of a garage addition to the existing home with a front yard setback of 7 feet lieu of the minimum required side yard setback of 32 feet, and Section 10-4-8(D)3 to allow the construction of a garage addition with a side yard setback of 4.9 feet in lieu of the minimum permitted side yard setback of 6.5 feet at 244 Anthony Street, Glen Ellyn, Illinois, which is legally described as follows:

Of the South 200.0 feet of the West 50.0 feet of the East 321.5 feet measured on the South line of Lot 3 and Block 3 in Robertson's Seventh Addition to Glen Ellyn, being a subdivision in the East

half of Section 10, Township 39 North, Range 10 East of the Third Principal Meridian, according to the Plat thereof recorded October 20, 1908 as Document 94950, in DuPage County, Illinois.

P.I.N.: 05-10-403-050

Section Three: This grant of variation to construct a garage addition is conditioned upon the following:

1. That construction be completed in substantial conformance with the signed Application for Variation received by the Planning & Development Department on September 3, 2010, supporting documents and materials received on September 3, 2010 and the testimony and exhibits provided at the October 12, 2010 and November 9, 2010 Zoning Board of Appeals public hearings.
2. That no second-story addition be constructed over the one-story attached garage addition in the future by any property owner.

Section Four: The Building and Zoning Official is hereby authorized and directed to issue building permits for the subject property, consistent with the variations granted herein, provided that all conditions set forth hereinabove have been met and that the proposed construction is in compliance with all other applicable laws and ordinances. This grant of variations shall expire and become null and void twenty-four (24) months from the date of passage of this Ordinance unless a building permit to begin construction in reliance on these variations is applied for within said twenty-four (24) month time period and construction is continuously and vigorously pursued provided, however, the Village Board, by motion, may extend the period during which permit application, construction, and completion shall take place.

Section Five: The Village Clerk is hereby authorized and directed to cause a copy of this Ordinance approving the variations to be recorded with the DuPage County Recorder of Deeds.

Section Six: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form.

Section Seven: Failure of the owner or other party in interest or a subsequent owner or other party in interest to comply with the terms of this Ordinance, after execution of said Ordinance, shall subject the owner or party in interest to the penalties set forth in Section 10-10-18 "A" and "B" of the Village of Glen Ellyn Zoning Code.

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this ____ day of _____, 2010.

Ayes:

Nays:

Absent:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this ____ day of _____, 20____.

Village President of the
Village of Glen Ellyn, Illinois

Attest:

Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the ____ day of _____).

NOTICE OF PUBLIC HEARING

Randy and Kate Briasco, owners of the property at 244 Anthony Street, are requesting a public hearing for a variation in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code. The owners would like to construct an attached garage as a principal structure addition on the front of the home that does not meet the minimum required front yard setback. The Zoning Code does not allow a principal structure to be closer to the front property line than the closest principal structure on either adjacent lot or to have a front yard setback of less than 30 feet. The Glen Ellyn Zoning Board of Appeals will conduct a public hearing to consider this variation on October 12, 2010 at 7:30 p.m. on the third floor in the Civic Center, 535 Duane Street, Glen Ellyn, Illinois. Anyone is welcome to attend.

The property owners are requesting approval of a variation from the Glen Ellyn Zoning Code, Section 10-4-8(D)1, to allow the construction of a one story garage addition attached to the principal structure with a front yard setback of 7 feet in lieu of the minimum permitted front yard setback of 32 feet.

The property is zoned R2, Residential District, and is legally described as follows:

Of the South 200.0 feet of the West 50.0 feet of the East 321.5 feet measured on the South line of Lot 3 and Block 3 in Robertson's Seventh Addition to Glen Ellyn, being a subdivision in the East half of Section 10, Township 39 North, Range 10 East of the Third Principal Meridian, according to the Plat thereof recorded October 20, 1908 as Document 94950, in DuPage County, Illinois.

P.I.N.: 05-10-403-050

Plans related to the proposed addition are available for public review in the Planning and Development Department, Civic Center, 535 Duane Street, Glen Ellyn, Illinois. If you have questions, please contact Joe Kvapil, Building & Zoning Official, at (630) 547-5244. For individuals with disabilities who have questions regarding the accessibility of the meeting or facilities, contact Harold Kolze, ADA Coordinator, at (630) 547-5209.

(Published in the Daily Herald on Monday, September 27, 2010)

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WHEATON COLLEGE TRUSTEE
OR CURRENT OWNER
501 COLLEGE AVE
WHEATON, IL 60187

