NOTE: MEETING IS BEING TAPED AND ALSO TELEVISED ON WIDEOPENWEST CHANNEL 6, AT&T CHANNEL 99, AND COMCAST CABLE SERVICES CHANNEL 10. ALL MATTERS ON THE AGENDA MAY BE DISCUSSED, AMENDED, AND ACTED UPON.

Revised Agenda
Glen Ellyn Village Board of Trustees
Monday, December 12, 2011
8:00 p.m. – Galligan Board Room

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. Village Recognition:

   A. A resident emailed the Public Works staff to compliment them for filling a pothole in a timely manner following her call.

   B. The Police Department received a phone call from a motorist forwarding her thanks to Community Service Officer Rose Volpe who assisted her with a disabled vehicle.

   C. Community Service Officer Rick Perez received a note of thanks from a motorist for checking and then closing his pickup's back hatch which had been left open in a parking lot.

   D. The Village accepts the resignations of Paul Temcio from the Environmental Commission and Nicole Janninck from the Historic Preservation Commission and thanks them for their service to the Village.

5. Audience Participation

   A. Proclamation in recognition of outgoing Assistant Finance Director Larry Noller.

   B. Open:
   Members of the public are welcome to speak to any item *not* specifically listed on tonight's agenda for up to three minutes. For those items which are on tonight's agenda, the public will have the opportunity to comment at the time the item is discussed. In either case, please complete the Audience Participation form and turn it in to the Village Clerk.

6. Consent Agenda

   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 McGinley)*

   A. Village Board Meeting Minutes:

      1. November 21, 2011 Regular Workshop
      2. November 28, 2011 Regular Meeting
      3. November 28, 2011 Board Workshop

B. Total Expenditures (Payroll and Vouchers) - $1,539,735.77.

The vouchers have been reviewed by Trustee McGinley prior to this meeting.

C. Motion to designate Trustee Henninger to Village President Pro Tem for the four-month period from January through April, 2012.

D. Motion to approve the recommendation of Village President Pfefferman that the following appointments and reappointments be made for Boards and Commissions:

Architectural Review Commission
James C. Burdett – for a term ending December 31, 2014, and as Chairman through December 31, 2012
Pamela A. Albrecht – for a term ending December 31, 2014
George W. Allen – for a term ending December 31, 2014
Rollin S. Burket – as Student Commissioner for a term ending December 31, 2014

Capital Improvements Commission
Patrick Brugh – for a term ending December 31, 2014
Michael A. Colliander – for a term ending December 31, 2014
Craig R. Pryde – for a term ending December 31, 2014

Environmental Commission
Leonore M. Neary – for a term ending December 31, 2014, and as Chairman through December 31, 2012
Tracy C. Flood – as Student Commissioner for a term ending December 31, 2014
Donald Pellico – for a term ending December 31, 2014
Xristina S. Rahn – for a term ending December 31, 2014

Historic Preservation Commission
Christine C. Wilson – for a term ending December 31, 2014

Plan Commission
Craig J. Bromann – for a term ending December 31, 2014
Linda L. Dykstra – for a term ending December 31, 2014
Julie A. McCormick – for a term ending December 31, 2014

Recreation Commission
Bonnie S. Girsch – for a term ending December 31, 2014, and as Chairman through December 31, 2012
Glen G. Graham – for a term ending December 31, 2014

Zoning Board of Appeals
Richard E. Garrity – for a term ending December 31, 2016, and as Chairman through December 31, 2012

E. Ordinance No. 5984-VC, an Ordinance to Amend Section 7-11-28 of the Village Code of the Village of Glen Ellyn, Illinois Regarding Water and Sewer Rates and Charges. *(Finance Director Wachtel)*

F. Ordinance No. 5985, an Ordinance Granting Approval of Sign Code Variations for Advance Auto Parts to be Located at 696 Roosevelt Road. *(Planning and Development Director Hulseberg)*

G. Resolution No. 11-19, a Resolution Adopting Economic Incentive Guidelines for the Village of Glen Ellyn. *(Planning and Development Director Hulseberg)*

H. Ordinance No. 5986, an Ordinance Partially Abating the Tax Hereto Levied for the Year 2011 to Pay the Principal of and Interest on the General Obligation Bonds, Taxable Series 2010 (Build America Bonds – Direct Payment), of the Village of Glen Ellyn, DuPage County, Illinois. *(Finance Director Wachtel)*

I. Ordinance No. 5987, an Ordinance Directing the Application of Funds from Specified Sources to the Payment of Principal and Interest Upon General Obligation Refunding Bonds, Series 2010, for the Fiscal Year 2011/12 in the Amount of $337,418. *(Finance Director Wachtel)*

7. Planning and Development Director Staci Hulseberg will present information related to an annexation agreement amendment for 1S701 Taylor Road. Allen and Janet Gould, property owners, have requested an amendment to the annexation agreement for their property to extend the deadline to connect to the Village's sanitary sewer main from January 1, 2013 to January 1, 2015. The property is located in unincorporated Glen Ellyn and is not contiguous with the Village boundaries. *(Trustee Cooper)*

A. Public Hearing regarding a request for an amendment to the annexation agreement for 1S701 Taylor Road.

B. Ordinance No. 5988, an Ordinance Approving an Amendment to the Annexation Agreement for Property Located at 1S701 Taylor Road.

8. Ordinance No. 5989, an Ordinance _____ a Construction Necessitated Variation from the Side Yard Setback Requirements of the Zoning Code to allow a Patio on the Property at 1000 Oxford Road. *(Trustee Cooper)*

Planning and Development Director Staci Hulseberg will present information on a request by Diane Urban, Heather Dalskov and Jesper Dalskov for a construction necessitated variation from the Glen Ellyn Zoning Code Section 10-5-5(B)4 item 36 to allow a patio, previously constructed, with a side yard setback of 8 feet in lieu of the minimum required side yard setback of 13 feet 4 inches. The Zoning Board of Appeals considered the request at a public hearing on November 8, 2011, voting on a motion to recommend approval that did not carry with three (3) yes and three (3) no votes.

9. Motion to approve the business terms of a future redevelopment agreement with the developer Vequity LLC for $793,000 to be reimbursed upon completion of Taft Avenue improvements and the opening of The Fresh Market and $1 million in performance-based sales tax reimbursements on a 60/40 split between the Village and the Developer and direction to prepare a redevelopment agreement between the Village and the Developer. *(Trustee Henninger)*

   Village Manager Mark Franz will present information related to a redevelopment agreement with Vequity LLC.

10. Ordinance No. 5990, an Ordinance Approving a Special Use Permit to Allow Two Existing DuPage Public Safety Communications (DuComm) Antennae to Remain on the Cottage Avenue Water Tower located at 439-447 Cottage Avenue. *(Trustee Friedberg)*

    Planning & Development Director Staci Hulseberg will present information on the request for approval of a Special Use Permit to allow two existing DuPage Public Safety Communications (DuComm) antennae located on top of the Cottage Avenue water tower to remain. The Plan Commission reviewed the request at a public hearing on October 13, 2011 and recommended approval by a vote of 9-0.

11. Ordinance No. 5991, an Ordinance Approving a Special Use Permit to Allow a Supervisory Control and Data Acquisition System (SCADA) Antenna to be Installed on the Cottage Avenue Water Tower Located at 439-447 Cottage Avenue. *(Trustee Friedberg)*

    Planning and Development Director Staci Hulseberg will present information on an Ordinance approving a Special Use Permit to allow the installation of a SCADA antenna on the Cottage Avenue Water Tower.

12. Reminders:
    - The next Regular Village Board Meeting is scheduled for Monday, January 9, 2012, with the Workshop beginning at 7 p.m. and the Regular Board Meeting beginning at 8 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.

13. Other Business?

14. Motion to adjourn to Executive Session for the purpose of discussing threatened or pending litigation, adjourning thereafter without returning to open session. *(Trustee Ladesic)*

15. Press Conference

A-5A

VILLAGE OF GLEN ELLYN

Proclamation

WHEREAS, Larry Noller has served the Village of Glen Ellyn in various capacities from his beginnings as an Administrative Intern in 2004, being appointed as our Assistant Finance Director on September 10, 2007, and serving as Interim Finance Director from October 22, 2010 to November 14, 2011; and

WHEREAS, his expertise provided timely and accurate financial analysis, and he strived to ensure conservative fiscal integrity at all levels of the organization; and

WHEREAS, his dedication to the well-being of Glen Ellyn residents has been manifested through his knowledge and expertise in financial matters, always striving to maintain the highest accounting standards for all applicable situations, receiving the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting; and

WHEREAS, Larry's budgeting knowledge also earned the Distinguished Budget Presentation Award from the Government Finance Officers Association, the highest form of recognition in governmental budgeting;

NOW, THEREFORE, I, MARK PFEFFERMAN, President of the Village of Glen Ellyn, Illinois, do convey the appreciation of the Village Board and the residents of Glen Ellyn to Larry Noller for his commitment to responsive government in our Village, as we extend to him our fond wishes in his future endeavors.

_____

Village President

attest:

_____

Village Clerk

_____

Date

Minutes
Regular Village Board Workshop
Glen Ellyn Village Board of Trustees
November 21, 2011

A-6A,

Time of Meeting: 7:00 p.m.

Present: President Pfefferman; Trustees Hartweg, Ladesic, Henninger, Cooper, and Friedberg; Trustee McGinley arrived at 7:05 p.m. Village Clerk Connors. Village Attorney Diamond. Staff present: Village Manager Franz, Assistant to the Village Manager-Admin. Schrader, Interim Public Works Director Perrigo, Police Chief Norton, Finance Director Wachtel, Planning and Development Director Hulseberg, Assistant Finance Director Noller.

1. Call to Order

President Pfefferman called the Board Workshop to order at 7:00 p.m. with a roll call. Trustees Hartweg, Henninger, Cooper, Ladesic, and Friedberg, responded "Here." Trustee McGinley arrived at 7:05 p.m.

2. Public Comments

President Pfefferman displayed a plaque and read a letter the Village received from FEMA acknowledging the Village's Class 8 rating as part of their Community Rating System. The FEMA system is similar to the ISO rating received by the Fire Company rating. This allows reduced flood insurance premiums for Glen Ellyn residents. The letter and plaque were presented by President Pfefferman to Director Hulseberg for the Planning and Development's excellent work.

3. College of DuPage Discussion

President Pfefferman gave a recap of the November 8 court decision in layman's terms. He explained that Trustees Cooper and Henninger attended a College of DuPage Trustee Board meeting and invited the COD Board to come tonight, but they responded that they would not be able to do so on such short notice. He then reviewed the proposed Village of Glen Ellyn agenda if the two boards were able to meet and highlighted parts of the Village's Policy Statement.

President Pfefferman assessed the 2007 and 2011 Intergovernmental Agreements and the reasons for the Village Board's preference for the 2007 IGA which had been used for three years. The 2007 IGA agreement would also pass the court's three part test. He explained the strong partnership between COD and the Village until 2009. Also, that

COD had expressed a desire to disconnect from the Village, but the Village would not aid COD in that action.

Looking ahead, the Village will continue to meet its obligations. The Village expects building inspection fees that were agreed between COD and the Village to be paid. The liquor licenses for the Culinary Hospitality Center need to be picked up since they are ready. It is the Village's hope that an agreement can be reached and the units of government can move forward to get positive results.

4. Chicago/DuPage Water Commission Rate Discussion

Finance Director Kevin Wachtel introduced DuPage Water Commission General Manager John Spatz, Jr. who spoke about the Water Commission's response to the City of Chicago's recently announced water rate increase. The DWC had a sit-down meeting with Mayor Emanuel to express their dissatisfaction with the amount of the increase that goes into effect January 2012. He explained the terms of the agreement between the City and the DWC and the graduated percentage amounts the DWC charges the suburbs over what the City charges the DWC. The amount the City charges DWC can be used for any City purpose they choose and the percentage added by the DWC is used to operate the DWC system. The current contract runs until 2024 with an option for an additional 4 years.

Director Wachtel discussed the cost of the increase to the Village budget. He gave a number of alternatives available. He presented the amount of increase in dollars for each option based on 6,000 gallons per month usage. Assistant Finance Director Noller explained that based on the amount of the increase, the 3% increase from the FY11/12 budget is no longer accurate. The Village Board asked for a detailed comparison of what the DWC pays, what a Chicago customer pays, what a Glen Ellyn resident pays, and other models based on this evening's discussion. The Village attempts to retain 25% in reserves in the Water/Sewer Fund. The Village Board discussed reserves, variables, and the amount of the water rate increase that must be charged. The majority of the Village Board agreed that the increase should begin in January 2012.

5. Municipal Electric Aggregation

Assistant to the Village Manager-Admin. Kristen Schrader presented background information concerning electric aggregation which has been made possible due to deregulation. Twenty-three firms can provide electrical power using ComEd infrastructure. The Illinois Power Agency (IPA) buys electricity on the open market and sells it at a lower rate than what ComEd charges. She explained there are two ways for a municipality to offer the program to residents: "opt-in" or "opt-out." The advantages and disadvantages, the starting dates, and the savings for each program were discussed.

Leonore Neary, 697 Oak, Environmental Commission Chairman, spoke about supporting renewable energy and supporting the opt-in program.

The Village Board understood that it would be possible to recommend the "opt-in" program now and have a referendum for the "opt-out" program next year. It was agreed to recommend the "opt-in" program at this time.

6. 825 N. Main Street Property Presentation

Planning and Development Director Staci Hulseberg presented an update of the property. The building and other structures were demolished and the IEPA has provided the Village with a remediation letter. The property is now for sale. PPK Architects developed seven concept plans and an adjacent owner is interested in developing the property. The Plan Commission has reviewed the plans.

Staff recommends an RFP for development options for 825 N. Main alone and another for 825 and 817 together, but with minimum variations for the C2 Zoning District standards. Discussion followed regarding the sign for the property and possible uses under the C2 zoning. Additional information can be considered at a future meeting including what should be included in the RFP. A draft RFP will be put together for Village Board review.

7. Other Items?

President Pfefferman asked if there were any other items to come before the Village Board. Trustee Henninger indicated that the Finance Committee may make a recommendation that may have to be acted upon at the December 12, 2011 Village Board meeting. The material will be coming to Village Manager Mark Franz for distribution to the Village Board at the last moment. No one from the public indicated they had any items to present.

8. Adjournment

At 10:30 p.m., Trustee Cooper moved and Trustee Henninger seconded a motion to adjourn to Executive Session for the purpose of discussing threatened or pending litigation, adjourning thereafter without returning to open session. Upon roll call, all voted "Aye." Meeting adjourned.

Submitted by:

Suzanne R. Connors,
Village Clerk

Minutes
Regular Minutes
Glen Ellyn Village Board of Trustees
Monday, November 28, 2011

A-6A2

Call to Order

Village President Pfefferman called the meeting to order at 8:04 p.m.

Roll Call

Upon roll call by Village Clerk Connors, Village President Pfefferman and Trustees Cooper, Friedberg, Hartweg, Henninger, Ladesic and McGinley answered, "Present."

Pledge of Allegiance

Pledge of Allegiance was led by President Pfefferman.

Village Recognition:

A. A resident contacted the Public Works Department forwarding his thanks for the new street lights in his neighborhood. Credit was given to Professional Engineer Bob Minix for his great work on the Neighborhood Lighting Improvements Project in the Braeside area.

B. A driver who was pulled over sent an email to comment on how pleasant Officer Joseph Nemchock was during the traffic stop and hopes he continues to patrol the streets of Glen Ellyn.

C. Planning Intern Michael Strong received a note of thanks from a family who appreciated his time and effort in landmarking their home.

D. The Village Board and Management Team congratulates the following employee who recently celebrated an anniversary as a Village employee:

Jeffrey Perrigo	Public Works Department	5 years

Audience Participation

No one indicated they wished to speak at this time.

Consent Agenda

Village Manager Franz presented the Consent Agenda: Village President Pfefferman called for questions and /or discussion of the items on the Consent Agenda.

A. Village Board **Meeting Minutes**:

1. November 14, 2011 Regular Workshop
2. November 14, 2011 Regular Meeting

B. Total **Expenditures** (Payroll and Vouchers) - $1,342,461.18.

The vouchers were reviewed by Trustee Ladesic prior to this meeting.

C. **Resolution No. 11-18**, a Resolution **Designating an Authorized Agent to the Illinois Municipal Retirement Fund**.

D. Retroactively **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, and 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 25, 2011.

E. **Rescind a contract** with **Midwest Site Services** for the demolition of the rear residential structure on the property located at **810 N. Main Street** due to non-performance.

F. With the approval of the Consent Agenda the Village Board **confirmed the appointment of Public Works Director Julius Hansen.** Village Clerk Connors administered the Oath of Office to new Public Works Director Hansen.