JACKSON, CHRISTOPHER & H
OR CURRENT OWNER
528 KENILWORTH AVE
GLEN ELLYN, IL 60137

BUSHMAN, MARK W & MARY F
OR CURRENT OWNER
260 ANTHONY ST
GLEN ELLYN, IL 60137

TRAVERS, TIMOTHY
OR CURRENT OWNER
1808 WAKEMAN CT
WHEATON, IL 60187

COUNTRYWIDE HOME LOANS
OR CURRENT OWNER
7105 CORPORATE DR
PLANO, TX 75024

MAJEWSKI, DAVID & REBECCA
OR CURRENT OWNER
1824 WAKEMAN CT
WHEATON, IL 60187

LEE, MARIANNE S
OR CURRENT OWNER
2836 PATRIOT PARK PL
HENDERSON, NV 89052

MACKEY, MARK T & JULIE
OR CURRENT OWNER
1812 WAKEMAN CT
WHEATON, IL 60187

STRANSKY, WILLIAM E & C H
OR CURRENT OWNER
236 ANTHONY ST
GLEN ELLYN, IL 60137

FIELDS, JOHN R
OR CURRENT OWNER
257 SHEFFIELD LN
GLEN ELLYN, IL 60137

IRMITER, MARCO T
OR CURRENT OWNER
542 KENILWORTH AVE
GLEN ELLYN, IL 60137

GLEN ELLYN PARK DIST
OR CURRENT OWNER
185 SPRING AVE
GLEN ELLYN, IL 60137

CURTIS, MADELINE
OR CURRENT OWNER
285 SHEFFIELD LN
GLEN ELLYN, IL 60137

SKALKOS, THOS & EVELYNE
OR CURRENT OWNER
1820 WAKEMAN CT
WHEATON, IL 60187

PIERCE, JAMES & STELLA
OR CURRENT OWNER
264 ANTHONY ST
GLEN ELLYN, IL 60137

MORONI, LILLIAN
OR CURRENT OWNER
532 KENILWORTH AVE
GLEN ELLYN, IL 60137

SAVITT, RICHARD & DONNA
OR CURRENT OWNER
1828 WAKEMAN AVE
WHEATON, IL 60187

FERRELL, GLENN C
OR CURRENT OWNER
263 SHEFFIELD LN
GLEN ELLYN, IL 60137

BINDRA, NAVEEN
OR CURRENT OWNER
344 ERIE CIR
BLOOMINGDALE, IL 60108

OXLEY, KENT & JODY
OR CURRENT OWNER
240 ANTHONY ST
GLEN ELLYN, IL 60137

LEWIS, LELAND & MARILYN F
OR CURRENT OWNER
279 SHEFFIELD LN
GLEN ELLYN, IL 60137

BRUUN, WALTER B
OR CURRENT OWNER
518 KENILWORTH AVE
GLEN ELLYN, IL 60137

DELVALLE, GEORGE & TAMMY
OR CURRENT OWNER
538 KENILWORTH
GLEN ELLYN, IL 60137

SEVERYNS, JAMES & KIM
OR CURRENT OWNER
268 ANTHONY ST
GLEN ELLYN, IL 60137

PRAIRIE GLEN HOMEOWNERS
OR CURRENT OWNER
1415 E PRAIRIE AVE
WHEATON, IL 60187

KRAUS, JAMES & TERESE
OR CURRENT OWNER
1816 WAKEMAN CT
WHEATON, IL 60187

CAPEZIOO NELL P TRUSTEE
OR CURRENT OWNER
524 KENILWORTH
GLEN ELLYN, IL 60137

KILKER, MICHAEL & DENISE
OR CURRENT OWNER
536 KENILWORTH
GLEN ELLYN, IL 60137

BRIASCO, RANDY & KATHRYN
OR CURRENT OWNER
244 ANTHONY ST
GLEN ELLYN, IL 60137

YOUNG, FREDRIC S
OR CURRENT OWNER
238 SHEFFIELD LN
GLEN ELLYN, IL 60138

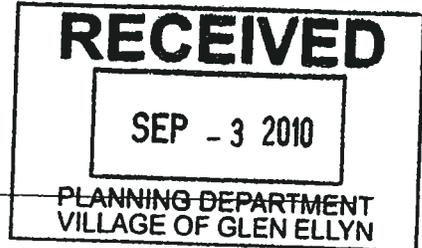
HAJNY, WILLIAM R
OR CURRENT OWNER
245 SHEFFIELD LN
GLEN ELLYN, IL 60137

TOVO III, JOSEPH
OR CURRENT OWNER
253 ANTHONY ST
GLEN ELLYN, IL 60137

PINKERTON, GREGORY L
OR CURRENT OWNER
256 ANTHONY ST
GLEN ELLYN, IL 60137

VILLAGE OF GLEN ELLYN
535 Duane Street
Glen Ellyn, Illinois 60137
(630) 547-5250

APPLICATION FOR VARIATION



Note to the Applicant: This application should be filed with, and any questions regarding it, should be directed to the Director of the Village Planning and Development Department.

The undersigned hereby petitions the Village of Glen Ellyn, Illinois, for one or more variations from the Glen Ellyn Zoning Code (Ordinance No. 3617-Z, as amended), as described in this application.

I. APPLICANT INFORMATION:

(Note: The applicant must comply with Section 10-10-10(B) of the Zoning Code).

Name: Randy & Kate Briasco

Address: 244 Anthony St.

Phone No.: 630-790-1885

Fax No.: N/A

E-mail: RBRIASCO@WOWWAY.COM

Ownership Interest in the Property in Question: Homeowners

II. INFORMATION REQUIRED BY SECTION 10-10-10(B) OF THE ZONING CODE, IF APPLICABLE

NOTE: All parties, whether petitioner, agent, attorney, representative and or organization et al. must be fully disclosed by true name and address in compliance with Section 10-10-10(B) of the Zoning Code. Disclosure forms are attached for your convenience.

II. INFORMATION REQUIRED BY SECTION 10-10-10(B) OF THE ZONING CODE, IF APPLICABLE:

NOTE: All parties, whether petitioner, agent, attorney, representative and or organization et al. must be fully disclosed by true name and address in compliance with Section 10-10-10(B) of the Zoning Code. Disclosure forms are attached for your convenience.

Name and address of the legal owner of the property (if other than the applicant):

N/A

Name and address of the person or entity for whom the applicant is acting (if the applicant is acting in a representative capacity):

N/A

Is the property in question subject to a contract or other arrangement for sale with the fee owner? (Circle "Yes" or "No")

YES

NO

If YES, the contract purchaser must provide a copy of the contract to the Village and must either be a co-petitioner to this application or submit the attached Affidavit of Authorization with the application packet.

Is the property in question the subject of a land trust agreement? (Circle "Yes" or "No")

YES

NO

If YES, (1) either the trustee must be a co-petitioner or submit the attached Affidavit of Authorization from the trustee to represent the holders of the beneficial interests in the trust and (2) the applicant must provide a trust disclosure in compliance with "An Act to Require Disclosure of All Beneficial Interests", Chapter 148, Section 71 et seq., Illinois Revised Statutes, signed by the trustee.

III. PROPERTY INFORMATION:

Common address: 244 Anthony St.

Permanent tax index number: 05-10-403-050

Legal description: OF the south 200 feet of the west 50 feet of the last east 321. feet measured on the south line of Lot 3 in the Block 3 in Robertson's Seventh Addition of Glen Elyn being a subdivision in the east half of Section 10 Township 39 North, Range 10 East of the third principal meridian according to Plat thereof recorded Oct 20, 1908 as document 94950

Zoning classification: R-2

Lot size: 50 ft. x 200 ft. Area: 10,000 sq. ft.

Present use: Residential

IV. INFORMATION REGARDING THE VARIATION(S) REQUESTED:

Description of the variation(s) requested (including identification of the Zoning Code provisions from which variation is sought) and proposed use(s): 10-4-8 (D) 1

Construct a street-level attached garage that encroaches upon the minimum required front yard setback line of 30ft. ALSO, 10-4-8 D3 SIDE YARD SETBACK OF 4.93FT

Estimated date to begin construction: 11/1/10

Names and addresses of any experts (e.g., planner, architect, engineer, attorney, etc.):

E. Aaron Greven, architect
2410 N. Bernard
Chicago, IL 60647

V. EVIDENCE RELATING TO ZONING CODE STANDARDS FOR A VARIATION:

The following items are intended to elicit information to support conclusions by the ZBA or PC and the Village Board that the required findings/standards for a variation under the Zoning Code have been established and met. Therefore, please complete these items carefully.

A. Standards Applicable to All Variations Requested:

1. Provide evidence that due to the characteristics of the property in question, there are practical difficulties or particular hardship for the applicant/owner in carrying out the strict letter of the Zoning Code:

① Property is topographically lower than surrounding properties. ② The existing attached garage is 45.5" below street level which results in excessive and repeated stormwater flooding. ③ 50 ft. lot width does not support access to a backyard garage.

2. a. Provide evidence that the property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the Zoning Code (i.e., without one or more variations):

Loss of garage is needed to keep storm water out of residence. In doing so, the loss of a garage would significantly devalue the property.

OR AND

- b. Provide evidence that the plight of the applicant/owner is due to unique circumstances relating to the property in question:

Location of the property is unique. No Glen Ellyn storm sewers are present to alleviate storm water build up and the design of the residence leaves it vulnerable to stormwater given its current topography.

3. Provide evidence that the requested variation(s), if granted, will not alter the essential character of the locality of the property in question:

The property will remain a single family dwelling that contains the same components as that of all neighboring homes.

B. For the purpose of supplementing the above standards, the ZBA or PC, in making its recommendation that there are practical difficulties or particular hardships, shall also take into consideration the extent to which the evidence establishes or fails to establish the following facts favorably to the applicant:

1. Provide evidence that the particular physical surroundings, shape or topographical condition of the property in question would bring particular hardship upon the applicant/owner as distinguished from a mere inconvenience if the strict letter of the Zoning Code were to be carried out:

Existing topographical conditions will result in continued stormwater flooding to residence. Civil engineers have determined that a 6-foot berm in the driveway approach, along with 7-foot concrete walls on either side of the driveway would be required to reduce, but not guarantee elimination of the repeated flooding.

2. Provide evidence that the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district:

This property's architectural design, topographical elevation, and overwhelmed storm sewer is unique to the 200 block of Anthony street.

3. Provide evidence that the purpose of the variation is not based exclusively upon a desire to make more money out of the property in question:

This variance request is to ~~eliminate~~ eliminate storm water flooding to the residence, while retaining its value.

4. Provide evidence that the alleged difficulty or particular hardship has not been created by any person presently having an interest in the property in question or by the applicant.

per Village-contracted engineers, the topography and overwhelmed (frequently) storm sewer are the causes of the hardship.

5. Provide evidence that the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property in question is located

The property is located on a dead end street. The granting of this variance would pose NO visual obstruction to traffic nor negatively impact surrounding housing values.

6. Provide evidence that the proposed variation will not:

- a. Impair an adequate supply of light and air to adjacent property;

The height of the proposed structure is lower than the current roof line, which is significantly lower than surrounding properties.

- b. Substantially increase the hazard from fire or other dangers to the property in question or adjacent property;

It would pose no more of a threat than any attached garage in the village.

- c. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village;

It would pose NO impairments to village inhabitants than any other attached garage in Glen Ellyn.