Trustee Ladesic moved and Trustee Hartweg seconded the motion that the items on the Consent Agenda be considered routine business by the Village Board and be approved in a single vote.

Upon roll call, Trustees Ladesic, Hartweg, Cooper, Friedberg, Henninger and McGinley voted "Aye." Motion carried.

Boundary Line Agreement between Village of Glen Ellyn and the Village of Lombard

A. Public Hearing

Planning and Development Director Staci Hulseberg presented information about proposed changes to the 1996 boundary line agreement entered into with the Village of Lombard. She defined municipal boundaries, what a boundary agreement is, and using maps, displayed current and proposed boundaries that would exist between the Villages of Glen Ellyn and Lombard. The proposed modifications to the boundary line agreement were contemplated in a 2010 intergovernmental agreement related to the repair of the Hill Avenue bridge. A map of current and proposed boundaries was displayed.

Trustee Friedberg moved and Trustee Cooper seconded a motion to open the Public Hearing. All voted "aye."

Director Hulseberg answered questions from the Village Board. There were no questions from the public.

Trustee Cooper moved and Trustee Henninger seconded a motion to close the Public Hearing. All voted "aye."

Trustee Henninger moved and Trustee McGinley seconded that the following be approved:

B. **Ordinance No. 5974**, an Ordinance Authorizing the Execution of a **Boundary Line Agreement with the Village of Lombard**.

Upon roll call, Trustees Henninger, McGinley, Cooper, Friedberg, Hartweg and Ladesic voted "Aye." Motion carried.

Space Needs Analysis Contract with Dewberry

Police Chief Norton presented information concerning research done by Deputy Chief Bob Acton for a space needs analysis. He explained that the original concept began with space need in the Police Department but has since been expanded to include the entire Civic Center building. A committee was formed to evaluate the need for security and efficient work space. The Public Works facility could be done later, but it was determined that professional guidance was needed at this time since the Police Department and Civic Center are outdated. Dewberry was the lowest qualified bidder.

Trustee Ladesic moved and Trustee Hartweg seconded the motion to approve a contract for architectural services for a **space needs analysis of the Glen Ellyn Civic Center with Dewberry** at a not to exceed cost of $23,500 to be expensed to the Police Department General Fund Budget and Facilities Maintenance Reserve Fund.

Upon roll call, Trustees Ladesic, Hartweg, Cooper, Friedberg, Henninger and McGinley voted "Aye." Motion carried.

Ordinance No. 5975 - Levy and Assessment of Taxes for the Village of Glen Ellyn and the Glen Ellyn Public Library

Finance Director Kevin Wachtel presented information concerning the 2011 proposed property taxes for the Village of Glen Ellyn and the Glen Ellyn Public Library which will be collected in 2012.

Trustee McGinley moved and Trustee Henninger seconded the motion that the Second and Final reading of Ordinance No. 5975 be approved, an Ordinance for the Levy and Assessment of Taxes in the Amount of $10,454,440 for the Fiscal Year Beginning May 1, 2011, and Ending April 30, 2012, of the Village of Glen Ellyn, DuPage County, Illinois.

Upon roll call, Trustees McGinley, Henninger, Cooper, Friedberg and Hartweg voted "Aye." Trustee Ladesic voted "No." Motion carried.

Ordinance No. 5976 - Lambert Farms Subdivision - Special Service Area Number 12 Taxing District.

Finance Director Kevin Wachtel presented information related to a special property tax which applies only to property owners in portions of the Lambert Farms Subdivision located within the Special Service Area Number 12 taxing district.

Trustee Cooper moved and Trustee McGinley seconded the motion that Ordinance No. 5976 be approved. An Ordinance for the Levy and Assessment of Taxes for the 2011 Tax

Levy Year in the Amount of $96,000 for the Village of Glen Ellyn Special Service Area Number Twelve.

Upon roll call, Trustees Cooper, McGinley, Friedberg, Hartweg, Henninger and Ladesic voted "Aye." Motion carried.

Ordinance No. 5977 – Levy and Assessment of Taxes for Special Service Area Number 13
Ordinance No. 5978 – Levy and Assessment of Taxes for Special Service Area Number 14
Ordinance No. 5979 – Levy and Assessment of Taxes for Special Service Area Number 15
Ordinance No. 5980 – Levy and Assessment of Taxes for Special Service Area Number 16
Ordinance No. 5981 – Levy and Assessment of Taxes for Special Service Area Number 17

Finance Director Kevin Wachtel presented information on five Special Service Area taxing districts which **apply to commercial properties along the Roosevelt Road corridor, in the Central Business District, and at Stacy's Corners**. These SSAs have been utilized since 1991 to provide partial funding for the Village's economic development activities. The rate remains at 12.5%.

Trustee Friedberg moved and Trustee Ladesic seconded the motion that the following be approved:

A. **Ordinance No. 5977**, an Ordinance for the **Levy and Assessment of Taxes** for the 2011 Tax Levy Year in the Amount of $55,600 for the Village of Glen Ellyn **Special Service Area Number 13**.

B. **Ordinance No. 5978**, an Ordinance for the **Levy and Assessment of Taxes** for the 2011 Tax Levy Year in the Amount of $127,500 for the Village of Glen Ellyn **Special Service Area Number 14**.

C. **Ordinance No. 5979**, an Ordinance for the **Levy and Assessment of Taxes** for the 2011 Tax Levy Year in the Amount of $5,700 for the Village of Glen Ellyn **Special Service Area Number 15**.

D. **Ordinance No. 5980**, an Ordinance for the **Levy and Assessment of Taxes** for the 2011 Tax Levy Year in the Amount of $3,000 for the Village of Glen Ellyn **Special Service Area Number 16**.

E. **Ordinance No. 5981,** an Ordinance for the **Levy and Assessment of Taxes** for the 2011 Tax Levy Year in the Amount of $800 for the Village of Glen Ellyn Special **Service Area Number 17**.

Upon roll call, Trustees Friedberg, Ladesic, Cooper, Hartweg, Henninger and McGinley voted "Aye." Motion carried.

Ordinance No. 5982 – Levy and Assessment of Taxes for Special Service Area Number 18
Ordinance No. 5983 – Levy and Assessment of Taxes for Special Service Area Number 19

Finance Director Kevin Wachtel presented 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. Discussion ensued regarding possible impact on SSA 18 if COD disconnects. The ordinances approving the levies and assessments of taxes for the SSAs must be file shortly.

John Mulherin, 559 Dorset, spoke about possible SSA regulations.

Trustee Hartweg moved and Trustee Cooper seconded the motion to approve the following:

A. **Ordinance No. 5982**, an Ordinance for the **Levy and Assessment of Taxes** for the 2011 Tax Levy Year in the Amount of $94,421 for the Village of Glen Ellyn **Special Service Area Number 18**.

B. **Ordinance No. 5983**, an Ordinance for the **Levy and Assessment of Taxes** for the 2011 Tax Levy Year in the Amount of $84,627 for the Village of Glen Ellyn **Special Service Area Number 19**.

Upon roll call, Trustees Hartweg, Cooper, Ladesic and McGinley voted "Aye." Trustees Friedberg and Henninger voted "No." Motion carried.

Reminders:

- The next Regular Village Board Workshop is scheduled for Monday, December 5, 2011 at 7 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.

- The next Regular Village Board Meeting is scheduled for Monday, December 12, 2011 with the Workshop beginning at 7 p.m. and the Regular Board Meeting beginning at 8 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.

Other Business?

None

Adjournment

At 9:43 p.m. Trustee Cooper moved and Trustee Ladesic seconded the motion to adjourn to Executive Session for the purpose of discussing threatened or pending litigation and the sale or lease of property, adjourning thereafter without returning to open session.

Upon roll call, Trustees Cooper, Ladesic, Friedberg, Hartweg, Henninger and McGinley voted "Aye." Motion carried. Meeting adjourned.

Respectfully submitted,

Suzanne R. Connors,
Village Clerk

Minutes
Village Board Workshop
Glen Ellyn Village Board of Trustees
November 28, 2011

A-6A3

Time of Meeting: 7:00 p.m.

Present: President Pfefferman; Trustees Friedberg, Cooper, McGinley, Hartweg, Ladesic, and Henninger; Village Clerk Connors, Village Attorney Diamond.
Staff present: Village Manager Franz, Assistant to the Village Manager - Admin. Schrader, Finance Director Wachtel at 7:40 p.m., Planning and Development Director Hulseberg, and Police Chief Norton.

1. Call to Order

President Pfefferman called the Board Workshop to order at 7:00 p.m. with a roll call. Trustees Cooper, Henninger, Friedberg, Ladesic, Hartweg, and McGinley responded "Present."

2. Emerald Ash Borer Update

Village Forester Peggy Drescher began by displaying before and after photos of a street in Ohio that had been a victim of the Emerald Ash Borer. Glen Ellyn has about 1,900 parkway ash trees. Forester Drescher explained what has been done for them so far, and plans to treat them over the next 5 years. About 450 ash trees have been treated thus far and about 142 remain to be treated. Purple ribbons identify those ash trees that will respond to treatment. Forester Drescher explained the rating system used to determine which trees must be removed immediately, which will be removed within a year and which will be treated. Annual cost to treat the smaller trees is $12.50 per tree per year while the cost to treat larger trees is $111 per tree per year. It is estimated the cost to replace 1,000 trees would be about $325,000.

The Village could ask its contractor to replace lost ash trees on private property at cost to assist residents who have to remove those infected, untreatable ash trees. She explained why infected trees had to be removed quickly and treatment procedures. When complete information is available, it will be published in the Village's E-BLAST. No outside fund have been identified as yet to assist residents with the cost of removing infected trees.

Attorney Diamond distributed copies of the Village ordinance and State Statute concerning nuisances. He explained that the Village could return with an ordinance that would allow the Village to enter private property to treat or remove a tree. If the owner objected, the Village could then go to court since the infected tree could be considered a nuisance.

Kathleen McCafferty, 695 Prairie, read a letter regarding dead limbs from a neighbor's tree falling into her yard and onto their garage. She was upset that the Village would not do anything to assist her. Attorney Diamond explained that the Village does not become involved in private disputes between neighbors. The Village Board thanked her for bringing this to their attention and indicated that she would be contacted at a later date.

3. Economic Incentive Guidelines

Because of time constraints, Planning and Development Director Hulseberg was asked to give a brief overview of her presentation. She explained that the Village entered into sales tax rebate programs in 1997 which have not been adjusted since 1998. A new evaluation process with new guidelines and standards is being proposed. Director Hulseberg gave the steps that would be followed to bring a draft recommendation to the Village Board. She noted that grant funding was not included in the recommendation. Following a brief discussion, it was agreed that Director Hulseberg will make some modifications and the Village Board will discuss it further prior to the next Village Board meeting.

4. Other Items?

None

5. Adjournment

At 8:03 p.m., Trustee Cooper moved, seconded by Trustee Henninger to adjourn to the Regular Village Board Meeting in the Galligan Board Room. All voted "aye." Motion passed; Village Board Workshop adjourned.

Submitted by:

Suzanne R. Connors,
Village Clerk

A-6E

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Kevin Wachtel, Finance Director

DATE: December 6, 2011

RE: Water and Sewer Rate

Background

In response to the City of Chicago and DuPage Water Commission increasing water rates by a total of 115% over the next 4 years, including a 30% increase as of January 1, 2012, the Village of Glen Ellyn reviewed its water and sewer rates. The Village Board discussed this issue at its November 21, 2011, and December 5, 2011 meetings. At these meetings, the Board came to consensus on cash reserve policy, overall rate to be effective January 1, 2012, and the rate allocation.

Issues

Current water and sewer rates are insufficient to meet the higher costs of water. Further the sewer division has experienced several capital projects in recent years.

Recommendation

Staff recommends setting rates consistent with the Village Board's cash reserve policy objective (agreed, but not yet incorporated into our written financial policies) of $2,000,000 for the water and sewer fund. This cash reserve amount will be adjusted annually by the rate of inflation (CPI-U) or 3%, whichever is less. The total increase of the combined rate is 9.5%. New rates per 1,000 of water usage in this ordinance are $6.42 for water and $6.42 for sewer.

Action Requested

Approve the attached ordinance revising the water and sewer rates, effective January 1, 2012.

Attachments

Ordinance amending the water and sewer rates.

Ordinance No. _____ - VC

An Ordinance to Amend Section 7-11-28
of the Village Code of the
Village of Glen Ellyn, Illinois
Regarding Water and Sewer Rates and Charges

Whereas, the Village of Glen Ellyn owns and operates a combined water and sanitary sewer system that serves all residents in the Village of Glen Ellyn and some of the adjacent unincorporated areas; and

Whereas, all of the funds required for the operation, maintenance and improvement of the system come from the users of the system, essentially through a system of user rates and charges; and

Whereas, the Village of Glen Ellyn purchases its allocation of Lake Michigan water through the DuPage Water Commission; and

Whereas, beginning January 1, 2012, Glen Ellyn's cost of purchasing Lake Michigan water through the DuPage Water Commission is expected to increase by approximately 30%, from $2.29 to $2.99 per 1,000 gallons; and

Whereas, Glen Ellyn's cost of purchasing water through the DuPage Water Commission will increase to $3.59 in 2013, $4.23 in 2014, and $4.95 in 2015; and

Whereas, there is insufficient revenue from the current water and sewer charges paid by the customers of the system to cover the additional costs of providing Lake Michigan water and wastewater treatment and still maintain the Water & Sewer Fund cash reserves at a minimum level as set by Village policy; and

Whereas, an increase in the water rate of 1.3% and an increase in the sewer rate of 19.1%, or an overall increase of 9.5% will provide additional funding needed to offset projected

operating cost increases over the next fiscal year while maintaining a sufficient level of cash reserves,

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: Section 7-11-28 of the Glen Ellyn Village Code is hereby deleted in its entirety and replaced with the following:

> 7-11-28: WATER AND SEWER RATES AND CHARGES: The rates and charges for the use and services supplied by the combined waterworks and sewage systems of the village are as follows:
>
> (Effective with bills issued January 1, 2012)

<u>Within Village</u>	
Water	$6.42 per 1,000 gallons
Sewer	$6.42 per 1,000 gallons
<u>Outside Village</u>	
Water	$9.63 per 1,000 gallons
Sewer	$6.75 per 1,000 gallons
Sewer Only	$6.75 per 1,000 gallons + $2.92 per month service fee
Non-metered Sewer	$67.50 per month

> In addition, all sewer customers of the village shall be assessed a flat monthly fee of three dollars ($3.00) for the purpose of funding the sewer repair reimbursement and clear water removal programs.
>
> Water supplied to the Glenbard Wastewater Authority will be charged at the within Village rate.

Section Two: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section Three: This Ordinance shall be in full force and effect from and after its 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 _____, 2011.

Ayes:

Nays:

Absent:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this_____ day of _____, 2011.

_____
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 _____, 2011.)

A-6F

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Staci Hulseberg, Planning and Development Director
Michele Stegall, Village Planner
Michael Strong, Planning Intern

DATE: December 5, 2011

RE: Advance Auto Parts, 696 Roosevelt Road – Sign Variations

Background. On October 25, 2010, by the adoption of Ordinance 5892, Advance Auto Parts, lessee of property located at 696 Roosevelt Road, was granted approval of two sign code variations. This Ordinance contained a condition that *"The window signage shall be limited to 10% of the total area of the lower storefront windowpanes and no more than 50% of the area of an individual windowpane. In addition, no neon window signage shall be permitted. All as agreed to by the petitioner."* This condition was a result of negotiations with the Architectural Review Commission wherein the Commission agreed to recommend approval of variations for the primary signage on the property in exchange for a reduction in the permitted area of window signage. The petitioner agreed to this condition.

The petitioner is requesting that Ordinance 5892 be amended to remove this condition. If approved, the store would be subject to the Village's standard window signage regulations which all other businesses are subject to that allows up to 25% of the total window area and 50% of an individual window pane to be covered with window signage. Ordinance 5892 allows the Village Board to remove or otherwise modify this condition by stating *"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."* Therefore, the petitioner's request does not require an Architectural Review Commission public hearing.

Issues. When the store opened, Advance Auto Parts expressed concerns that this condition was limiting its ability to effectively promote its business, was affecting its marketing and promotional activities, and ultimately hurting its sales. As a result, in May, Terry Burghard, the Interim Village Manager, allowed Advance Auto Parts to temporarily display a banner sign on the white wall east of the entrance to serve as a demonstration of what an increase in the permitted area of window signage may look like. The understanding was that this sign would be allowed to remain temporarily while a request for an amendment to Ordinance 5892 was processed. At that time, the Village asked that Advance Auto Parts show good faith by actively requesting the amendment. Subsequently, the Village received a partial request on May 18, and after repeatedly following up, did not receive another request for several months. In September, the Village received notification that the individual who had been working on the amendment had unexpectedly passed away.

Per documentation received by the Village on November 28, 2011, Advance Auto Parts is seeking to eliminate Condition Number 2 in Ordinance 5892 relating to the window signage restriction. Advance Auto Parts has submitted elevations (attached) that show what the new window signage at

this location may look like if the condition is removed. Upon review of these elevations (attached), staff found that the total area of signage shown on the plans would only encompass 14.58% of the total window area. Two of the eleven signs shown on the attached plan would cover more than 50% of an individual window pane (50.21%, and 50.87%), and would therefore need to be slightly reduced in size to comply with the Sign Code.

Recommendation. The Architectural Review Commission extensively discussed the petitioner's request for the sign variations approved by Ordinance 5892. In regard to Condition Number 2, Commissioners were concerned about signage cluttering the storefront and streetscape due to the large amount of glass on the building. The Commission felt that reducing the percentage of window signage would address this concern. We have found that the condition as applied is overly complicated and difficult for the business to understand and for staff to enforce. The removal of this condition would allow Advance Auto Parts to follow the window signage standards applicable to all other businesses in the Village. Therefore, from a staff perspective, the change would provide for easier and more consistent future enforcement.

Action Requested. Village staff is requesting that the Village Board act on the petitioner's request for approval of an amendment to the Sign Code Variations previously approved by the adoption of Ordinance 5892 to eliminate the restriction on window signage. Village Staff has prepared an Ordinance to approve the request for consideration at the December 12, 2011 Village Board meeting.

Attachments.

- Letter from Advance Auto Parts dated November 21, 2011
- Building elevations showing potential signage received November 28, 2011 (2 pages)
- Ordinance 5892
- Proposed Ordinance

Cc: Architectural Review Commission
Katie Barns, Advance Auto Parts
Steven Czerak, Advance Auto Parts

X:\Plandev\PLANNING\DEVELOPMENT PROJECTS\Roosevelt\Roosevelt 696, EA, SV\Advance Auto Parts\VB Memo - Ord Amend - 120511.doc

Katie Barns
Exterior Sign Specialist/Architectural Technician
Advance Stores Company, Incorporated
5008 Airport Road
Roanoke, VA 24012
Direct 540.561.8456
Fax 540.561.3430

RECEIVED
NOV 28 2011
PLANNING DEPARTMENT
VILLAGE OF GLEN ELLYN

November 21, 2011

Re: Advance Auto Parts #8803
696 Roosevelt Road
Glen Ellyn, IL

Ms. Stegall,

This letter is in reference to your comments to the window graphics violation for the Advance Auto Parts store located at 696 Roosevelt Road and our original letter dated October 4, 2011. Advance Auto Parts is proposing to have the Ordinace 5892 removed from the building. We plan to follow the code allowed signage that allows the window graphic square footage to cover 25% of the total window area, not to exceed 50% of an individual window pane.

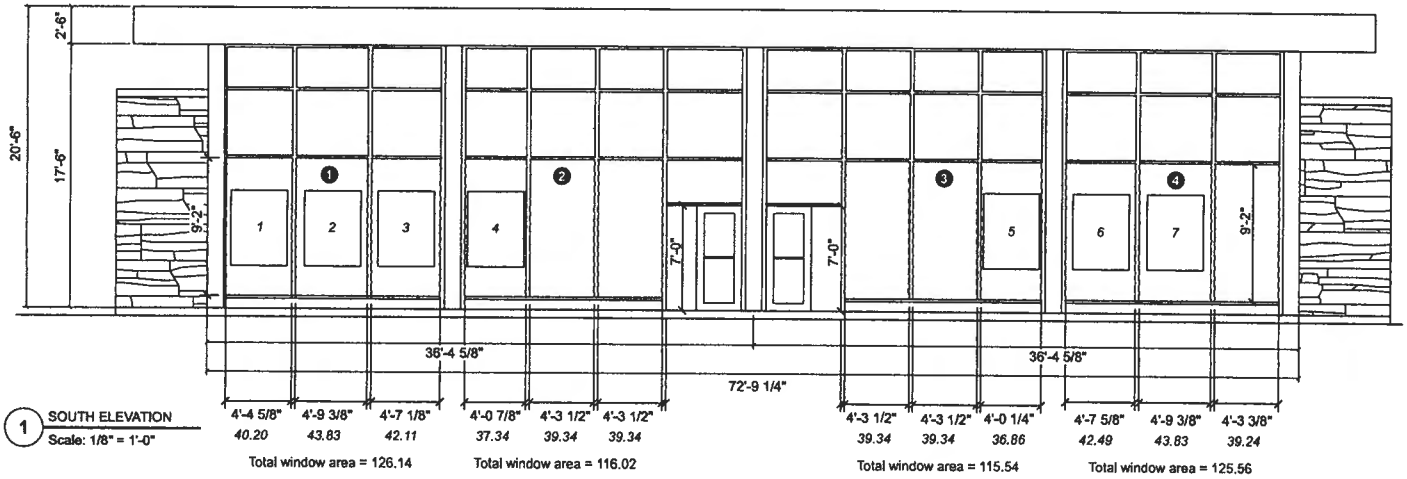
Enclosed you will find revised documents illustrating the new graphics that we would like to propose for this store. You will notice that the majority of the windows fall below the code allowed 50% rule. By removing the ordinance 5892 from this site, we are not handicapping the branding by limiting the window graphic sizes.

Please review the enclosures and contact me with any questions. I can be reached at (540) 561-8456 or katie.barns@advance-auto.com.

With appreciation,

Katie Barns
Exterior Sign Specialist/Architectural Technician
Store Planning & Design Department
Advance Auto Parts
5008 Airport Road
Roanoke, VA 24012
(540) 561-8456
(540) 561-3430 FAX

SQUARE FOOTAGE CALCULATIONS



1 SOUTH ELEVATION
Scale: 1/8" = 1'-0"

Rule #1: Combined area of posters cannot exceed 10% of total window embankment area (bottom row of windows only).

Rule #2: Any individual poster area cannot exceed 50% of any individual pane.

Rule #1 Allowance Calculations

Embankment #1:
Total window area = 126.14
Poster size = 5'-0" x 3'-9"; 18.75 SF
Total poster area = 56.25 (3 posters)

Amount of embankment area occupied by posters = 56.25/126.14 = 44.59%

Embankment #2:
Total window area = 116.02
Poster size = 5'-0" x 3'-9"; 18.75 SF
Total poster area = 18.75 (1 poster)

Amount of embankment area occupied by posters = 18.75/116.02 = 16.16%

Embankment #3:
Total window area = 115.54
Poster size = 5'-0" x 3'-9"; 18.75 SF
Total poster area = 18.75 (1 poster)

Amount of embankment area occupied by posters = 18.75/115.54 = 16.23%

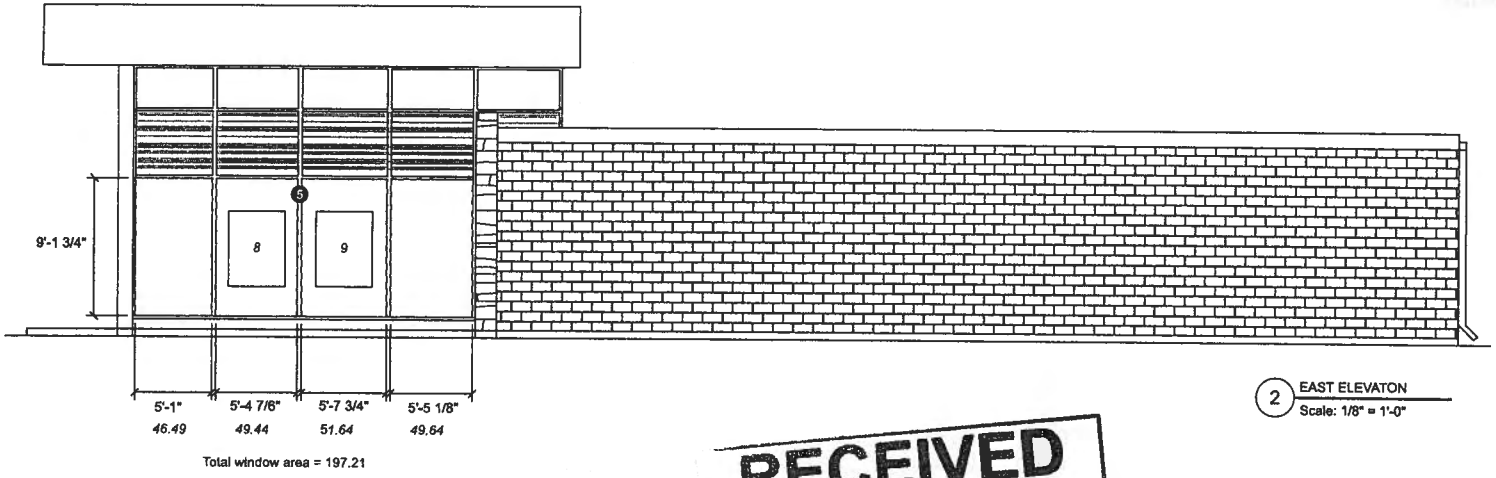
Embankment #4:
Total window area = 125.56
Poster size = 5'-0" x 3'-9"; 18.75 SF
Total poster area = 37.5 (2 posters)

Amount of embankment area occupied by posters = 37.5/125.56 = 29.87%

Rule #2 Allowance Calculations

Amount of Window 1 occupied by poster = 18.75/40.20 = 50.87%

Window 2 = 18.75/43.83 = 42.76%
Window 3 = 18.75/42.11 = 44.53%
Window 4 = 18.75/37.34 = 50.21%
Window 5 = 18.75/36.86 = 50.87%
Window 6 = 18.75/42.49 = 44.13%
Window 7 = 18.75/43.83 = 47.78%



2 EAST ELEVATON
Scale: 1/8" = 1'-0"

Rule #1 Allowance Calculations

Embankment #5:
Total window area = 197.21
Poster size = 5'-0" x 3'-9"; 18.75 SF
Total poster area = 37.5 (2 posters)

Amount of embankment area occupied by posters = 37.5/197.21 = 19.02%

Rule #2 Allowance Calculations

Amount of Window 8 occupied by poster = 18.75/49.44 = 37.93%
Amount of Window 9 occupied by poster = 18.75/51.64 = 36.31%

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NOV 28 2011
PLANNING DEPARTMENT
VILLAGE OF GLEN ELLYN

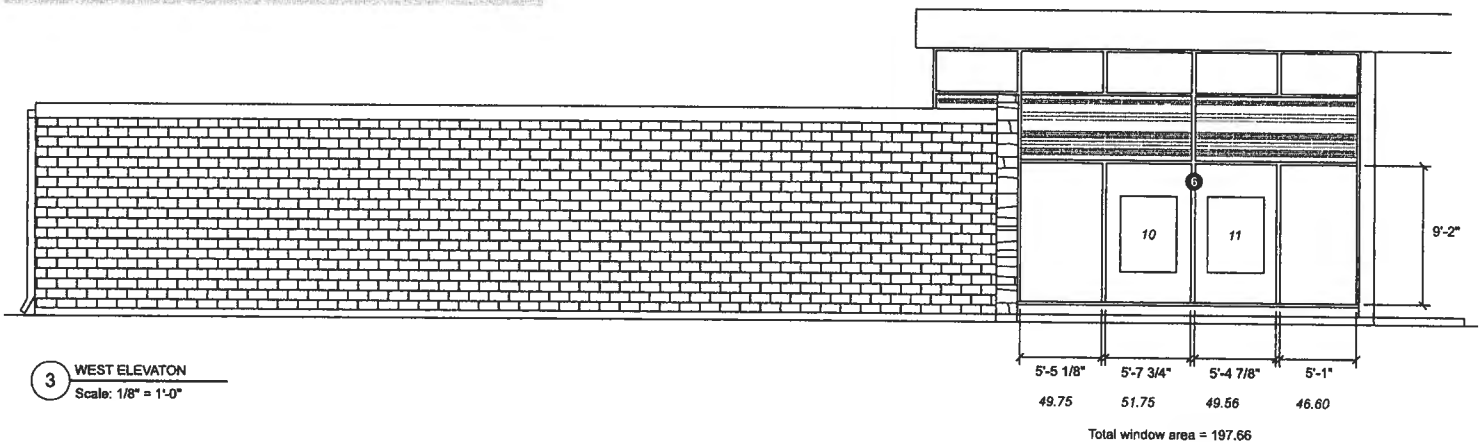
Site Enhancement Services | Ph: 1.800.599.8121 | Fax: 1.574.237.6166 | www.siteenhancementservices.com

These items are scaled as noted when printed on an 11 x 17 sheet.

SES

Rule #1: Combined area of posters cannot exceed 10% of total window embankment area (bottom row of windows only).

Rule #2: Any individual poster area cannot exceed 50% of any individual pane.



3 WEST ELEVATON
Scale: 1/8" = 1'-0"

Rule #1 Allowance Calculations

Embankment #6:
Total window area = 197.66
Poster size = 5'-0" x 3'-9"; 18.75 SF
Total poster area = 37.5 (2 posters)

Amount of embankment area occupied by posters = 37.5/197.66 = 18.97%

Rule #2 Allowance Calculations

Amount of Window 10 occupied by poster = 18.75/51.75 = 36.23%
Amount of Window 11 occupied by poster = 18.75/49.56 = 37.83%

RECEIVED
NOV 28 2011
PLANNING DEPARTMENT
VILLAGE OF GLEN ELLYN

Village Of Glen Ellyn

Ordinance No. 5892

An Ordinance Granting Approval of Sign Code Variations for Advance Auto Parts to be Located at 696 Roosevelt Road Glen Ellyn, Illinois 60137

Adopted by the
President and the Board of Trustees
of the Village of Glen Ellyn
DuPage County, Illinois
This 25TH Day of October, 2010.

Published in pamphlet form by the authority of the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, this 26TH day of October, 2010.

Ordinance No. 5892

An Ordinance Granting Approval of Sign Code Variations for Advance Auto Parts to be Located at 696 Roosevelt Road Glen Ellyn, Illinois 60137

Whereas, Advance Auto Parts, lessee of property located at 696 Roosevelt Road, has petitioned the Village President and Board of Trustees of the Village of Glen Ellyn for approval of the following two (2) variations from the Glen Ellyn Sign Code:

1. A variation from Section 4-5-12(E)1 of the Sign Code to allow two (2) primary signs on the property in lieu of the maximum number of one primary sign permitted; and

2. A variation from Section 4-5-12(D) to allow a sign to be located 50 feet 1 inch from the centerline of Roosevelt Road in lieu of the minimum setback of 55 feet required; and

Whereas, the subject property is located on the north side of Roosevelt Road between Park Boulevard and Nicoll Way in the C3 Service Commercial zoning district and is legally described as follows:

LOTS 17, 18 AND 19 IN BLOCK 7 IN ROOSEVELT GARDEN-HOMESITES, BEING A SUBDIVISION IN THE SOUTHWEST ¼ OF SECTION 13 AND IN THE SOUTHEAST ¼ OF SECTION 14, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 5, 1921 AS DOCUMENT 148152, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-14-421-056; and

Whereas, following due and proper publication of notice in the Daily Herald not less than fifteen (15) days nor more than thirty (30) days prior, the Glen Ellyn Architectural Review Commission conducted a public hearing on September 8, 2010, at which hearing the petitioner presented evidence, testimony, and exhibits relative to the requested Sign Code Variations and at which hearing no persons spoke either in favor of or in opposition to the requests; and

Whereas, after having considered the evidence presented, including the exhibits and materials submitted, the Architectural Review Commission made its findings of fact and recommendations for the requested Sign Code Variations as set forth in the September 8, 2010 minutes of the Architectural Review Commission, attached hereto as Exhibit "A", and by a vote of seven (7) "yes" and zero (0) "no," recommended approval of the requested Sign Code Variations with conditions; and

Whereas, the Village President and Board of Trustees have reviewed the evidence, exhibits, and materials presented at the September 8, 2010 public hearing of the Architectural Review Commission and revised drawings of the proposed signage submitted on September 29, 2010 and October 21, 2010 and have considered the findings of fact and recommendations of the Architectural Review Commission; and

Whereas, the President and Board of Trustees discussed the Architectural Review Commission's recommendation at a Village Board workshop meeting on October 18, 2010 and concur that the requested variations are consistent with the goals of the Glen Ellyn Sign 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 of the September 8, 2010 Architectural Review Commission meeting, 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 Board of Trustees.

Section Two: Based upon the findings of fact and recommendations of the Architectural Review 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 Sign Code Variations for Advance Auto Parts to be located at 696 Roosevelt Road.