- d. Diminish or impair property values within the neighborhood;
 TO THE CONTRARY, the proposed structure would eliminate the need of building up the driveway to a fortress-like state (6 ft berm and 7 ft side walls) that would certainly diminish the property values on the block.
- e. Unduly increase traffic congestion in the public streets and highway;
 The property is located near the end of a dead end street. Traffic is negligible.
- f. Create a nuisance; or
 It would create no more of a nuisance than any other attached garage in the village.
- g. Results in an increase in public expenditures.
 No public expenditures would be increased as a result of the proposed garage construction.

7. Provide evidence that the variation is the minimum variation that will make possible the reasonable use of the land, building or structure.
 The proposed garage was designed to accommodate 2 standard vehicles and fire exit stairs for the property. The square footage would be less than the existing garage space.

8. Please add any comments which may assist the Zoning Board of Appeals of Appeals in reviewing this application. We request that all parties involved visit the property, view the submitted photos, speak with both Marilyn Snee and William Schmanski (Civil Engineers contracted by the Village Zoning and Public Work Depts.) regarding their recommendations and take into consideration the extent of our repeated personal losses. Thank you for your thoughtful decision.

VI. EVIDENCE RELATING TO FLOOD HAZARD VARIATION REQUESTS

The following items must be completed only if the requested variation is from Chapter 6 of the Zoning Code (relating to Flood Hazard Land Use Regulations.) If no such variation is being requested, the applicant should skip this section and complete Section VII below.

- A. Items applicable only to variation requested from the requirements of Chapter 6 of the Zoning Code (relating to Flood Hazard Land Use Regulations) that, if granted, would result in a structure not being protected to the elevation of the base flood.

1. Provide evidence that the structure is to be located on a lot contiguous to and surrounded by lots with existing structures constructed below the base flood level.

N/A

2. Provide evidence that the applicant has acknowledged that (a) such construction below the base flood level will increase the risk to life and property and that the applicant proceeds with knowledge of these risks; and (b) any variation is contingent upon the applicant obtaining approval from other agencies having jurisdiction when the variance violates the requirements of such agencies.

N/A

- B. Items applicable only to variations requested from the requirements in Chapter 6 of the Zoning Code (relating to Flood Hazard Land Use Regulations) that, if granted, would significantly impede or increase the flow and passage of floodwaters.

1. Provide evidence that the use will not result in an increased flood height greater than 0.1 feet within the designated regulatory floodway.

N/A

2. Provide evidence that the resulting increase in the base flood elevations will not affect any existing structures or utilities.

N/A

3. Provide evidence that the owners of the properties affected by the increased base flood elevation are compensated for the resulting effect on property values, and they give their written agreement to granting the variation.

N/A

4. Provide evidence that the resulting increased flood elevations will not affect any flood protection structures.

N/A

VII. CERTIFICATIONS, CONSENT AND SIGNATURE(S)

I (We) certify that all of the statements and documents submitted as part of this application are true and complete to the best of my (our) knowledge and belief.

I (We) consent to the entry in or upon the premises described in the application by any authorized official of the Village of Glen Ellyn.

I (We) certify that I (we) have carefully reviewed the Glen Ellyn Zoning Variation Request Package and applicable provisions of the Glen Ellyn Zoning Code.

I (We) consent to accept and pay the cost to publish a notice of Public Hearing as submitted on an invoice from the publishing newspaper. I (we) understand that our request will not be scheduled for a Village Board agenda until and unless this invoice is paid.

Randy Brisco

Kate Brisco

Signature of Applicant(s)

9-2-10

Date filed

Kate and Randy Briasco
244 Anthony Street
Application for Variance
Date: September 18, 2010

We are proposing to build an attached garage that would extend 23 feet from the house and would be ^{30.5} feet wide. The distance from the garage door would be 7 feet from the easement or 25.6 feet from the curb.

By signing this we agree to the proposal.

Kent L. Oxley
240 Anthony Street

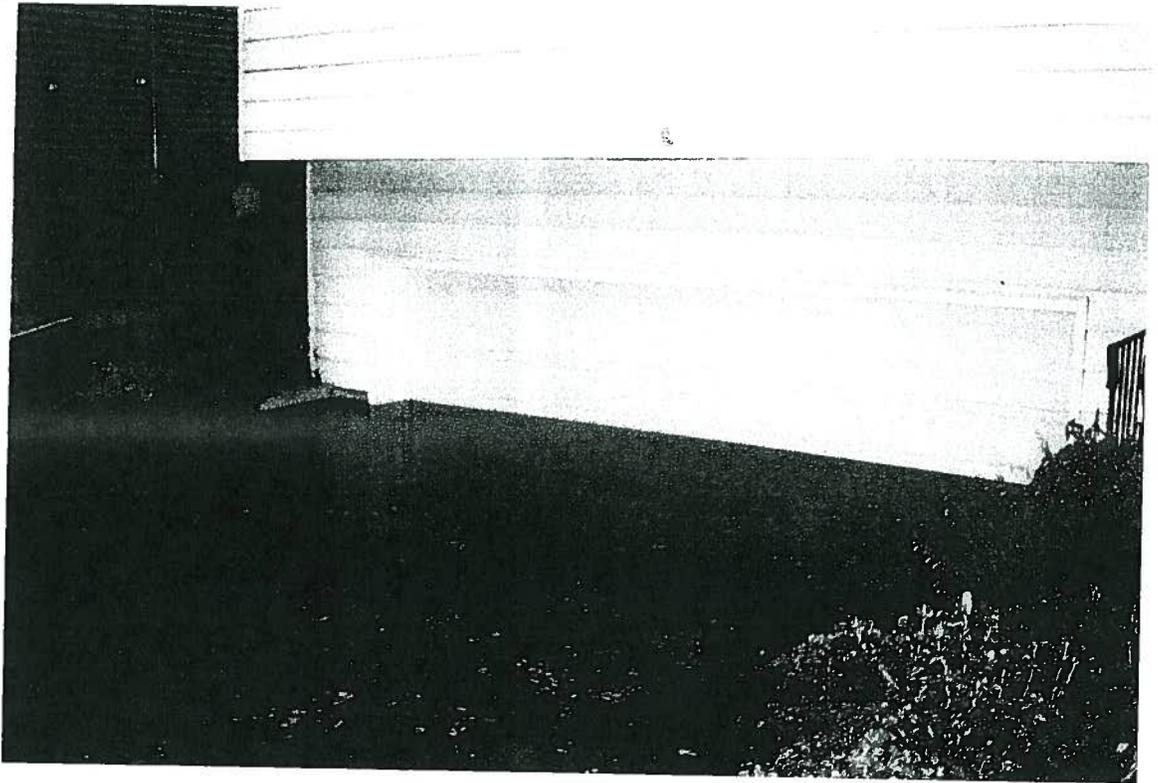
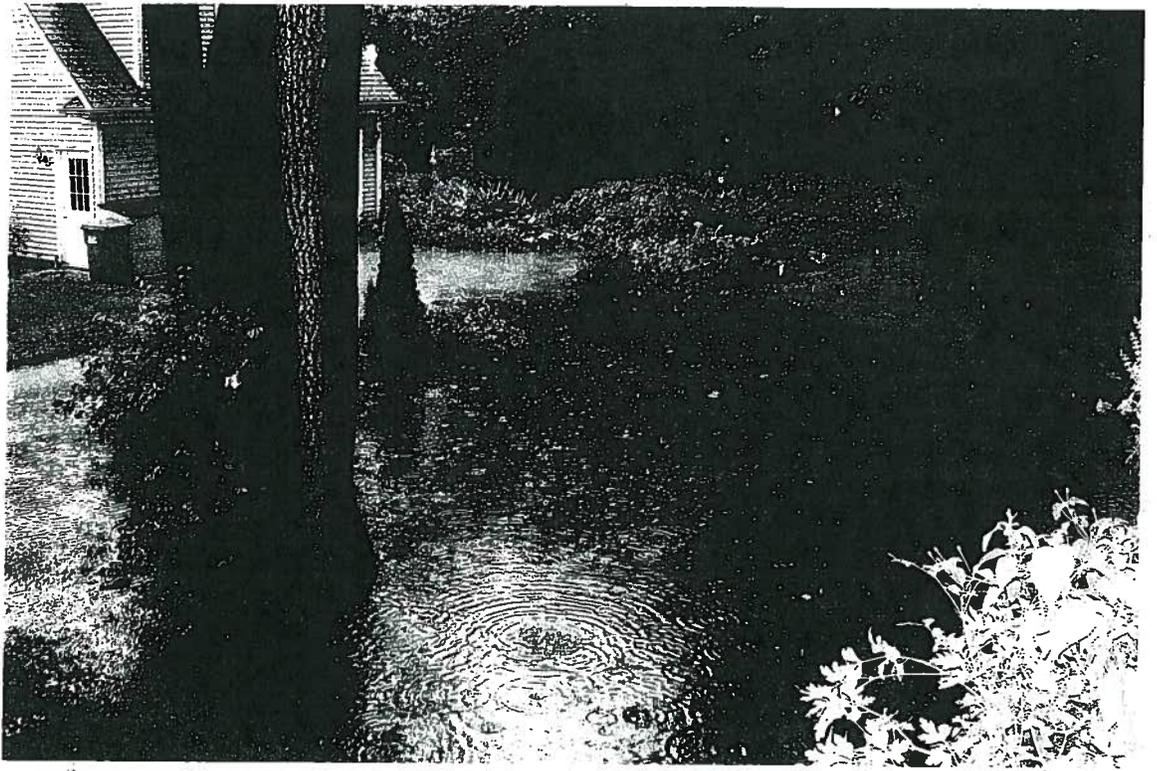
Sign and Date:

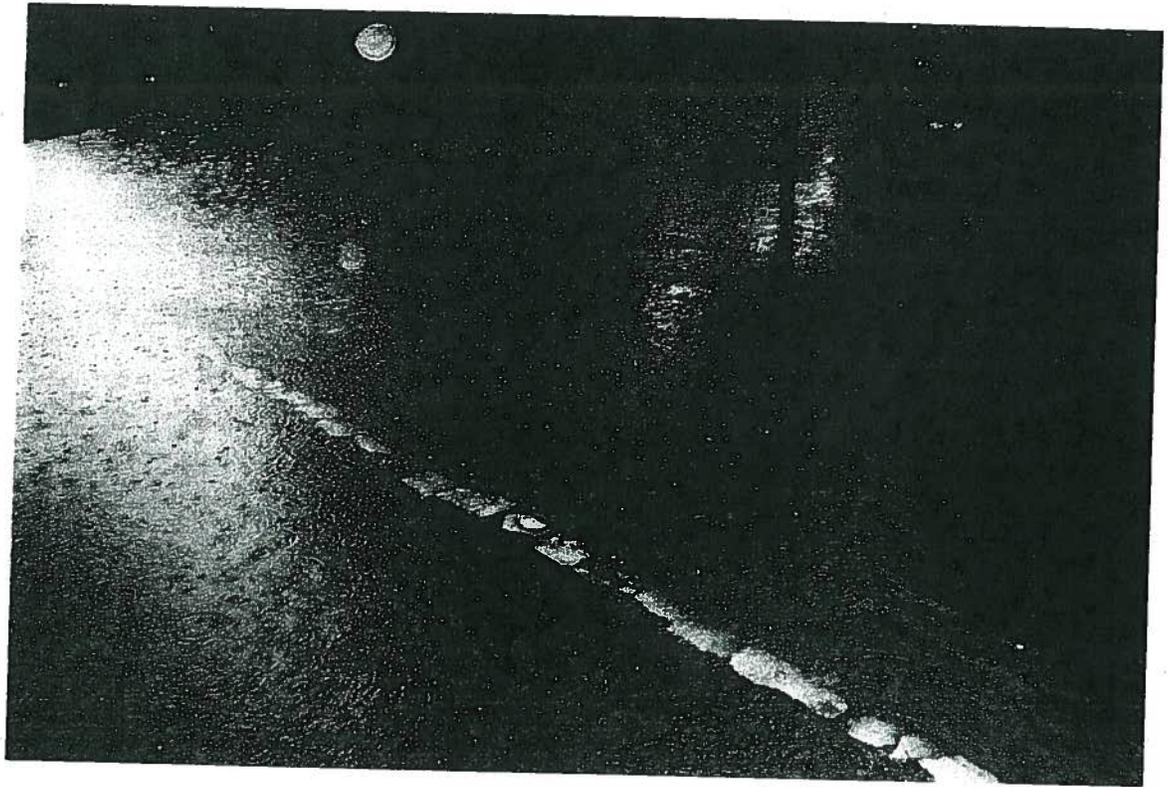
Kent L. Oxley

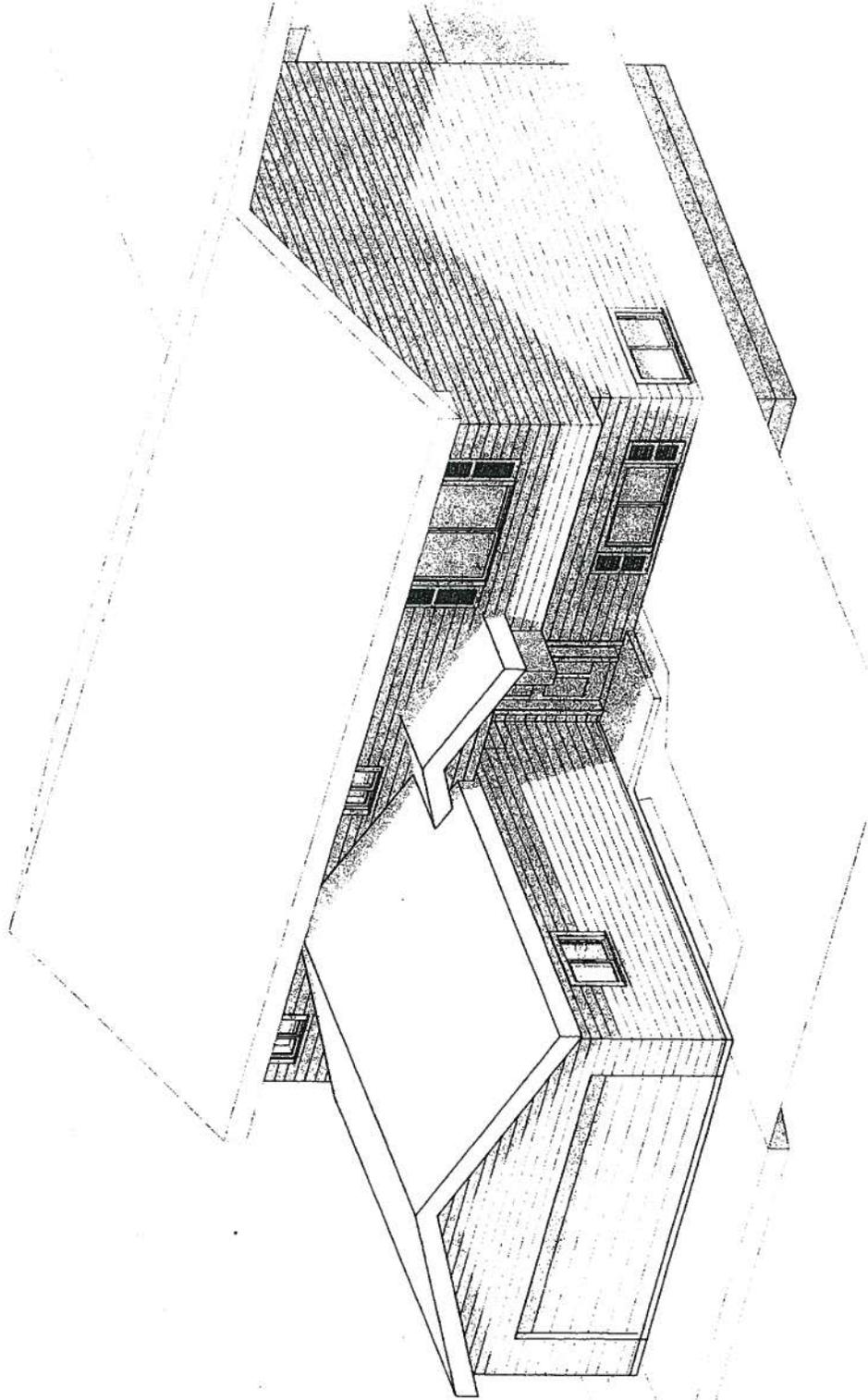
Bill Stransky
236 Anthony Street

Sign and Date:

Bill Stransky 9-19-10







designworks

www.agdworks.com

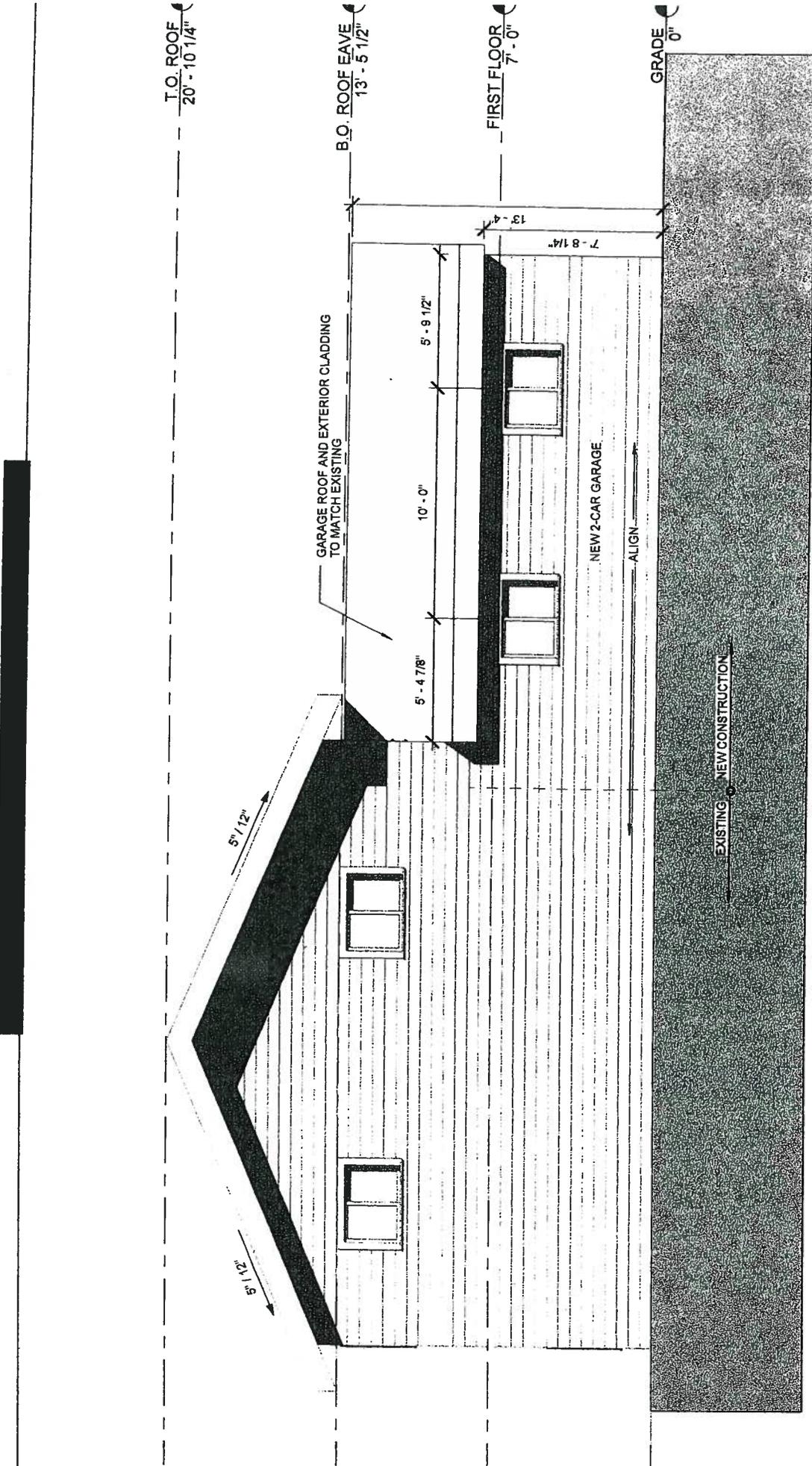
BRIASCO FAMILY
244 Anthony St. Glen Ellyn

No.	Description	Date

PHASE 2 - GARAGE

Project number	10-015
Date	AUG 16, 2010
Drawn by	Author
Checked by	Checker
	Scale

A003

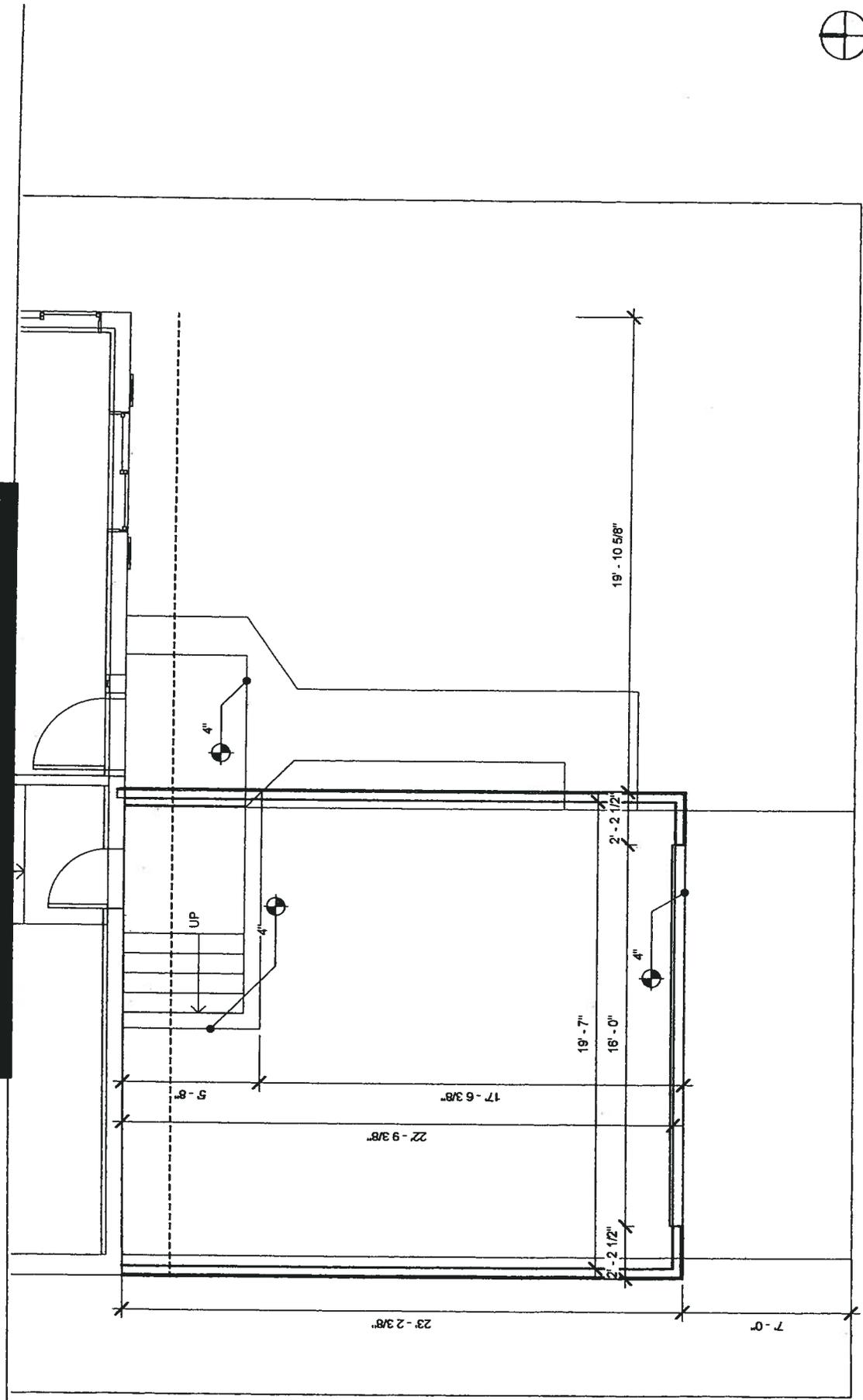


PHASE 2 WEST ELEVATION	
Project number	10-015
Date	AUG 16, 2010
Drawn by	Author
Checked by	Checker
A322	
Scale 1/4" = 1'-0"	