Section Three: The grant of approval of the requested Sign Code Variations is subject to the following conditions:

1. The signage shall be constructed and maintained in substantial conformance with the following plans and documents in the petitioner's application packet stamped received August 27, 2010 as though they were attached to this Ordinance and the revised sign drawings submitted on September 29, 2010 and October 21, 2010:

   a. Sign Code Variation application date stamped August 27, 2010
   b. Site Plan submitted October 21, 2010 (attached hereto as Exhibit "B")
   c. Elevation of proposed wall sign dated September 23, 2010 (attached hereto as Exhibit "C")
   d. Photo rendering of building with proposed wall sign dated September 23, 2010 (attached hereto as Exhibit "D"
   e. Elevation of proposed monument sign dated September 23, 2010 (attached hereto as Exhibit "E")
   f. Monument Sign cabinet details dated September 23, 2010

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

2. The window signage shall be limited to 10% of the total area of the lower storefront window panes and no more than 50% of the area of an individual windowpane. In addition, no neon window signage shall be permitted. All as agreed to by the petitioner.

Section Four: The Building and Zoning Official is hereby authorized to issue all necessary building, sign and occupancy permits pursuant to the Sign Code Variations 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 Sign Code Variations shall expire and become null and void within 24 months of the date of this Ordinance unless the requisite permits are applied for within said time period provided. 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 its 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.

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this 25 day of October, 2010.

Ayes: Cornerford, Cooper, Hartweg, Hunninger, Ladesic, Thorsell

Nays: -0-

Absent: -0-

Approved by the Village President of the Village of Glen Ellyn, Illinois, this 25 day of October, 2010.

Village President of the
Village of Glen Ellyn, Illinois

Attest:

Katherine B. Bewerk
eputy Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the 26 day of October, 2010.)

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EXHIBIT "A"

MINUTES

BOARD/COMMISSION:	**Architectural Review**	**DATE:**	**9/8/10**
MEETING:	**Regular**	**CALLED TO ORDER:**	**7:33 p.m.**
QUORUM:	**Yes**	**ADJOURNED:**	**9:02 p.m.**

MEMBER ATTENDANCE: **PRESENT:** Chairman Burdett, Commissioners Wussow, Loftus, Faganel, Allen, Albrecht, and Dickie.

ABSENT: None

ALSO PRESENT: Village Planner Stegall, Trustee Liaison Comerford

AUDIENCE ATTENDANCE: None

I. Call to Order.

Chairman Burdett called the Glen Ellyn Architectural Review Commission (ARC) regular meeting to order at 7:33 p.m., in the Civic Center at 535 Duane Street, Glen Ellyn, Illinois.

II. Approval of Minutes.

A. Motion

Commissioner Albrecht moved, seconded by Commissioner Wussow, to approve the minutes of the February 10, 2010 meeting with two corrections related to which Commissioner certain statements were attributed to. The motion carried unanimously.

III. Public Hearing, Advance Auto Parts, 696 Roosevelt Road – Sign Variations.

Commissioner Albrecht motioned to open the public hearing. Commissioner Dickie seconded. The motion passed unanimously.

Planner Stegall provided background information and stated 2 sign variations were being requested for the property at 696 Roosevelt Road. The property is located in the C-3 district and surrounded by commercial uses. She stated that the two variations requested were to allow 2 primary signs instead of 1, including both a wall and a freestanding sign, and to allow the proposed freestanding sign to be setback 40 feet instead of 55 feet from the centerline of Roosevelt Road. She stated staff had prepared a draft motion for approval. She also noted that the proposed height of the freestanding sign is 15 feet and is code compliant; however staff recommends lowering the sign to 10 feet as a condition of being granted approval of a variation for the number of primary signs on the property. She provided several examples of other properties where applicants agreed to a lower sign height as a condition of receiving approval of a variation to allow more primary signs than permitted.

Planner Stegall stated the sign code permits window signage to cover 25% of the total window area and 50% of an individual window pane, she suggested that the Commission may wish to recommend that the permitted window signage be further restricted as a condition of approval and that the petitioner had indicated he was amicable to installing no more than 3 window signage with no more than 25% coverage of an individual window pane. The last condition she touched on was that the landscaping around the proposed freestanding sign be expanded and enhanced to more fully cover the island and that a landscape plan be submitted before the request is forwarded to the Village Board. She suggested that Commissioners may wish to be mindful of the current signage adjacent to the easternmost access drive to the Pickwick Place Shopping Center as the proposed freestanding sign for the Advance Auto Parts store could potentially impede the visibility of the Pickwick sign, especially for westbound traffic. Therefore, she suggested that the proposed freestanding sign be pushed back in the island as far as possible or that the island be slightly expanded to allow the sign to be setback further. For aesthetic reasons she also suggested that the width of the sign be made equal to the width of the sign face. Upon questioning by a Commissioner she noted that increasing the width of the base could result in further blocking the visibility of the Pickwick sign. Another suggestion made by staff included eliminating the red background on the wall sign. Planner Stegall displayed a picture of another Advance Auto Parts store utilizing individual letters on the wall sign with no red background.

Commissioner Albrecht questioned if it is possible to set the sign farther back within the existing island. Planner Stegall stated it would be possible to move the sign back a few feet because the current signage is setback further than the proposed signage. Commissioner Albrecht stated moving the sign back a few feet could increase the visibility of the current Pickwick Place signage. Commissioner Allen questioned if the property is part of Pickwick Place. Planner Stegall stated the property is not part of the Pickwick Place Shopping Center.

Commissioner Wussow commented on the sample signage that was provided from another Advanced Auto Parts store. She stated she would like to see the monument sign shorter than ten feet to increase visibility of other signage on the street. General discussion took place regarding the types of materials that could be used for the base on the sign in lieu of the proposed concrete block to better relate the sign to the building and surrounding area.

Commissioner Albrecht stated the uniformity of signage is very nice in the adjacent shopping center and she stated she would like to see the uniformity of the signage continue. She suggested the use of a flag stone material for the base of the proposed freestanding sign.

Chairman Burdett questioned the repositioning of the sign in order to remove any conflict with the Pickwick Place sign. General discussion took place regarding alternate locations where the sign could potentially be placed on the property.

Commissioner Loftus arrived.

Commissioner Albrecht questioned where the red fascia would stop. Planner Stegall stated the red color would extend across the entire length of the front facade and that staff had debated if the background should be considered part of the total sign area.

Commissioner Allen stated that the proposed bright red color might not fit the character of the building and this area of Roosevelt Road. The Commissioners discussed if the red should be removed or reduced to just the area behind the letters of the proposed signage.

Brent Forte, with Site Enhancement Services and representative for Advanced Auto Parts, discussed details of the proposed signage. He discussed a number of alternate locations to place the sign that were looked at and why this choice was the best location. However he indicated that the petitioner would be willing to move the sign back a few feet.

Mr. Forte discussed details of the wall sign and stated that the proposed signage and red background is consistent with other Advance Auto Parts signage in the region. He stated that after reviewing the site that he agreed the red may be out of character and was willing to reduce the area to only behind the letters. He touched on the landscaping and stated that the petitioner would be willing to improve the landscape features that would be installed. He agreed that a 10 foot freestanding sign would be a more suitable height than the originally proposed 15 feet particularly given the placement of a nearby tree. He noted that lowering the sign could further block surrounding signage depending on the direction of travel. He stated moving the sign back is feasible as long as a curb cut does not need to be modified or the loss of a parking spot is not necessary.

Commissioner Wussow questioned what material would be used on the base of the monument sign. Mr. Forte stated the materials will be the same as the building and the cost of using brick may exceed the budget for this project. He also stated a preference to keep the width of the sign as proposed because of the possibility of the sight issues.

Commissioner Wussow questioned the window signage and how the code interprets this. Planner Stegall stated 50% of each window pane is permitted to be covered, but only 25% of the total window area. Commissioner Wussow stated that the amount of window signage allowed could look tacky due to the amount of glass in the front of the building and questioned if a condition could be placed on the approval if the requested variations are granted further restricting the amount of permitted window signage. Planner Stegall indicated that the Village Attorney had indicated that this could be done as a condition of approval.

Chairman Burdett questioned what the basis for the variations was. Mr. Forte stated there was a hardship due to the surrounding vegetation and the amount of traffic on the roadway and that the additional signage will give customers more ample time to identify the store and pull into the parking lot.

Commissioner Albrecht questioned how many signs should be allowed to be placed in the storefront windows if the variations are granted.

Commissioner Wussow suggested reducing the amount of permitted window signage to 15% of the total area of the bottom 2/3 of window space in order to reduce the chance of clutter. Mr. Forte stated that this could be agreeable because window signage is a main advertising technique

of auto parts stores and a percentage will allow for more flexibility for displaying signs in the windows than a set number.

Chairman Burdett expressed his concerns with using a percentage because the potential for placing 14 tiny signs is possible under this language. Planner Stegall stated using a percentage would be along the same logic as the code.

Commissioner Albrecht questioned the possibility of placing window signage on the east or west sides of the building under the current discussion. Mr. Forte stated the east and west windows would be important places of advertisement.

General discussion took place on the percentage of window signage that should be allowed in the glass façade of the building as well as the east and west windows.

Commissioner Faganel questioned if the window signs would be yellow like in the example provided. Mr. Forte stated typically the window signs will match the company logo of red and yellow.

Commissioner Wussow motioned to close the public hearing. Commissioner Albrecht seconded. The motion passed unanimously.

Commissioner's Comments:

Commissioner Dickie preferred to push the monument sign as far back as possible and lower to ten feet, attempt to match the pedestal to the stone on the building and reduce the red on the building fascia to the area surrounding the letters of the sign. He stated he was in favor of using a percentage to restrict window signage to give more flexibility.

Commissioner Faganel agreed with Commissioner Dickie and stated that the petitioner had agreed to many conditions. She stated the chance for abuse of the sign code is minimal because this will be a long term store rather than temporary. She stated she had no problems with the window signage as permitted in the code.

Commissioner Albrecht stated she was in favor of limiting the height of the ground sign to 10 feet, she is in favor of stone around the base, that either matches the stone material on the building or the adjacent Pickwick Place Shopping Center as close as possible. She also agreed that the red fascia should be reduced to be just around the letters on the wall sign, that the monument sign should be moved north as far as possible, that the proposed landscaping should be enhanced as suggested by staff, that no neon window signage should be permitted and that the percentage of permitted window signage should be 10% of the lower pane of windows, excluding the doors.

Commissioner Allen concurred and stated the higher the sign is the more pleasing it will be if the pedestal is narrower.

Commissioner Wussow believed the pedestal of the ground sign should match the building as recommended in the Appearance Review Guidelines, that the width of the pedestal was appropriate and that the height of the ground sign should be lowered. She stated she was also in favor of allowing 10% of the bottom window panes to be covered with signage, and that the red on the fascia should be just around the sign lettering. She was also in favor of moving the ground sign north as much as possible within the existing island.

Commissioner Loftus concurred and stated that the red background should be minimized, that the base of the ground sign should match the building, and agreed with minimizing window signage by a percentage but not limiting the number of window signs.

Chairman Burdett stated in his opinion the criteria for a sign variation was met, he stated he was in favor of the 10% formula for window storage, the base of the sign is okay as proposed, the material of the base should match the building or Pickwick, the red fascia should only be behind the letters, landscaping should fully cover the island around the sign, and the sign should be moved 5 feet to the north without cutting into the curb.

The Architectural Review Commission made the following findings of fact in regard to the requested variations:

A. The requested variations comply with the purpose of the Glen Ellyn Sign Code because the proposed signage will "help people find what they need without difficulty or confusion" which is a stated purpose of the Sign Code;

B. The requested variations will not alter the essential character of the locality because the property is located in a commercial district and surrounded by a large variety and types of freestanding signs and variations for the number of primary signs have been granted for other businesses in the area;

C. The petitioner has demonstrated a practical difficulty in adhering to the strict regulations of the Sign Code because due to the surrounding vegetation, amount of traffic lanes and other surrounding obstructions, a freestanding monument sign is required to provide motorists with advance notification to safely locate and navigate into the site; and

D. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district which it is located because due to surrounding conditions a freestanding sign is needed to provide advance identification of the site and identification of the entrance.

Based on the above findings of fact, Commissioner Wussow motioned, seconded by Commissioner Albrecht to recommend approval of the following variations for Advanced Auto Parts to be located at 696 Roosevelt:

A. A variation from Section 4-5-12(E)1 of the Sign Code to allow two primary signs on the property in lieu of the maximum number of one primary sign permitted; and

B. A variation from Section 4-5-12(D) to allow a sign to be located 40 feet from the centerline of Roosevelt Road in lieu of the minimum setback of 55 feet required

Subject to the following conditions:

A. The signage shall be installed in substantial conformance with the plans and testimony presented at tonight's meeting;

B. That the dimensions of the ground sign be amended so that the sign height is lowered to 10 feet and that the sign be moved north as far as possible within the island without obstruction of the light pole;

C. That the material for the sign base match the stone on the building;

D. That the red fascia around the wall sign be reduced to be only behind the letters and logo on the wall sign and the remainder of the fascia remain a neutral color;

E. That the window signage be limited to 10% of the total glass area of the lower panes of glass and no more than 50% of an individual pane. In addition, no neon signs shall be permitted;

F. That the landscape plan be amended so that the proposed landscaping more fully covers the island around the proposed sign and that a revised landscape plan be submitted prior to the request being forwarded to the Village Board.

The motion passed unanimously. The Commission requested to see the changes to the plans once they were revised. Planner Stegall indicated that staff would copy the Commission on the revised plans that will be forwarded to the Village Board.

IV. Chairman's Report

Chairman Burdett stated that Commissioner Gorz has resigned from the Commission.

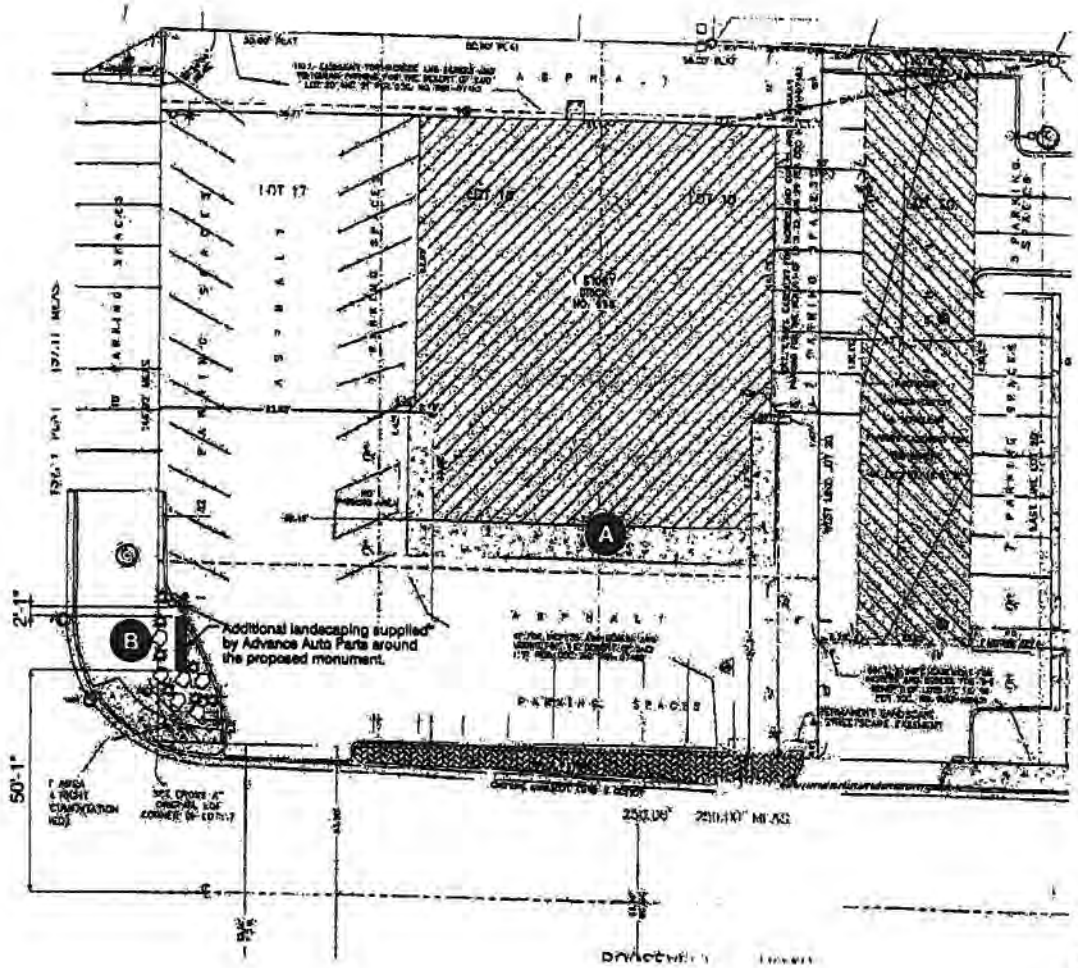
V. Trustee's Report

Trustee Comerford stated officials from COD and Glen Ellyn recently met and reached an interim agreement and attorneys are meeting to attempt to come to terms on a new intergovernmental agreement.

Chairman Burdett questioned if building designs will come through the ARC for future COD buildings. Planner Stegall stated that COD had previously received approval of design guidelines for the campus, but that the terms of any new agreement are unknown.

VI. Staff Report

Planner Stegall stated the trophy award and landscape plaque will be presented at the September 27 Board meeting. She stated a staff representative will be presenting information at a future



Scale: 1" = 40'

RECEIVED
OCT 21 2010
PLANNING DEPARTMENT
VILLAGE OF GLEN ELLYN

EXHIBIT B

A 27" Yellow Channel Letterset

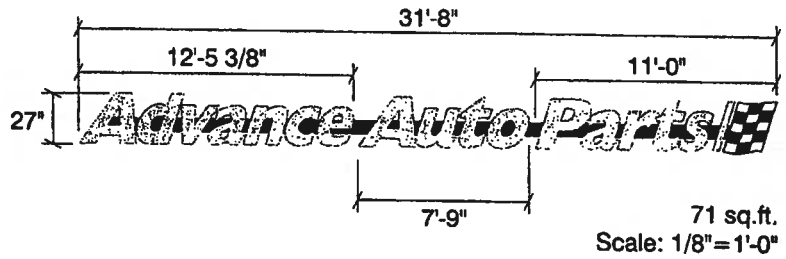
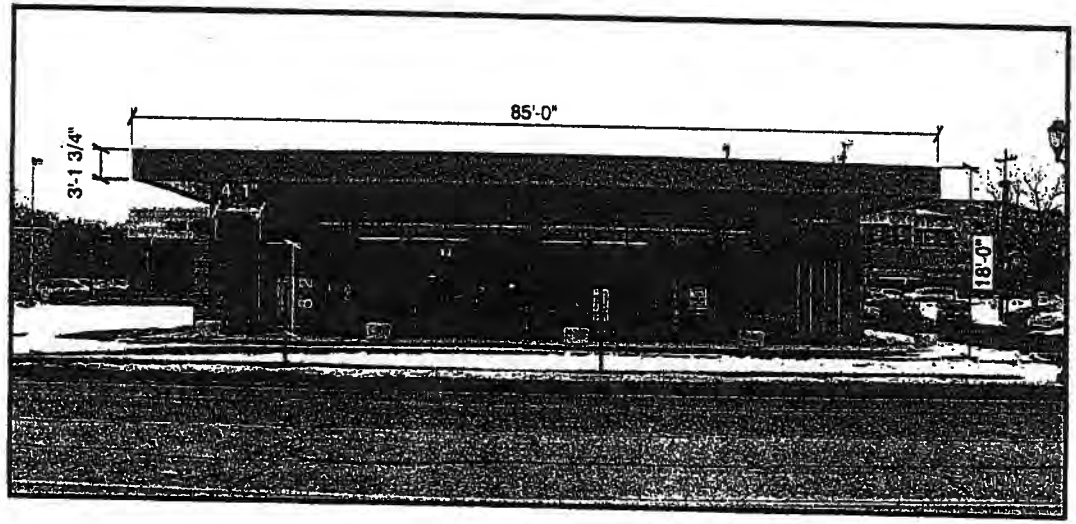
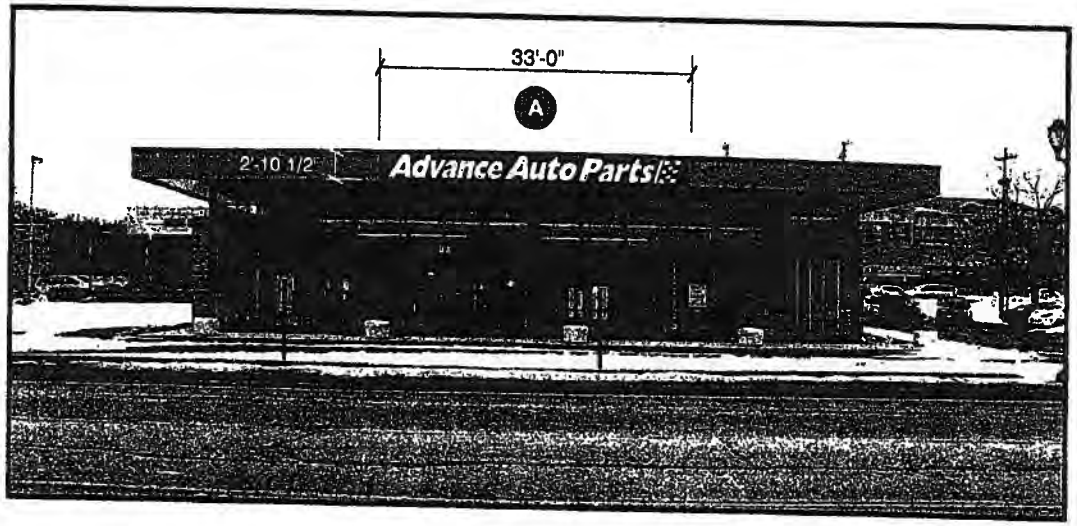


EXHIBIT C

Existing Front Elevation



Proposed Front Elevation

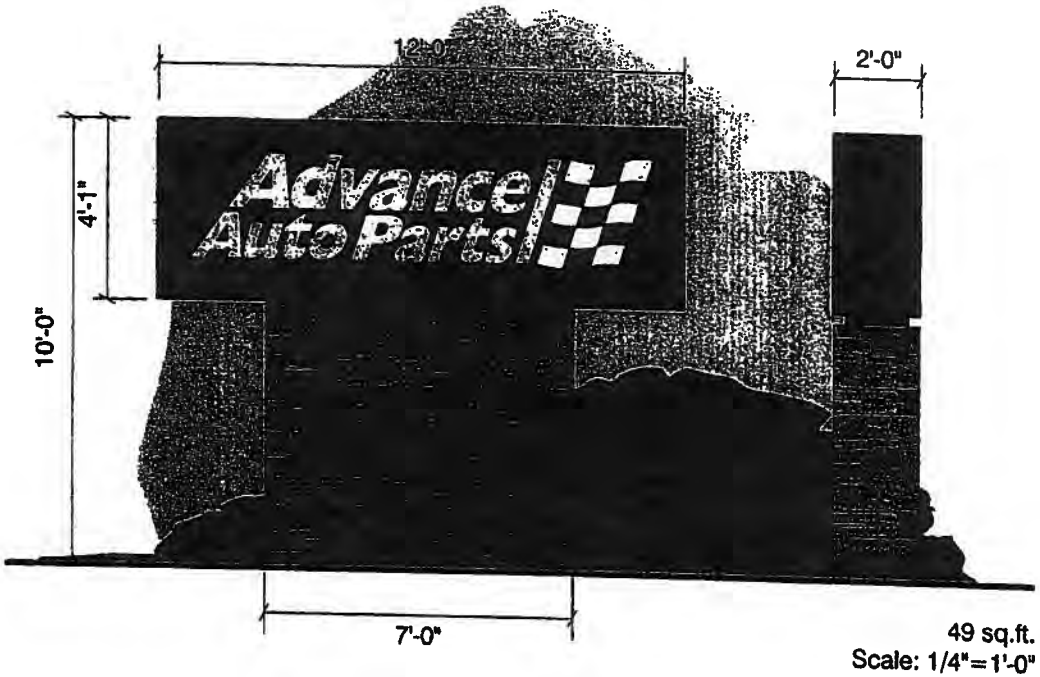


*Signage size and placement are approximate.

EXHIBIT D

SES

B 4'-1" x 12' Monument at 10' OAH



*Base to match existing masonry used on building.

EXHIBIT E

Village of Glen Ellyn

Ordinance No. _____

An Ordinance Amending Ordinance 5892
Which Granted Approval of Sign Code Variations for Advance Auto Parts Located on Property Known as 696 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 Amending Ordinance 5892
Which Granted Approval of Sign Code Variations for Advance Auto Parts Located on Property Known as 696 Roosevelt Road, Glen Ellyn, IL 60137

Whereas, on October 25, 2010, the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, passed Ordinance 5892 which granted approval of, among other things, two sign variations for property known as 696 Roosevelt Road which property is legally described as follows:

LOTS 17, 18 AND 19 IN BLOCK 7 IN ROOSEVELT GARDEN-HOMESITES, BEING A SUBDIVISION IN THE SOUTHWEST ¼ OF SECTION 13 AND IN THE SOUTHEAST ¼ OF SECTION 14, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 5, 1921 AS DOCUMENT 148152, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-14-421-056; and

Whereas, Ordinance 5892 includes a condition limiting the total area of window signage on the building to 10% of the total area of the lower storefront window panes as previously agreed to by the petitioner; and

Whereas, this condition was a result of negotiations between the Architectural Review Commission and the petitioner, Advance Auto Parts, wherein the Village agreed to allow the business additional primary signage in exchange for a reduction in the amount of permitted window signage; and

Whereas, the petitioner is now requesting that Ordinance 5892 be amended to remove this condition due to the limitations it posed on the petitioner's marketing and promotional abilities and the resulting negative impact on its sales generation; and

Whereas, the Village President and Board of Trustees have considered the request and have determined that it would not alter the original findings of fact adopted by Ordinance 5892 and that granting the request would be consistent with the goals of the Glen Ellyn Sign 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: Condition Two in Section Three of Ordinance 5892, which is reiterated below for reference, is hereby eliminated.

> *2. The window signage shall be limited to 10% of the total area of the lower storefront window panes and no more than 50% of the area of an individual windowpane. In addition, no neon window signage shall be permitted. All as agreed to by the petitioner.*

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

Section Three: The Village Clerk is authorized to record this Ordinance with the DuPage County Recorder of Deeds.

Section Four: 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 14(M) of the Village of Glen Ellyn Sign Code.

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 _____.)

X:\Plandev\PLANNING\DEVELOPMENT PROJECTS\Roosevelt\Roosevelt 696, EA, SV\Advance Auto Parts\Ordinance SV Amendment 120511.doc

MEMORANDUM

A-6G

TO: Mark Franz, Village Manager

FROM: Staci Hulseberg, Planning and Development Director

DATE: December 12, 2011

RE: Economic Incentive Guidelines

Background.
At the November 28, 2001 and December 5, 2011 Village Board workshops the Board discussed proposed Economic Incentive Guidelines. The Board made several suggestions at these two workshop meetings that have been incorporated into the Guidelines.

Issues.
It is in the Village's best interest to approve the Guidelines as the Board will be considering economic incentive requests in the near future.

Recommendation.
The updated guidelines provide a framework for the Village to evaluate the appropriateness of requests for economic incentives. The Guidelines should help ensure requests receive consistent and fair evaluations. Staff recommends adoption of the Guidelines.

Action Requested.
Approval of the proposed Resolution adopting the proposed Guidelines.

Attachments.
- Economic Incentive Guidelines Black-lined with Trustee Comments
- Resolution adopting the Guidelines with Clean Copy of Guidelines Attached

CC: Michele Stegall, Village Planner
Kasey Matthews, Planning Intern

Village of Glen Ellyn
Economic Incentive Guidelines

Introduction

The Village of Glen Ellyn believes that local businesses are a valuable and important part of our community. Businesses contribute to the vitality and strength of our Village and Glen Ellyn aims to be a welcoming place for businesses. We welcome the opportunity to discuss business and development opportunities within the Village and the possibility of incentives that enable desirable economic development.

The purpose of these Guidelines is to present the primary objectives of Village sponsored economic incentives for all parties involved and to provide a general framework which will ensure both consistency over time and fairness in the consideration of economic incentive proposals. These internal Guidelines are intended to be flexible in order to address specific circumstances and may be waived or amended as the Village Board of Trustees deems appropriate.

Incentives are a tool to encourage and maintain quality development in the Village and should be used in the best interest of the community by providing growth and long-term value. The impacts on all stakeholders should be considered before the Village Board decides to approve or deny a request for incentives.

The referenced incentives are not inclusive and use of any incentive is at the sole discretion of the Village Board. All requests for incentives will be reviewed on a case-by-case basis and upon the merits of each situation. Meeting policy guidelines does not guarantee assistance and the approval or denial of one project shall not set a precedent for approval or denial of other projects. The Village's intention should be to provide the minimum amount of assistance necessary to make the project viable while carefully considering the long-term financial and community impacts.

Goals and Objectives

The primary goals of economic incentives are to bridge the financial gap for quality projects which will generate substantial new revenues for the Village or generate additional jobs, and which would not take place in Glen Ellyn but for the existence of the incentive.

These goals are to be met by the following objectives:

1. Attracting businesses/developers to high priority redevelopment sites;
2. Attracting high priority and unique businesses to the Village that improve the overall mix of uses;
3. Improving properties which are considered unattractive or have been vacant for a long period of time;

4. Providing higher quality architectural and landscape treatments than the market will bear to further improve the aesthetics of an existing or proposed development, enhance adjacent property values, and improve the overall appeal of the Village's commercial districts;
5. Introducing uses which further the Village's reputation as a destination for shopping, dining, cultural events and entertainment;
6. Improving the variety of quality housing choices to support community diversity and nearby businesses, and increase the vibrancy and economic development potential of the downtown;
7. Retaining and providing for growth of high priority or significant anchor businesses whose closure would have ~~significant~~considerable negative impact on surrounding businesses and the community;
8. Fulfilling other goals expressed within the Village's 2001 Comprehensive Plan and 2009 Downtown Strategic Plan.

Types of Incentives

The following is a list of potential incentives the Board *may* wish to consider. Not all incentives will be appropriate for all projects and some projects may necessitate creative incentives that may not be listed below.

- Sales Tax Rebates
- Use of Village property or right-of-way for development at reduced or no cost, excluding previously vacated right-of-way
- Contribution toward public improvement or infrastructure
- Fee waivers: zoning, permits, etc.
- Cooperative provision of municipal services
- Industrial Revenue Bonds
- Special Service Area
- Business Development District (BDD): an increase in sales tax over a specified period of time used to fund improvements in the district

Eligible Projects

There are several types of eligible projects which may be considered for economic assistance. Examples of these projects are:

- Businesses attracted, retained, or expanded in the Village
- Development of previously identified priority development sites
- Business segments underserved in the Village
- Development consistent with the Downtown Plan
- Other projects that would enhance the Village and satisfy one or more of the identified objectives

Review Criteria

The threshold level of assistance given to the Developer should be limited to the minimum amount necessary to provide the Developer with a reasonable rate of return for the project in Glen Ellyn, and the level of return for the Village to consider an incentive proposal should be significant.

Requests for economic assistance shall be evaluated on the merit of the proposal and the following criteria:

- Conformance with the Comprehensive Plan and Downtown Plan goals and objectives
- Improvement of economic base through attraction, retention or expansion of businesses
- Attraction of high priority business that would enhance diversity of businesses and vitality in the Village's business districts
- Fulfillment of an underserved business segment
- Enhancement and diversification of Village revenue bases
- Presence of extraordinary costs above and beyond typical development improvement costs, such as prohibitively expensive:
    - Environmental remediation
    - Capital purchases
    - Facility expansion
    - Public infrastructure
- Provision of a variety of quality housing choices including those that support community diversity
- Enhancement of streetscape and pedestrian experiences
- Improvement of public infrastructure
- Improvement of existing parking and/or traffic circumstances not created by the applicant
- Remediation of blighted property
- Enhancement of cultural and/or environmental circumstances
- Creation of more marketable real estate space
- Significant increase in quality full-time permanent employment
- Quality of development and aesthetics above and beyond code requirements and design standards
- Impact on the immediate neighborhood
- Demonstrated ability to construct, operate and maintain the proposed project based upon past experience, reputation and credit history
- Demonstrated probability of economic success

The above criteria are not inclusive and do not prohibit other criteria from being considered.

Submittal Guidelines

By providing an incentive the Village is entering into a financial agreement; therefore is it appropriate to request detailed financial information from the developer or property owner to allow the Village to evaluate the likely success of the project and make an informed decision. The following is a general list of items the Village may wish to request of the developer in order to allow the Village a thorough review of the project, including any potential impacts and how the requested incentive may benefit the Village. The submitted documents should be considered the developer's application for incentive.