No.	Description	Date

BRIASCO FAMILY
 244 Anthony St. Glen Ellyn

agdesignworks
 www.agdworks.com



PHASE 2 GARAGE PLAN	
Project number	10-015
Date	AUG 16, 2010
Drawn by	Author
Checked by	Checker
Scale 1/4" = 1'-0"	

No.	Description	Date

BRIASCO FAMILY
244 Anthony St. Glen Eilyn

agdesignworks
 www.agdesignworks.com

**Drainage Study
For 244 Anthony Avenue**

**Prepared for the
Village of Glen Ellyn
DuPage County, IL**

November 3, 2010

Prepared By:

alfred benesch & company

205 North Michigan Avenue • Suite 2400 • Chicago, IL 60601-5923
312-565-0450 • Fax: 312-565-2497 • www.benesch.com

I. GENERAL DESCRIPTION OF SITE AND EXISTING DATA

244 Anthony is on a dead-end street on the western edge of the Village of Glen Ellyn, adjoining the City of Wheaton. This part of Glen Ellyn drains to a low area at the extreme west end of Anthony that is drained by the City of Wheaton storm sewer system. The Village of Glen Ellyn and City of Wheaton provided all the data used in this study and report. While not fully comprehensive, the data is sufficient to identify the points in the system where capacity is limited.

Approximately 6 acres of Glen Ellyn drain to this part of Anthony, primarily from the north. Drainage patterns in the area send runoff generally to the south, towards Pennsylvania Avenue (as it is known in Glen Ellyn – it's College Avenue in Wheaton). This area drains well for the majority of storms, but Anthony Avenue will flood to a depth of a foot or more when extreme storm events occur. The depressed garage at 244 Anthony (i.e. the garage is under a portion of the house and the driveway pitches down from the street) fills with stormwater that runs down the driveway when the gutter in the street floods to a depth of just a few inches.

A recent storm, in July of 2010, was on the order of a 100-year event and well over a foot of water was standing on the west end of the street. This resulted in approximately 4 feet of stormwater flooding the garage and the lower level of the residence at 244 Anthony. Alfred Benesch & Company met with staff from both of the municipalities, as well as the current owners and residents of this home, to discuss what has been experienced in this area and to collect whatever data is readily available for analysis. This flooding condition has occurred on multiple occasions at this location, since at least 1987 when the current owners first moved into this house. We were not made aware of any other properties in the immediate area that experienced any stormwater entering their homes.

Refer to Exhibit 1 for the Village of Glen Ellyn local storm sewers and contour information; Exhibit 2 for details regarding the City of Wheaton subdivision adjoining Anthony Street on the west, through which the existing storm system passes; Exhibit 3 for regional topography downstream in Wheaton; and Exhibit 4 for the storm system atlas for the area of Wheaton downstream from the site. The implications of the information given on these exhibits, and observations from our investigations of the area are discussed further below.

II. STORMWATER SYSTEM ANALYSIS

There is over 600 feet of 18" storm sewer at the western end of Anthony that runs south and west to a 42" sewer, which in turn runs south another 1000 feet across private properties to College Avenue.

The Prairie Glen Subdivision in Wheaton (refer to Exhibit 2) was built in 2000+/- and included a berm at the end of Anthony, in Wheaton. This berm was constructed for the pond and detention basin built at that time for that subdivision. The High Water Level (HWL) of that detention basin

is 759.0, approximately 3.5 feet above the pavement on western end of Anthony which has an elevation of 755.5. The HWL in the basin is separated from Anthony by that berm. Stormwater discharge from it is through a restrictor and into the 18" storm sewer.

Based on our field visit conducted as part of this drainage study, this basin appears to collect runoff from the north, as was noted on the construction plans (Exhibit 2). This runoff previously also contributed to the flooding at the western end of Anthony, but no longer appears to since it is routed into the basin.

Analysis of the calculations for the Prairie Glen Subdivision system is beyond the scope of this drainage study, but it does appear that the basin was properly designed and constructed. We therefore conclude that the Prairie Glen Subdivision did not contribute to the July 2010 flooding on Anthony.

This 18" storm sewer system at the end of Anthony appears to have capacity for a 5 to 10-year storm, which is a commonly used design criteria for storm sewers. However, it is also common in drainage design to provide an overland flow path, or an overflow, for storms in excess of the 10-year storm. This is done to keep the depth of standing water to acceptable levels, which is generally considered to be no more than six inches to a foot deep in the street, to allow for the passage of vehicles.

The primary overland flow path from Anthony based on the Prairie Glen Subdivision plan is at an elevation of 756.2+/- . Please refer to Exhibit 2 and note the 756.25 and 756.17 spot grades and the 756.07 as-built elevation of a manhole rim at the southeast corner of the Prairie Glen subdivision. This overflow route is along a walking path (that we understand was built some time after the subdivision was) and is around the outside of the basin. This designed overflow essentially mimics conditions that existing before the basin was built. Again, refer to Exhibit 2, which gives elevations before and after construction of the basin. Additionally, refer to Exhibit 1, the Village of Glen Ellyn which also indicates a low area to which this overflow would occur.

However, our field visits seem to have discovered that the field immediately south of this manhole has been filled to at least a foot above the rim of this manhole. Assuming the manhole was not adjusted, which appears unlikely since it is in brush outside of the path, this would essentially block the overflow route from Anthony. This could easily cause the flooding to be a foot deeper than it would have been had this storm occurred after the Prairie Glen subdivision was built, but before this apparent fill in the field was placed.

Referring to Exhibit 3, which are contours found on the Wheaton website, the ground levels do not fall very much beyond this 756.1 overflow point. The ground seems to remain at an elevation of 755 to 756 all the way south to College Avenue. Stormwater essentially pools at this level 756 level and up, over a wide area because the railroad tracks are higher than College Avenue, blocking any overland flow.

Therefore, there is not a large enough overland flow path from the western end of Anthony to keep the depth of stormwater in extreme events from reaching a depth of over 1 foot. This was apparent from the level of the flooding that occurred in July 2010, which was estimated to be a

100-year event. It was also reported that the low points of College Avenue were under water and that the railroad embankment appeared to act as a dam, restricting the overland flow from that storm event.

III. POTENTIAL IMPROVEMENTS TO STORMWATER SYSTEM

The general options to be considered for correcting the flooding problems on Anthony, as in any flooding area, are to:

- reduce the stormwater runoff reaching the area
- storm system improvements to convey stormwater through the flooded area more quickly
- isolate or elevate the items being flooded

The first of these, reducing runoff to the area, is extremely prohibitive because it is a mature residential area and changing the drainage patterns or adding a detention basin would be extremely invasive and involve many individual property owners. This option is rather easy to dismiss as being unfeasible.

The second option would be to improve the stormwater system to convey the runoff through the area to downstream areas. One possibility would be to run a new storm sewer to the east into an existing 15" storm sewer that runs south along Kenilworth in Glen Ellyn. However, that 15" sewer is most certainly also filled to capacity in these types of events and would provide no relief to the west end of Anthony.