1. Program Details
    a. Summary of proposal and benefits to the Village
    b. Area of property
    c. Square footage of uses by type
    d. Estimated number of employees (full-time and part-time)
    e. Proposed construction timeframe
    f. Complete list of all investors in the project identifying individual ownership interest
2. Projected Annual Sales
    a. Total sales for 10 years
    b. Breakdown of total sales between taxable items and exempt items (see "*Attachment A*" for details on items exempt from Home Rule Sales Tax)
3. Current equalized assessed value of the property
4. Current property appraisal
5. Market study, gap analysis and pro forma analysis of the project
6. Estimated construction cost and purchase price of property
7. Estimated utility usage (eg. electricity, natural gas, telecommunication)
8. Estimated water usage
9. Description of incentive being requested
    a. Dollar amount and proposed structure of incentive request
    b. Description and amount of extraordinary costs related to development
10. Financial guarentees to ensure project completion such as letters of credit, and cash escrow
11. Any other relevant information requested by the Village and necessary to evaluate the request

The developer should submit an original and two copies of all the requested documents. Packets should be sent to:

Planning and Development Director
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, Illinois 60137

Petitioners should be prepared to provide full financial disclosure for evaluation by an independent financial consultant approved by the Village. An amount from the petitioner, paid at the time of application, should be deposited into an escrow account to cover the Village's costs for legal and financial consultation in reviewing the incentive request.

The Village should notify the developer when all the requested materials have been received. In the event the developer does not submit everything that was requested, review should not begin until those materials are received.

Review Process

Glen Ellyn welcomes business and development opportunities within our Village. We desire to initiate an open dialogue with business owners interested in remaining or locating in Glen Ellyn. Village staff is readily available to respond to questions and offer assistance to prospective businesses and developers. Applicants are encouraged to contact management in the Planning and Development Department to initiate discussion regarding potential incentives. Once an application is received the estimated timeframe for review is approximately 6 weeks and may include the following steps:

1. Submittal of documentation to Village management
2. Review of documentation by Village management (and/or consultant if desired by Village)
    a. Calculate potential sales tax, property tax, utility tax, water revenue, miscellaneous one time fees (building permits, transfer tax, fee-in-lieu charges, etc.)
    b. Determine if there are any State or County incentives available to coordinate a joint incentive package
3. Presentation of request, management analysis and recommendation to Finance Commission
4. Finance Commission Meeting for review and recommendation to Village Board
5. Village management prepares draft Incentive Agreement as recommended by Finance Commission, if applicable
6. Finance Commission recommendation, management recommendation, and draft incentive agreement forwarded to Village Board, if applicable
7. Village Board meeting for final consideration of incentive request

Incentive agreements should address the following items and include the following provisions:

- *"But For" Standard:* the petitioner should demonstrate that the project would not otherwise take place in Glen Ellyn "but for" the incentive.
- *Dollar Amount and Term:* A maximum dollar amount and term will be determined. Assistance should be at the lowest level possible within the least amount of time.
- *Eligible Project Costs:* incentives may not be used for soft costs such as legal, architectural or engineering consultant fees.
- *Reimbursement for Failure:* The incentive agreement should contain a claw-back provision to the Village for reimbursement of a pro-rated share of the incentive based on specified time periods should a business associated with an incentive cease to operate during the term of the incentive or another specified period of time.
- *Look-back Provision:* If the project generates a higher return than anticipated when the incentive was approved, the developer and Village shall split any increase at or above a specified threshold of the original projected rate of return.
- *Permanence:* Projects requesting an incentive should demonstrate their intent to remain within the Village for the foreseeable future. For example, a condition of the incentive may be a commitment for a lease period beyond the length of the incentive.
- *Ownership:* If the developer intends to sell the project (i.e. commercial or residential condominiums), the developer must retain ownership of the overall project until final completion.
- *Pay-As-You-Go:* Assistance will be provided by a "pay-as-you-go" method. Up-front financing requests will be considered on a case-by-case basis provided there is sufficient increment generation to meet initial financing and debt service costs.
- *Limitation:* no incentive will be provided for any project expenses incurred prior to approval of the project with the exception of Village grant funds.
- *Other Assistance:* when requested, the Village will assist developers in seeking State and Federal Incentives.

The Village Board has final authority to negotiate the terms of any economic incentive or to deny approval of an incentive proposal. The preceding guidelines do not limit Village Board action.

"Attachment A"

Exemptions to Home Rule Retailers and Service Occupation Taxes

Village Ordinance 5740 (3/30/09)

Retail and Service Sales that are Exempt from Taxes

- Food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food which has been prepared for immediate consumption)
- Drugs and medical appliances
  - Prescription and non-prescription medicines
  - Drugs
  - Medical appliances
  - Insulin
  - Urine testing materials
  - Syringes
  - Needles used by diabetics
- Tangible personal property that is titled or registered with an agency of State government (eg. Cars, trucks, motorcycles, trailers, snowmobiles, aircraft)

Resolution ___

A Resolution Adopting Economic Incentive Guidelines for the Village of Glen Ellyn

Whereas, in February of 1998, internal Village Guidelines for sales tax rebate proposals were established; and

Whereas, the Village anticipates receiving new requests for economic incentives in the near future; and

Whereas, the Village desires to review and update the 1998 Guidelines to assist in the review of future economic incentive requests in order to provide for a more consistent framework for review and to evaluate and modify the objectives of offering economic incentives to ensure that they continue to further the Village's goals; and

Whereas, the updated Guidelines has been expanded to address a variety of different types of economic incentives and a new review process for the consideration of incentive requests has been prepared; and

Whereas, the updated Guidelines were informally reviewed by the Finance Commission at a public meeting on October 14, 2011 and recommendations from the Finance Commission were incorporated into the Guidelines; and

Whereas, the Village President and Board of Trustees reviewed the Guidelines at a workshop meeting on November 28, 2011 and believe it is in the best interest of the Village to adopt the updated Guidelines.

Now, Therefore, be it Resolved by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois as follows:

Section One. The Economic Incentive Guidelines dated December 1, 2011 and attached hereto as Exhibit "A" are hereby adopted by the Village President and Board of Trustees.

Section Two. The Guidelines approved herein are to be used as a Guide to review requests for economic incentives from the Village.

Section Three. The granting of Economic Incentives shall continue to be at the sole discretion of the Village Board.

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____ 2011.

Ayes:

Nays:

Absent:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this _____ day of _____, 2011.

_____
Village President of the
Village of Glen Ellyn, Illinois

Attest:

_____
Village Clerk of the
Village of Glen Ellyn, Illinois

S:\Economic Development\Grants-Funding-Incentives\Economic Incentive Guidelines Resolution 120111.doc

EXHIBIT "A"

Updated 12/6/11

Village of Glen Ellyn
Economic Incentive Guidelines

Introduction

The Village of Glen Ellyn believes that local businesses are a valuable and important part of our community. Businesses contribute to the vitality and strength of our Village and Glen Ellyn aims to be a welcoming place for businesses. We welcome the opportunity to discuss business and development opportunities within the Village and the possibility of incentives that enable desirable economic development.

The purpose of these Guidelines is to present the primary objectives of Village sponsored economic incentives for all parties involved and to provide a general framework which will ensure both consistency over time and fairness in the consideration of economic incentive proposals. These internal Guidelines are intended to be flexible in order to address specific circumstances and may be waived or amended as the Village Board of Trustees deems appropriate.

Incentives are a tool to encourage and maintain quality development in the Village and should be used in the best interest of the community by providing growth and long-term value. The impacts on all stakeholders should be considered before the Village Board decides to approve or deny a request for incentives.

The referenced incentives are not inclusive and use of any incentive is at the sole discretion of the Village Board. All requests for incentives will be reviewed on a case-by-case basis and upon the merits of each situation. Meeting policy guidelines does not guarantee assistance and the approval or denial of one project shall not set a precedent for approval or denial of other projects. The Village's intention should be to provide the minimum amount of assistance necessary to make the project viable while carefully considering the long-term financial and community impacts.

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Types of Incentives

The following is a list of potential incentives the Board *may* wish to consider. Not all incentives will be appropriate for all projects and some projects may necessitate creative incentives that may not be listed below.

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    a. Total sales for 10 years
    b. Breakdown of total sales between taxable items and exempt items (see "*Attachment A*" for details on items exempt from Home Rule Sales Tax)
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4. Current property appraisal
5. Market study, gap analysis and pro forma analysis of the project
6. Estimated construction cost and purchase price of property
7. Estimated utility usage (eg. electricity, natural gas, telecommunication)
8. Estimated water usage
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    a. Dollar amount and proposed structure of incentive request
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11. Any other relevant information requested by the Village and necessary to evaluate the request

The developer should submit an original and two copies of all the requested documents. Packets should be sent to:

Planning and Development Director
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, Illinois 60137

Petitioners should be prepared to provide full financial disclosure for evaluation by an independent financial consultant approved by the Village. An amount from the petitioner, paid at the time of application, should be deposited into an escrow account to cover the Village's costs for legal and financial consultation in reviewing the incentive request.

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    b. Determine if there are any State or County incentives available to coordinate a joint incentive package
3. Presentation of request, management analysis and recommendation to Finance Commission
4. Finance Commission Meeting for review and recommendation to Village Board
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- *Dollar Amount and Term:* A maximum dollar amount and term will be determined. Assistance should be at the lowest level possible within the least amount of time.
- *Eligible Project Costs:* incentives may not be used for soft costs such as legal, architectural or engineering consultant fees.
- *Reimbursement for Failure:* The incentive agreement should contain a claw-back provision to the Village for reimbursement of a pro-rated share of the incentive based on specified time periods should a business associated with an incentive cease to operate during the term of the incentive or another specified period of time.
- *Look-back Provision:* If the project generates a higher return than anticipated when the incentive was approved, the developer and Village shall split any increase at or above a specified threshold of the original projected rate of return.
- *Permanence:* Projects requesting an incentive should demonstrate their intent to remain within the Village for the foreseeable future. For example, a condition of the incentive may be a commitment for a lease period beyond the length of the incentive.
- *Ownership:* If the developer intends to sell the project (i.e. commercial or residential condominiums), the developer must retain ownership of the overall project until final completion.
- *Pay-As-You-Go:* Assistance will be provided by a "pay-as-you-go" method. Up-front financing requests will be considered on a case-by-case basis provided there is sufficient increment generation to meet initial financing and debt service costs.
- *Limitation:* no incentive will be provided for any project expenses incurred prior to approval of the project with the exception of Village grant funds.
- *Other Assistance:* when requested, the Village will assist developers in seeking State and Federal Incentives.

The Village Board has final authority to negotiate the terms of any economic incentive or to deny approval of an incentive proposal. The preceding guidelines do not limit Village Board action.

"Attachment A"

Exemptions to Home Rule Retailers and Service Occupation Taxes

Village Ordinance 5740 (3/30/09)

Retail and Service Sales that are Exempt from Taxes

- Food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food which has been prepared for immediate consumption)
- Drugs and medical appliances
  - Prescription and non-prescription medicines
  - Drugs
  - Medical appliances
  - Insulin
  - Urine testing materials
  - Syringes
  - Needles used by diabetics
- Tangible personal property that is titled or registered with an agency of State government (eg. Cars, trucks, motorcycles, trailers, snowmobiles, aircraft)

A-7

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Staci Hulseberg, Planning and Development Director
Michele Stegall, Village Planner MJS
Michael Strong, Planning Intern MS by MJS

DATE: December 2, 2011

FOR: December 12, 2011 Village Board Meeting

RE: Annexation Agreement Amendment – 1S701 Taylor Road

Background. The purpose of this memorandum is to present a request to amend the Annexation Agreement approved by the Village Board as Ordinance No. 5683 on May 12, 2008, for the property located at 1S701 Taylor Road. Allen and Janet Gould, owners of property located at 1S701 Taylor Road are requesting approval to amend their annexation agreement with the Village of Glen Ellyn in order to allow them to extend the deadline to connect to the sanitary sewer main located in front of the property in the Taylor Road right-of-way from January 1, 2013 to January 1, 2015. The subject property is located on the east side of Taylor Road, south of Buena Vista Drive and north of 22nd Street. It is currently located in unincorporated DuPage County and is not contiguous to the Village limits.

Issues. The property owner, Allen Gould, provided a letter (attached) to the Planning and Development Department on October 13, 2011, seeking an extension due to the individual's current work situation and fixed income. Mr. Gould stated that connecting to the Village's sanitary sewer by the required deadline would be difficult given his current financial situation. The current annexation agreement states that the property was to be connected to the Village's water main by January 1, 2009, and to the Village's sanitary sewer main prior to January 1, 2013. The property owners did connect to the Village's water main, by the required January 1, 2009 deadline. A copy of the current annexation agreement has been attached.

Recommendation. It is Village staff's recommendation that this request for a two-year extension to connect to the Village's sanitary sewer be considered and approved by the Village Board. The property owners have made a good faith effort to comply with the terms of their annexation agreement by meeting the deadline to connect to the Village's water main. In addition, the property owners have been responsible in contacting the Village and being proactive in addressing this concern prior to the deadline. In regard to the current state of the owner's septic system, a new motor was installed last fall, which has extended the life of the septic system by a minimum of seven years.

Action Requested. The Village Board is requested to conduct a public hearing and act on the proposed annexation agreement amendment. Staff has prepared an Ordinance approving the annexation agreement amendment for consideration at the December 12, 2011, Village Board meeting.

Attachments.

- Map
- Public Hearing Notice
- Affidavit of Service
- Service List
- Letter from Allen Gould dated October 12, 2011
- Ordinance 5683
- Ordinance Amending Annexation Agreement

cc: Mr. and Mrs. Gould, property owners
Julius Hansen, Public Works Director

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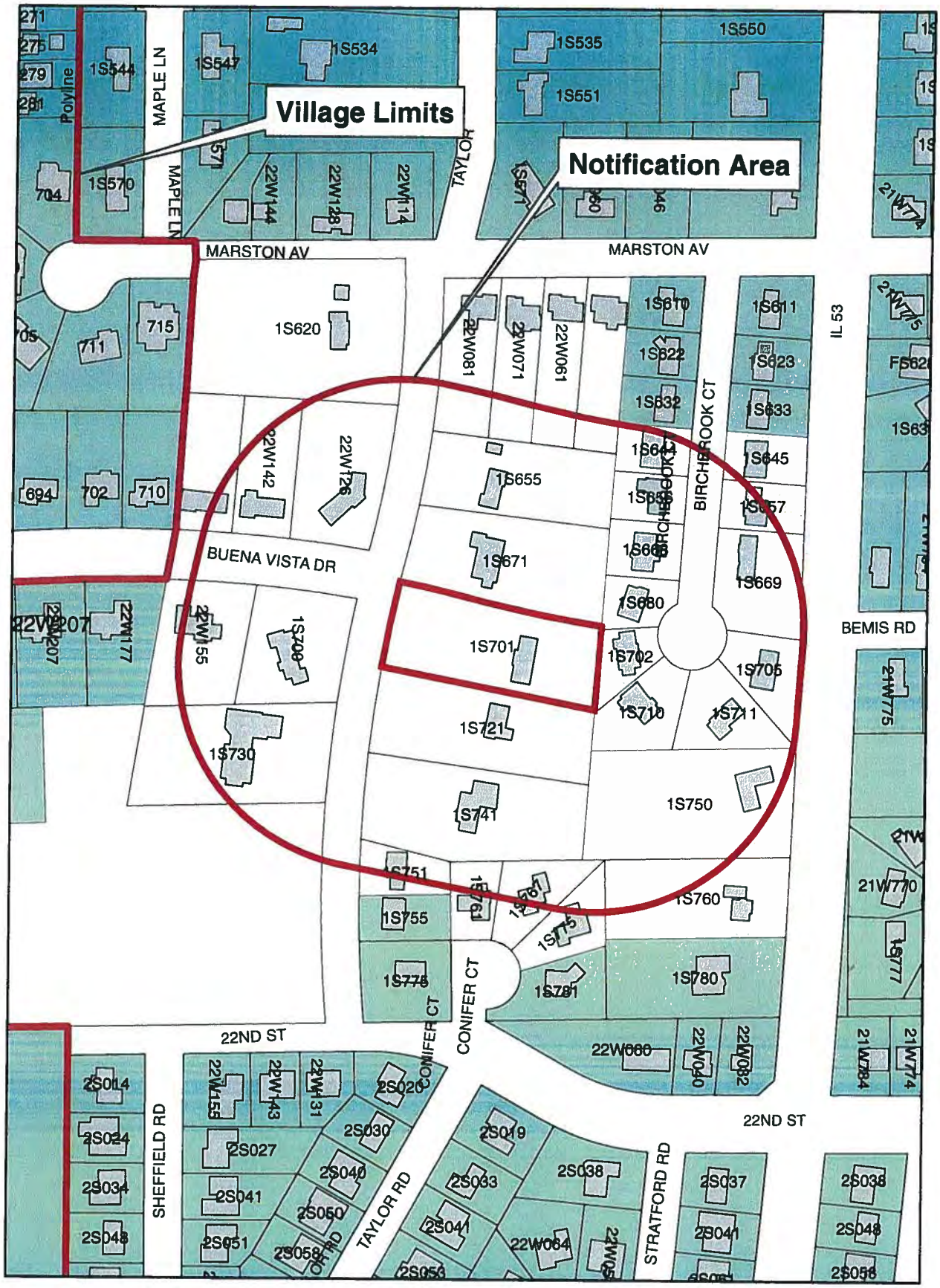
Allen and Janet Gould, property owners of 1S701 Taylor Road, have requested an amendment to the Annexation Agreement for their property to extend the deadline to connect to the Village's sanitary sewer main from January 1, 2013 to January 1, 2015. The property is located in unincorporated Glen Ellyn and is not contiguous with the Village boundaries.