Another possibility would be to increase the size of the 18" storm sewer in the Wheaton system. From observations by the residents, there was one continuous pool of water from the low spot of Anthony across the properties to the south and over College Avenue. The City staff feels that the 42" storm sewer is filled to capacity from the acreage that runs into it from within the Wheaton city limits. To increase that 42" storm sewer, even if feasible, would also require an area-wide study to ensure that increased discharge would not cause flooding in other areas of Wheaton. Since the 42" is at capacity, a proposal to increase the 18" alone would not be well-received by the City of Wheaton. This alternative therefore does not seem to be feasible.

The last possibility in stormwater system improvements would be to lower the ground levels to the south to allow for overland flow to occur sooner. As noted in Section II of this report, it does appear that there has been some fill placed in a grassed area south of the overflow point identified in the Prairie Glen Subdivision plans. Lowering the ground, if permissible by the City of Wheaton and the private property owner of that land, would have to extend for approximately 150 feet across that private property to a paved area on the commercial property facing College Avenue. This alternative does seem to have some merit for further consideration. Detailed elevations should be surveyed before any type of proposal is made in this regard, to ensure the benefit that could be realized to Anthony Avenue.

After that point, if necessary, the parking lot, College Avenue or railroad tracks across the street would also need to be lowered. Alternatively, an upsized culvert could be placed under the area and/or the railroad. That would of course be a very costly endeavor, with just the railroad crossing likely costing in excess of \$100,000, even if technically feasible. This is therefore an economically unfeasible consideration for improving overland flow capacity.

The last general option to solving the flooding in the lower level at 244 Anthony would be to isolate it from the flooding. This can be done in two ways. The first would be by raising the retaining walls on either side of the driveway and also the driveway itself near the street. This would have to be done for about a foot vertically such that the street would have to be flooded to a higher elevation before running down the driveway. Survey to determine the feasibility of that was not within the scope of our analysis, but it does appear that the driveway would become prohibitively steep between the new high point and the garage floor if that were done.

Another means of solving the flooding at this address is to raise the garage floor above the flood levels. That would require reconstruction of that portion of the house. It is our understanding that the owners are seriously considering that and are currently in the process of pursuing the necessary permits to allow for that construction.

IV. CONCLUSIONS

It appears that upsizing storm sewers would not be a feasible option to solving the flooding. Field survey should be considered to verify that an overland flow path across the grassed area just south of the Prairie Glen subdivision would be beneficial to the situation. The overland flow path, if lowered, would still not prevent the overflow of the Anthony pavement down the driveway, so additional measures are necessary to fix that problem. Therefore, additional detailed survey information should be collected at 244 Anthony to consider the options available directly at the driveway and the house.

V. LIST OF EXHIBITS

1. GLEN ELLYN STORM SEWERS AND CONTOURS
2. PRAIRIE GLEN SUBDIVISION GRADING PLAN – DETENTION BASIN
3. CITY OF WHEATON AERIAL CONTOURS
4. CITY OF WHEATON STORM SEWER ATLAS