1. Public hearing regarding a request for an amendment to the annexation agreement for 1S701 Taylor Road.

2. Ordinance No. _____, an Ordinance Approving an Amendment to the Annexation Agreement for Property Located at 1S701 Taylor Road, Glen Ellyn, IL 60137.

1S701 Taylor Road



Prepared By: Michael Strong
Date Prepared: October 31, 2011

0 175 350 700 Feet

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Notice of Public Hearing

REGARDING AN ANNEXATION AGREEMENT AMENDMENT WITH THE VILLAGE OF GLEN ELLYN

In accordance with the Illinois State Statutes 65 ILCS Section 5/7-1-8, on Monday, December 12, 2011 at 8:00 p.m., the Glen Ellyn Village Board will conduct a public hearing to consider an annexation agreement amendment allowing for a two year extension until January 1, 2015, to connect to the Village's sanitary sewer main for approximately 1.24 acres of land commonly known as 1S701 Taylor Road which is located on the east side of Taylor Road across from Buena Vista Avenue and which is not currently contiguous to the Village of Glen Ellyn.

The property that the Village of Glen Ellyn will be considering an annexation agreement for is legally described as follows:

OF LOT 1 IN MAPLE CREEK, A SUBDIVISION OF LOT 14 IN KAMMES ESTATES, IN THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID MAPLE CREEK RECORDED NOVEMBER 8, 1966, AS DOCUMENT R66-45844, IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS.

P.I.N.05-23-412-004

All persons in the Village of Glen Ellyn who are interested are invited to attend the public hearing to listen and be heard. A copy of the annexation agreement amendment 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 proposed annexation agreement should be directed to Michael Strong, Planning Intern, 630-547-5248. The Village Board may approve the proposed annexation agreement amendment this same night following the public hearing.

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 at least 24 hours in advance of the meeting.

Michael Strong,
Planning Intern
Village of Glen Ellyn
Published in Daily Herald
November 25, 2011 (4284166)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Addison, Bensenville, Bloomingdale, Carol Stream, Glendale Heights, Glen Ellyn, Itasca, Keeneyville, Lisle, Lombard, Medinah, Naperville, Oak Brook, Oakbrook Terrace, Roselle, Villa Park, Warrenville, West Chicago, Wheaton, Winfield, Wood Dale

County(ies) of DuPage
and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 7150, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published November 25, 2011 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY Kathleen E Solan
Authorized Agent

Control # 4284166

November 23, 2011

Mr. Fred Bucholz
DuPage County Recorder's Office
421 N. County Farm Road
Wheaton, IL 60187

AFFIDAVIT OF SERVICE OF NOTICE

Pursuant to the Illinois Municipal Code, the undersigned, being first duly sworn on oath, deposes and states that a true and correct copy of the NOTICE OF PUBLIC HEARING REGARDING AN ANNEXATION AGREEMENT AMENDMENT for property located at:

Common Address	P.I.N.
1S701 Taylor Road	05-23-412-004

Glen Ellyn, IL, was served upon the parties identified on the attached service list by depositing same in the United States mail at 535 Duane Street, Glen Ellyn, Illinois, 60137, on November 23, 2011, with property postage fully prepaid. If you have any questions, please contact Michael Strong, Planning Intern at 630-547-5248.

Affiant

A map depicting the property under consideration for an Annexation Agreement with the Village of Glen Ellyn is attached.

SUBSCRIBED and SWORN to
Before me this 23rd day of
November 2011

Carol J. Allen
Notary Public

"OFFICIAL SEAL"
CAROL J. ALLEN
Notary Public, State of Illinois
My Commission Expires 03/12/12

Attachments: Service List
Public Hearing Notice
Map of Area

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SERVICE LIST

The following were recipients of the "NOTICE OF PUBLIC HEARING REGARDING AN ANNEXATION AGREEMENT AMENDMENT" (with map) under consideration by the Village of Glen Ellyn on Monday, December 12, 2011 and published on November 25, 2011 for property located at:

Common Address	P.I.N.
1S701 Taylor Road	05-23-412-004

Mark Franz, Village Manager, 535 Duane St., Glen Ellyn, IL 60137
Stewart Diamond, Attorney, Ancel, Glink, Diamond, Bush, DiCianni & Rolek, P.C., 140 S. Dearborn St., 6th Floor, Chicago, IL, 60603
A. W. McGurr, Village Consulting Engineer, P.O. Box 308, Wheaton, IL, 60187-0308
Suzanne Connors, Village of Glen Ellyn Clerk, 535 Duane St., Glen Ellyn, IL, 60137
Directors of Village of Glen Ellyn Departments, 535 Duane Street, Glen Ellyn, IL 60137
Trustees-Individually, Milton Township, 1492 N. Main St., Wheaton, IL, 60187: James Flickinger, Salvatore Falbo, Christopher Edwards and Marie Jensen; Township Supervisor-Chris Heidorn; Township Clerk-Gail Hinkle
Milton Township Highway Commissioner Gary Muehlfelt, 23W040 Poss St., Glen Ellyn, IL, 60137
Fred Bucholz, DuPage County Recorder, 421 N. County Farm Road, Wheaton, IL, 60187
Gary King, DuPage County Clerk, P.O. Box 1028, Wheaton, IL 60187
Surrounding Property Owners (within 250 feet)

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TO WHOM IT MAY CONCERN, 10/12/11

MY NAME IS ALLEN W. GOULD, I RESIDE AT 725 TAYLOR RD., GLEN ELLYN. I ENTERED INTO A PRE-ANNEXATION AGREEMENT ON MAY 12TH, 2008 WHEREAS I AGREED TO HOOK-UP TO THE VILLAGE'S WATER MAIN BY JANUARY 1, 2009, AND I DID. ALSO, I WAS OBLIGATED TO HOOK-UP TO THE VILLAGE'S SANITARY SEWER MAIN NO LATER THAN JANURRY 1, 2013. I AM A 64 YEAR SEMI-RETIRED CARPENTER ON SOCIAL SECURITY, TO SUPPLEMENT MY INCOME. HOWEVER, I HAVE AN INHERITANCE COMING IN ABOUT 2½ YRS., AT WHICH TIME, I WOULD BE ABLE TO AFFORD TO HOOK-UP TO THE SANITARY SEWER SYSTEM. BECAUSE OF THE ECONOMY AND LACK OF WORK SITUATION, HOOKING-UP BY JANUARY 1, 2013 WOULD BE IMPOSSIBLE FOR ME. I AM ASKING THE VILLAGE OF GLEN ELLYN TO PLEASE GRANT ME A TWO YEAR EXTENSION ON THE JANUARY 1, 2013 HOOK-UP TO THE SEWER SYSTEM. IF YOU COULD GRANT THIS OLD VETERAN THAT EXTENSION, I WOULD BE VERY GRATEFUL TO YOU ALL. GOD BLESS YOU AND THANK YOU FOR YOUR CONSIDERATION IN THIS MATTER.

Allen W. Gould

OCT 17 2011
PLANNING DEPARTMENT
VILLAGE OF GLEN ELLYN

FRED BUCHOLZ
DUPAGE COUNTY RECORDER
JAN.29,2009 2:53 PM
OTHER 05-23-412-004
016 PAGES R2009-011349

Village of Glen Ellyn

Ordinance No. 5683

An Ordinance Approving an Annexation Agreement for Property Located at 1S701 Taylor Road
GLEN ELLYN, IL 60137

Adopted by the
President and Board of Trustees of the
Village of Glen Ellyn,
DuPage County, Illinois
This 12 **Day of** May, **2008**

Published in pamphlet form by the authority of the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, this 15 day of May, 2008

PREPARED BY AND MAIL TO:
VILLAGE OF GLEN ELLYN
ATTN: VILLAGE CLERK
535 Duane Street
Glen Ellyn, IL 60137

Ordinance No. 5683

An Ordinance Approving an Annexation Agreement for Property Located at 1S701 Taylor Road

Whereas, Allen and Janet Gould, record titleholders of property commonly known as 1S701 Taylor Road, have petitioned the Village President and Board of Trustees of the Village of Glen Ellyn for approval of an annexation agreement for the subject property; and

Whereas, the property at 1S701 Taylor Road is not located within the corporate limits of any municipality and is not currently contiguous to the corporate limits of the Village of Glen Ellyn; and

Whereas, the subject property is legally described as follows:

OF LOT 1 IN MAPLE CREEK, A SUBDIVISION OF LOT 14 IN KAMMES ESTATES, IN THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID MAPLE CREEK RECORDED NOVEMBER 18, 1966, AS DOCUMENT R66-45844, IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-23-412-004; and

Whereas, the record titleholders of the property at 1S701 Taylor Road have indicated that they are ready, willing, and able to enter into the Annexation Agreement, attached hereto as Exhibit "A," and to bind themselves and their successors in interest to the terms of said Annexation Agreement; and

Whereas, the Village has issued, delivered and published all statutorily required notices regarding the consideration of the proposed annexation agreement; and

Whereas, in accordance with all statutorily required notices, on May 12, 2008, the Village Board conducted a public hearing on the proposed Annexation Agreement; and

Whereas, after due investigation and consideration and pursuant to the aforesaid public hearing, the President and Board of Trustees deem it in the best interest of the Village of Glen Ellyn

to enter into the Annexation Agreement, attached hereto as Exhibit "A";

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 foregoing recitals and the preambles in the Annexation Agreement attached hereto as Exhibit "A" shall be, and are hereby, incorporated into and made a part of this Ordinance as if fully set forth in this Section One.

Section Two: The Village President and Village Clerk are hereby authorized and directed to execute and attest the Annexation Agreement for 1S701 Taylor Road, attached hereto as Exhibit "A," on behalf of the Village of Glen Ellyn.

Section Three: The Village Clerk is hereby authorized and directed to cause said Annexation Agreement to be recorded with the Recorder of Deeds of DuPage County, upon the proper execution of the same on behalf of all of the parties, together with a certified copy of this Ordinance approving the execution of the Annexation Agreement on behalf of the Village of Glen Ellyn.

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

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this 12 day of May, 20 08.

Ayes: Thorsell, Comerford, Armstrong, Ladesic, Norton

Nays: -0-

Absent: Lee

Abstentions: -0-

Approved by the Village President of the Village of Glen Ellyn, Illinois, this 12 day of May, 20 08.

Vicky Hare
Village President of the
Village of Glen Ellyn, Illinois

ATTEST:

Andrea Atkins
Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the 15 day of May 2008)

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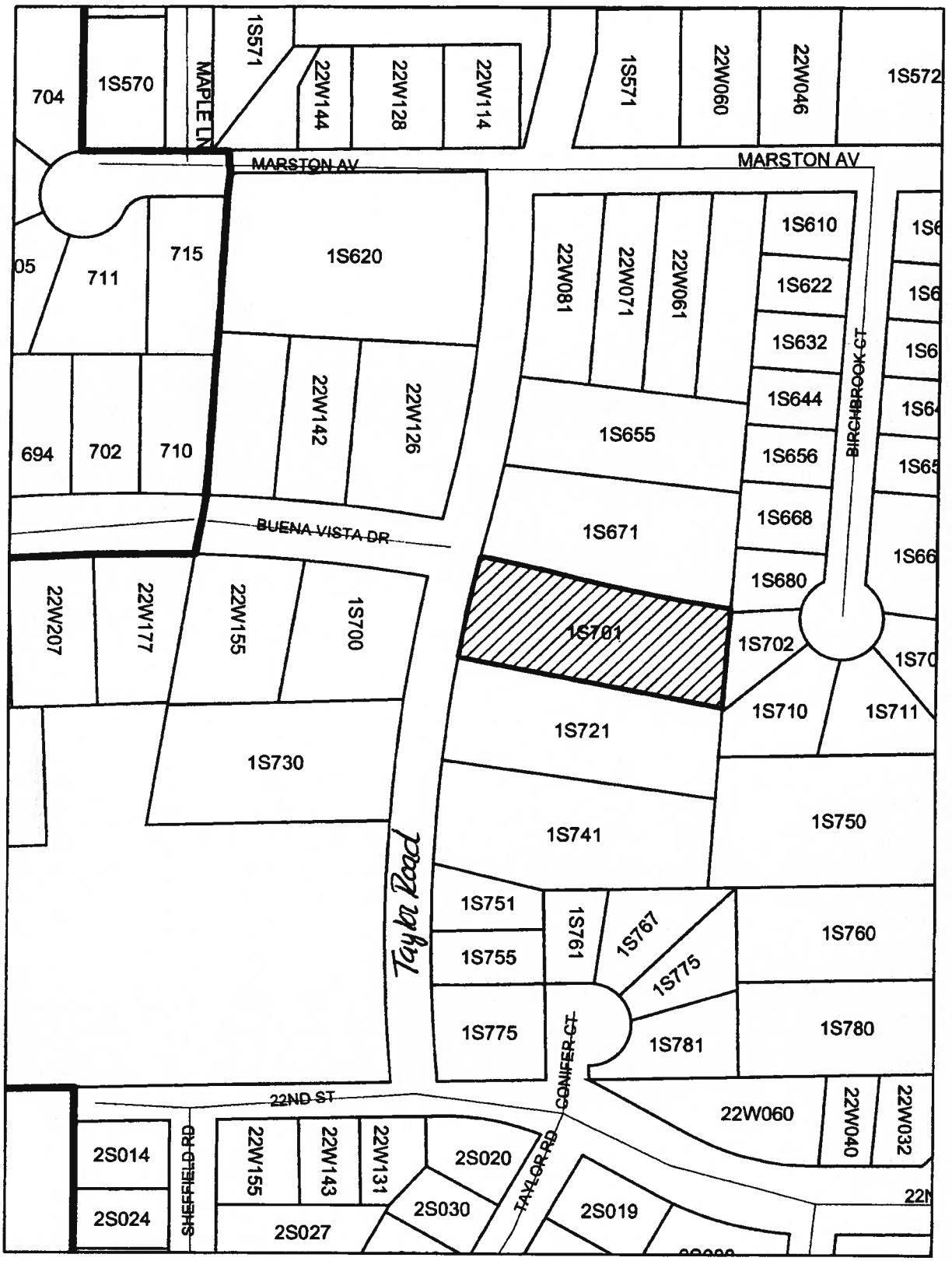
1S701 Taylor Road



Prepared By: Michele Stegall
Date Printed: April 21, 2008

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EXHIBIT "A"

ANNEXATION AGREEMENT

This Annexation Agreement ("Agreement"), is made and entered into this 12 day of May 2008, by, between, and among Allen W. Gould and Janet Gould (collectively "Owners"), and the Village of Glen Ellyn ("Village"). The Village and Owners are collectively referred to as ("Parties").

RECITALS

A. The Owners are the owners of record of a parcel of land commonly known as 1S701 Taylor Road and which is located on the east side of Taylor Road across from Buena Vista Avenue and is not currently contiguous to the Village of Glen Ellyn. The subject property is legally described on Exhibit "A" attached hereto, is identified for real estate purposes as P.I.N. 05-23-412-004 ("Property"), and is currently improved with one single family home.

B. The Village is an Illinois home rule municipal corporation, having its principal office at 535 Duane Street, Glen Ellyn, Illinois.

C. The Owners desire to annex the Property to the Village, as soon as reasonably practicable following the establishment of contiguity between the corporate boundaries of the Village and the Property, pursuant to and in accordance with Section 7-1-8 of the Illinois Municipal Code, 65 ILCS 5/7-1-8, and agrees to do all things necessary to assist in that process when the Village so requests, including the execution and delivery to the Village Clerk of a notarized annexation petition, which petition shall strictly conform to ***Exhibit "B"*** to this Agreement ***("Annexation Petition").***

D. A public hearing to consider this Agreement was noticed in the Glen Ellyn News on April 24, 2008 and was held by the Village President and Board of Trustees on May 12, 2008.