STORM STRUCTURES

STRUCTURE #	TYPE	SIZE	EST.	EST.	EST.
1	12" STORM	12" x 12"	12" x 12"	12" x 12"	12" x 12"
2	18" STORM	18" x 18"	18" x 18"	18" x 18"	18" x 18"
3	24" STORM	24" x 24"	24" x 24"	24" x 24"	24" x 24"
4	30" STORM	30" x 30"	30" x 30"	30" x 30"	30" x 30"
5	36" STORM	36" x 36"	36" x 36"	36" x 36"	36" x 36"
6	42" STORM	42" x 42"	42" x 42"	42" x 42"	42" x 42"
7	48" STORM	48" x 48"	48" x 48"	48" x 48"	48" x 48"
8	54" STORM	54" x 54"	54" x 54"	54" x 54"	54" x 54"
9	60" STORM	60" x 60"	60" x 60"	60" x 60"	60" x 60"
10	66" STORM	66" x 66"	66" x 66"	66" x 66"	66" x 66"
11	72" STORM	72" x 72"	72" x 72"	72" x 72"	72" x 72"
12	78" STORM	78" x 78"	78" x 78"	78" x 78"	78" x 78"
13	84" STORM	84" x 84"	84" x 84"	84" x 84"	84" x 84"
14	90" STORM	90" x 90"	90" x 90"	90" x 90"	90" x 90"
15	96" STORM	96" x 96"	96" x 96"	96" x 96"	96" x 96"
16	102" STORM	102" x 102"	102" x 102"	102" x 102"	102" x 102"
17	108" STORM	108" x 108"	108" x 108"	108" x 108"	108" x 108"
18	114" STORM	114" x 114"	114" x 114"	114" x 114"	114" x 114"
19	120" STORM	120" x 120"	120" x 120"	120" x 120"	120" x 120"
20	126" STORM	126" x 126"	126" x 126"	126" x 126"	126" x 126"
21	132" STORM	132" x 132"	132" x 132"	132" x 132"	132" x 132"
22	138" STORM	138" x 138"	138" x 138"	138" x 138"	138" x 138"
23	144" STORM	144" x 144"	144" x 144"	144" x 144"	144" x 144"
24	150" STORM	150" x 150"	150" x 150"	150" x 150"	150" x 150"
25	156" STORM	156" x 156"	156" x 156"	156" x 156"	156" x 156"
26	162" STORM	162" x 162"	162" x 162"	162" x 162"	162" x 162"
27	168" STORM	168" x 168"	168" x 168"	168" x 168"	168" x 168"
28	174" STORM	174" x 174"	174" x 174"	174" x 174"	174" x 174"
29	180" STORM	180" x 180"	180" x 180"	180" x 180"	180" x 180"
30	186" STORM	186" x 186"	186" x 186"	186" x 186"	186" x 186"
31	192" STORM	192" x 192"	192" x 192"	192" x 192"	192" x 192"
32	198" STORM	198" x 198"	198" x 198"	198" x 198"	198" x 198"
33	204" STORM	204" x 204"	204" x 204"	204" x 204"	204" x 204"
34	210" STORM	210" x 210"	210" x 210"	210" x 210"	210" x 210"
35	216" STORM	216" x 216"	216" x 216"	216" x 216"	216" x 216"
36	222" STORM	222" x 222"	222" x 222"	222" x 222"	222" x 222"
37	228" STORM	228" x 228"	228" x 228"	228" x 228"	228" x 228"
38	234" STORM	234" x 234"	234" x 234"	234" x 234"	234" x 234"
39	240" STORM	240" x 240"	240" x 240"	240" x 240"	240" x 240"
40	246" STORM	246" x 246"	246" x 246"	246" x 246"	246" x 246"
41	252" STORM	252" x 252"	252" x 252"	252" x 252"	252" x 252"
42	258" STORM	258" x 258"	258" x 258"	258" x 258"	258" x 258"
43	264" STORM	264" x 264"	264" x 264"	264" x 264"	264" x 264"
44	270" STORM	270" x 270"	270" x 270"	270" x 270"	270" x 270"
45	276" STORM	276" x 276"	276" x 276"	276" x 276"	276" x 276"
46	282" STORM	282" x 282"	282" x 282"	282" x 282"	282" x 282"
47	288" STORM	288" x 288"	288" x 288"	288" x 288"	288" x 288"
48	294" STORM	294" x 294"	294" x 294"	294" x 294"	294" x 294"
49	300" STORM	300" x 300"	300" x 300"	300" x 300"	300" x 300"
50	306" STORM	306" x 306"	306" x 306"	306" x 306"	306" x 306"
51	312" STORM	312" x 312"	312" x 312"	312" x 312"	312" x 312"
52	318" STORM	318" x 318"	318" x 318"	318" x 318"	318" x 318"
53	324" STORM	324" x 324"	324" x 324"	324" x 324"	324" x 324"
54	330" STORM	330" x 330"	330" x 330"	330" x 330"	330" x 330"
55	336" STORM	336" x 336"	336" x 336"	336" x 336"	336" x 336"
56	342" STORM	342" x 342"	342" x 342"	342" x 342"	342" x 342"
57	348" STORM	348" x 348"	348" x 348"	348" x 348"	348" x 348"
58	354" STORM	354" x 354"	354" x 354"	354" x 354"	354" x 354"
59	360" STORM	360" x 360"	360" x 360"	360" x 360"	360" x 360"
60	366" STORM	366" x 366"	366" x 366"	366" x 366"	366" x 366"
61	372" STORM	372" x 372"	372" x 372"	372" x 372"	372" x 372"
62	378" STORM	378" x 378"	378" x 378"	378" x 378"	378" x 378"
63	384" STORM	384" x 384"	384" x 384"	384" x 384"	384" x 384"
64	390" STORM	390" x 390"	390" x 390"	390" x 390"	390" x 390"
65	396" STORM	396" x 396"	396" x 396"	396" x 396"	396" x 396"
66	402" STORM	402" x 402"	402" x 402"	402" x 402"	402" x 402"
67	408" STORM	408" x 408"	408" x 408"	408" x 408"	408" x 408"
68	414" STORM	414" x 414"	414" x 414"	414" x 414"	414" x 414"
69	420" STORM	420" x 420"	420" x 420"	420" x 420"	420" x 420"
70	426" STORM	426" x 426"	426" x 426"	426" x 426"	426" x 426"
71	432" STORM	432" x 432"	432" x 432"	432" x 432"	432" x 432"
72	438" STORM	438" x 438"	438" x 438"	438" x 438"	438" x 438"
73	444" STORM	444" x 444"	444" x 444"	444" x 444"	444" x 444"
74	450" STORM	450" x 450"	450" x 450"	450" x 450"	450" x 450"
75	456" STORM	456" x 456"	456" x 456"	456" x 456"	456" x 456"
76	462" STORM	462" x 462"	462" x 462"	462" x 462"	462" x 462"
77	468" STORM	468" x 468"	468" x 468"	468" x 468"	468" x 468"
78	474" STORM	474" x 474"	474" x 474"	474" x 474"	474" x 474"
79	480" STORM	480" x 480"	480" x 480"	480" x 480"	480" x 480"
80	486" STORM	486" x 486"	486" x 486"	486" x 486"	486" x 486"
81	492" STORM	492" x 492"	492" x 492"	492" x 492"	492" x 492"
82	498" STORM	498" x 498"	498" x 498"	498" x 498"	498" x 498"
83	504" STORM	504" x 504"	504" x 504"	504" x 504"	504" x 504"
84	510" STORM	510" x 510"	510" x 510"	510" x 510"	510" x 510"
85	516" STORM	516" x 516"	516" x 516"	516" x 516"	516" x 516"
86	522" STORM	522" x 522"	522" x 522"	522" x 522"	522" x 522"
87	528" STORM	528" x 528"	528" x 528"	528" x 528"	528" x 528"
88	534" STORM	534" x 534"	534" x 534"	534" x 534"	534" x 534"
89	540" STORM	540" x 540"	540" x 540"	540" x 540"	540" x 540"
90	546" STORM	546" x 546"	546" x 546"	546" x 546"	546" x 546"
91	552" STORM	552" x 552"	552" x 552"	552" x 552"	552" x 552"
92	558" STORM	558" x 558"	558" x 558"	558" x 558"	558" x 558"
93	564" STORM	564" x 564"	564" x 564"	564" x 564"	564" x 564"
94	570" STORM	570" x 570"	570" x 570"	570" x 570"	570" x 570"
95	576" STORM	576" x 576"	576" x 576"	576" x 576"	576" x 576"
96	582" STORM	582" x 582"	582" x 582"	582" x 582"	582" x 582"
97	588" STORM	588" x 588"	588" x 588"	588" x 588"	588" x 588"
98	594" STORM	594" x 594"	594" x 594"	594" x 594"	594" x 594"
99	600" STORM	600" x 600"	600" x 600"	600" x 600"	600" x 600"
100	606" STORM	606" x 606"	606" x 606"	606" x 606"	606" x 606"
101	612" STORM	612" x 612"	612" x 612"	612" x 612"	612" x 612"
102	618" STORM	618" x 618"	618" x 618"	618" x 618"	618" x 618"
103	624" STORM	624" x 624"	624" x 624"	624" x 624"	624" x 624"
104	630" STORM	630" x 630"	630" x 630"	630" x 630"	630" x 630"
105	636" STORM	636" x 636"	636" x 636"	636" x 636"	636" x 636"
106	642" STORM	642" x 642"	642" x 642"	642" x 642"	642" x 642"
107	648" STORM	648" x 648"	648" x 648"	648" x 648"	648" x 648"
108	654" STORM	654" x 654"	654" x 654"	654" x 654"	654" x 654"
109	660" STORM	660" x 660"	660" x 660"	660" x 660"	660" x 660"
110	666" STORM	666" x 666"	666" x 666"	666" x 666"	666" x 666"
111	672" STORM	672" x 672"	672" x 672"	672" x 672"	672" x 672"
112	678" STORM	678" x 678"	678" x 678"	678" x 678"	678" x 678"
113	684" STORM	684" x 684"	684" x 684"	684" x 684"	684" x 684"
114	690" STORM	690" x 690"	690" x 690"	690" x 690"	690" x 690"
115	696" STORM	696" x 696"	696" x 696"	696" x 696"	696" x 696"
116	702" STORM	702" x 702"	702" x 702"	702" x 702"	702" x 702"
117	708" STORM	708" x 708"	708" x 708"	708" x 708"	708" x 708"
118	714" STORM	714" x 714"	714" x 714"	714" x 714"	714" x 714"
119	720" STORM	720" x 720"	720" x 720"	720" x 720"	720" x 720"
120	726" STORM	726" x 726"	726" x 726"	726" x 726"	726" x 726"
121	732" STORM	732" x 732"	732" x 732"	732" x 732"	732" x 732"
122	738" STORM	738" x 738"	738" x 738"	738" x 738"	738" x 738"
123	744" STORM	744" x 744"	744" x 744"	744" x 744"	744" x 744"
124	750" STORM	750" x 750"	750" x 750"	750" x 750"	750" x 750"
125	756" STORM	756" x 756"	756" x 756"	756" x 756"	756" x 756"
126	762" STORM	762" x 762"	762" x 762"	762" x 762"	762" x 762"
127	768" STORM	768" x 768"	768" x 768"	768" x 768"	768" x 768"
128	774" STORM	774" x 774"	774" x 774"	774" x 774"	774" x 774"
129	780" STORM	780" x 780"	780" x 780"	780" x 780"	780" x 780"
130	786" STORM	786" x 786"	786" x 786"	786" x 786"	786" x 786"
131	792" STORM	792" x 792"	792" x 792"	792" x 792"	792" x 792"
132	798" STORM	798" x 798"	798" x 798"	798" x 798"	798" x 798"
133	804" STORM	804" x 804"	804" x 804"	804" x 804"	804" x 804"
134	810" STORM	810" x 810"	810" x 810"	810" x 810"	810" x 810"
135	816" STORM	816" x 816"	816" x 816"	816" x 816"	816" x 816"
136	822" STORM	822" x 822"	822" x 822"	822" x 822"	822" x 822"
137	828" STORM	828" x 828"	828" x 828"	828" x 828"	828" x 828"
138	834" STORM	834" x 834"	834" x 834"	834" x 834"	834" x 834"
139	840" STORM	840" x 840"	840" x 840"	840" x 840"	840" x 840"
140	846" STORM	846" x 846"	846" x 846"	846" x 846"	846" x 846"
141	852" STORM	852" x 852"	852" x 852"	852" x 852"	852" x 852"
142	858" STORM	858" x 858"	858" x 858"	858" x 858"	858" x 858"
143	864" STORM				

244 ANTHONY

EXHIBIT 3 - WHEATON
AERIAL CONTOURS