E. The Village has published, posted and delivered all notices as required in Article VII of the Illinois Municipal Code, 65 ILCS 5/7-1-1 *et seq.*

F. The Owners desire that the Property be zoned in accordance with either the R1 or R0 Single Residential District regulations as set forth in Sections 10-4-5 and 10-4-6 of the Glen Ellyn Zoning Code, as amended ("Zoning Code"), when it is annexed to the Village to allow the property to be used for a single-family dwelling unit in accordance with the terms and conditions of this Agreement.

G. The annexation of the Subject Realty shall extend the corporate limits of the Village to the far side of any adjacent highway not heretofore annexed to any other municipality.

H. The Property is not presently connected to the Village water system or sanitary sewer systems and the Owners desire to connect the Property to the Village water and sanitary sewer systems both of which are located in the adjacent Taylor Road right-of-way in accordance with the terms and conditions set forth herein.

I. The Owners understand that they are obligated to pay all costs and fees associated

with connecting to the Village water and sanitary sewer mains.

J. All other matters, in addition to those specifically referred to above, which are included by this Agreement, have been considered by the Parties, and the development of the Property for the purposes permitted under either the R0 and R1 Residential District regulations of the Zoning Code, all in accordance with the terms and conditions of this Agreement, will inure to the benefit and improvement of the Village by increasing the taxable value of the real property within the Village's corporate limits, extending the corporate limits and jurisdiction of the Village to the limits of the Property, promoting the sound planning and development of the Village, and otherwise enhancing and promoting the general welfare of the Village residents and taxpayers.

NOW THEREFORE, in consideration of the foregoing preambles and mutual covenants and agreements contained herein, the Parties agree as follows:

1. Incorporation of Recitals. The Parties hereby confirm the truth and validity of the representations and recitations set forth in the foregoing recitals. The Parties further acknowledge that the same are material to this Agreement and are hereby incorporated into and made a part of this Agreement and the same shall continue for so long as this Agreement is in full force and effect.

2. Legal Conformance with Law. This Agreement is made pursuant to and in accordance with the provisions of the Glen Ellyn Village Code, and its home rule powers, as established in the Illinois Revised Statutes and the Illinois Constitution.

3. Annexation. Upon notification by the Village that the Property has become, in the opinion of the Village, adjacent and contiguous to the Village, the Owners (if still holding title to any portion of the Property) and each grantee(s) shall within 30 days (a) file a fully executed Annexation Petition strictly in the form of Exhibit "B" attached to this agreement, (b) provide Owners' proof of ownership of the Property and, (c) provide a Plat of Annexation acceptable in form and content to the Village Engineer and Village Attorney. Upon, but not before the Village's receipt of the Annexation Petition, the Owners' proof of ownership, and approved Plat of Annexation, the Village's Corporate Authorities shall adopt a valid and binding Annexation Ordinance providing for the annexation of the Property and any adjacent rights-of-way to the Village pursuant to Section 7-1-8 of the Illinois Municipal Code, 65 ILCS 5/7-1-8. The Village Clerk shall then promptly cause the Annexation Ordinance, Plat of Annexation, and related documents, including all required notices, to be recorded in the Office of the DuPage County Recorder.

Alternatively, at the option of the Village, within 30 days after notice from the Village to do so, and subject to the provisions of 65 ILCS 5/7-1-2 et. seq., or 65 ILCS 5/7-1-11, as amended, the Owners and/or their successors and assigns shall join in, and properly execute, a Petition to be filed with the Circuit Court of the Eighteenth Judicial Circuit, DuPage County, Illinois, and shall cooperate with the prosecution of the Petition before said court, provided, however, that the costs of any such litigation shall not be the responsibility of the Owners.

If all or a portion of the Property is conveyed prior to the annexation of the Property to the Village, whether by Owners or other subsequent grantor, any contract for sale or other agreement relating to each and every such conveyance shall contain an acknowledgement by the

grantee of the existence of this Agreement and the requirement that upon the Property becoming, in the opinion of the Village, adjacent and contiguous to the Village, the Property will be annexed to the Village. In addition, each such contract or other agreement shall contain an agreement by the grantee(s) to do all things necessary or appropriate to cause the Property to be duly and validly annexed to the Village, including, but not limited to, execution of an Annexation Petition.

Should a court of competent jurisdiction determine that annexation of the Property was defective because of the failure of the Parties to follow a procedural requirement constituting a valid precondition to proper annexation of the Property, the Parties, including the successors and assigns of the Owners, agree to promptly cause the Property to be reannexed to the Village in a manner that satisfies all procedural requirements.

Should a court of competent jurisdiction determine that annexation of the Property by the Village was without lawful authority (i.e., lack of contiguity), the Parties agree that this Agreement shall be deemed a Pre-Annexation Agreement authorized pursuant to 65 ILCS 5/11-15.1-1, as amended, and shall remain in full force and effect to the extent permitted by law. Thereafter, should the Property become contiguous to the Village, the Parties, including the successors and assigns of the Owners, agree to promptly take all necessary steps as may then be provided by law to perfect the annexation of the Property to the Village.

4. Zoning. Contemporaneous with, or immediately following, the adoption of a valid and binding Annexation Ordinance, the Village's Corporate Authorities shall, without further hearing automatically zone the Property in accordance with Section 10-3-3 of the Glen Ellyn Zoning Code. Any existing use of the Property, upon annexation, that does not comply with the requirements of that zoning category, may continue to be used for its existing purpose subject to the Village's zoning provisions regarding nonconformities. Because the zoning category to be granted to the Property is that which automatically will be granted pursuant to Section 10-3-3, the process under which this Agreement was entered into did not include a public hearing before the Glen Ellyn Plan Commission. The zoning category to be granted to this Property is automatically established and the designation will appear in the next version of the Village's zoning map.

5. Connection to Village Water & Sanitary Sewer Mains: Owners are obligated to connect to the Village's water main no later than January 1, 2009 and the Village's sanitary sewer main no later than January 1, 2013 both of which are located in the adjacent Taylor Road right of way. The Owners shall meet all applicable ordinance requirements pertaining to such connections, including upgrades and other necessities.

The Owners agree to hire a contractor and to pay all costs and all charges associated with the construction of the private water service line to connect the residence on the property to the Village's water main. Any water service connection shall be inspected by Village Staff to ensure that it is constructed in accordance with Village standards.

Existing water wells must be either closed in accordance with Village and County requirements, or converted to landscape and other non-potable water uses as allowed by Village Code and the DuPage County Public Health Department. After connection to the Village water main, a property owner who wishes to maintain a landscape well must totally disconnect it from the potable water supply for the home. At the homeowner's expense, an annual plumbing

inspection is required for a landscape/non-potable water well to verify that it is not connected in any way to a home potable water system.

The Owners agree to hire a contractor and to pay all costs and all charges associated with the construction of the private sanitary sewer service line to connect the residence on the property to the Village's sanitary sewer main and to close the septic system. Any sanitary sewer connection shall be inspected by Village Staff to ensure that it is constructed in accordance with Village standards.

6. Village Codes. While the Property remains in unincorporated DuPage County, it shall be developed pursuant to the building and zoning regulations of DuPage County, except as otherwise provided herein. From and after the date of annexation of the Property to the Village, the property shall be used and maintained in accordance with and pursuant to the Village Code of Glen Ellyn, including the building, subdivision, and zoning regulations contained therein.

7. Fire Protection. Even before annexation, the Property shall comply with the Village's Fire Suppression Sprinkler requirements. Any new home constructed on the Property shall have a fire suppression sprinkler system. Before commencing construction, the Owners shall receive approval from the Village of the fire suppression sprinkler system design to be installed in the homes. The Owners will permit the Village to inspect the installation of the fire suppression sprinkler system and shall pay an inspection fee of $300 per home. Any new residence shall not be occupied until the Village Inspector approves the fire suppression sprinkler system installation. If an addition is constructed to any existing residence on the Property, a fire suppression sprinkler system must be installed if required by the Village building code for the class of the addition. If the Village building code requires installation of a fire suppression system for any addition to an existing structure on the Property, the provisions for permit, inspection and occupancy set forth herein above in this Section shall also apply to the construction of the addition.

8. Village Address. Upon annexation to the Village, the Village will assign the appropriate Village address to the Property.

9. Fees, Charges, Donations and Contributions.

A. Standard Fees and Charges. The Village shall impose upon and collect from the Owners, and its respective employees, contractors, sub-contractors, and agents the customary permit, license, tap-on, connection, and user fees and charges in such amounts or at such rates as are generally applied throughout the Village. Property owners who receive water prior to annexation into the Village will pay the non-resident water rates. Upon and after annexation, property owners will be charged the resident water rates.

B. Payment of Village Consulting Fees. The Owners shall pay reasonable fees incurred by the Village for professional consulting, surveying and legal services pertaining to the annexation of the Property. Such fees shall be billed on the basis of the regular hourly billing rate normally charged by such professional and paid by the Village. Owners have deposited the sum of $1,000 with the Village to be held in escrow and from time to time drawn on by the Village to pay for all Village consultants, recording fees and any other out-of-pocket fees pertaining to the annexation of the Property. The Owners

shall replenish the escrow amount when the balance of the account is below $300. The Village's consultants shall include, without limitation, the Village's consulting engineer, consulting planner, appraiser, surveyor, attorney, and transcriber.

C. Annexation Fee. The Owners have paid the required annexation fee to the Village of $250. At the time of annexation, the Owners shall also pay the cost for a surveyor to prepare the Plat of Annexation.

D. Building Permit Fees. Owners shall pay any and all Village fees and deposits in effect at the time of building permit application, including all water main connection and inspection fees, water meter, water valve and all other associated costs, fees and deposits. The Owners will be required to pay applicable recapture costs, if any, associated with the extension sanitary sewer and/or water main when the building permit is obtained for connection to the sanitary sewer and/or water main.

E. Recapture Fee. In accordance with Ordinance 4983, if the Owners connect to the Village sanitary sewer main prior to August 27, 2011 they shall pay a recapture fee in the amount of $6,184.69.

10. Term. The term of this Agreement will be 20 years from the date of execution hereof, which will be deemed to become effective on the date hereof.

11. Annexation Agreement Extension. At the option of the Village, the Village may extend this Annexation Agreement, at its conclusion, for an additional period of up to 20 years for a portion or all of the Property. If the Village wishes to exercise this option, it shall do so in writing not earlier than two years before the expiration of the Annexation Agreement, nor later than three months prior to this Agreement's initial termination date. Notice shall be sent in writing to (i) that entity that has paid the real estate property taxes during one of the last two years for the Property or that portion of the Property for which the Village wishes to extend this Agreement or (ii) to the record title holder of the Property or that portion of the Property for which the Village wishes to extend this Agreement. If the Village decides in its sole and absolute opinion to extend the term of this Agreement, the Village may do so whether or not the Property, or any portion of the Property, has been annexed to the Village. The Village may only extend the term of this Agreement once. In the event that the Village has not exercised the option to extend the term of this Agreement pursuant to this Section, and if the property has not been annexed to the Village at this Agreement's initial termination date, the Village and the Owners may enter into a new Annexation Agreement in the manner provided by law. If the Village has been providing utility services to the non-annexed Property or any non-annexed portions of the Property pursuant to this Agreement, it may terminate such utility service at the conclusion of this Agreement; provided, however, that the Village provide not less than one year prior written notice of such termination to (i) that entity that has paid the real estate property taxes during one of the last two years for the Property or that portion of the Property for which the Village desires to terminate any such utility service or (ii) to the record title holder of the Property or any portion of the Property for which the Village desires to terminate any such utility service.

12. General Provisions.

A. Severability. In the event that any portion of this Annexation Agreement

will be found to be invalid by any court of competent jurisdiction, such finding of invalidity as to that portion will not affect the validity or enforceability of the balance of this Agreement.

B. Remedies. In addition to all rights and remedies specified in this Agreement, the Village will have the authority to pursue any and all rights and remedies, at law or in equity, to which it is entitled in order to enforce the terms of this Agreement. In the event that the Owners fail to comply, the Village may institute an action for specific performance along with other civil and quasi-criminal actions as permitted by law, and the Village may disconnect the water service. The Owners will be further liable for any attorney fees, court costs and other costs incurred by the Village as a consequence of the Village's enforcement of this provision.

C. Amendment. This Agreement may be amended from time to time with the consent of the parties, pursuant to Statute.

D. Conflict Regulations. The provisions of this Agreement shall supersede the provision of any Village Codes and Ordinances that may be in conflict with the provisions of this Agreement.

E. Enforcement. This agreement shall be enforceable in any court of competent jurisdiction by either the Owners or the Village, and their respective successors and assigns, by an appropriate action at law or in equity, to secure the performance of the promises, obligations, and covenants in this Agreement, including the specific performance of this Agreement. The laws of the State of Illinois shall govern this Agreement. Any lawsuit enforcement filed against the Village of Glen Ellyn, or its officers, employees or independent contractors, may only seek injunction, mandamus or specific performance for the enforcement of the agreement and may not seek damages.

F. Successors and Assigns. This agreement shall inure to the benefit of and be binding upon the Owners and Village and their respective successors and assigns. No conveyance, transfer or assignment of fee title in the Property or of this Agreement shall serve to release the Owners of its duties and obligations already undertaken under this Agreement.

G. Application of Ordinances. Upon annexation, the Property and its use will be subject to all Village ordinances generally applicable throughout the Village except as herein set forth.

H. Recording. The Village Clerk is hereby directed to cause this Agreement to be recorded with the Recorder of Deeds of DuPage County, following its execution and approval by the Village Board.

I. No Disconnection. Once the Property subject to this Annexation Agreement has been annexed to the Village, neither the Owner nor the Owners may petition the Circuit court to take any other action to cause the Property to be disconnected from the Village during the term of this Annexation Agreement or any extension to that term. In addition, the Owner may not during the term of this Annexation Agreement petition any other municipality or a court to permit annexation to another municipality.

J. Recitals and Exhibits. The recitals set froth in the beginning of this Agreement, and the exhibits attached hereto, are incorporated herein by this reference and shall constitute substantive provisions to this Agreement.

K. Captions and Paragraph Headings. The captions and paragraph headings used herein are for convenience only and shall not be used in construing any term or provision of this Agreement.

13. Notice. Any notice or communication required or permitted to be given under this Agreement shall be in writing and shall be delivered (i) personally, (ii) by a reputable overnight courier, (iii) by certified mail, return receipt requested, and deposited in the U.S. Mail, postage prepaid, (iv) by facsimile, or (v) by electronic internet mail ("*e-mail*"). Facsimile notices shall be deemed valid only to the extent that they are (a) actually received by the individual to whom addressed and (b) followed by delivery of actual notice in the manner described in either (i), (ii), or (iii) above within three business days thereafter at the appropriate address set forth below. E-mail notices shall be deemed valid only to the extent that they are (a) opened by the recipient on a business day at the address set forth below, and (b) followed by delivery of actual notice in the manner described in either (i), (ii), or (iii) above within three business days thereafter at the appropriate address set forth below. Unless otherwise provided in this Agreement, notices shall be deemed received after the first to occur of (a) the date of actual receipt; or (b) the date that is one business day after deposit with an overnight courier as evidenced by a receipt of deposit; or (c) the date that is three business days after deposit in the U.S. mail, as evidenced by a return receipt. By notice complying with the requirements of this Section each party to this Agreement shall have the right to change the address or the addressee, or both, for all future notices and communications to them, but no notice of a change of addressee or address shall be effective until actually received.

Notices and communications to the Village shall be addressed to, and delivered at, the following address:

Village of Glen Ellyn
535 Duane Street
Glen Ellyn, IL 60137
Attn: Planning and Development Director
e-mail: shulseberg@glenellyn.org

Notices and communications to the Owners shall be addressed to, and delivered at, the following address:

Allen W. Gould and Janet Gould
1S701 Taylor Road
Glen Ellyn, IL 60137

IN WITNESS WHEREOF, the parties have caused this Annexation Agreement to be executed by their duly authorized officers or individually, as the case may be, on May 12, 2008.

VILLAGE OF GLEN ELLYN
A Municipal Corporation:

Village of Glen Ellyn
535 Duane Street
Glen Ellyn, IL 60137

BY: Vicky Hase
Vicky Hase, Village President

ATTEST:

BY: Andrea Draths
Andrea Draths, Village Clerk

OWNERS:

Allen W. Gould and Janet Gould
1S701 Taylor Road
Glen Ellyn, IL 60137

BY: X Allen W. Gould
Allen W. Gould

BY: X Janet Gould
Janet Gould

SUBSCRIBED AND SWORN to
before me this 9th day of
May, 2008.

Shamim Shah
Notary Public

"OFFICIAL SEAL"
SHAMIM SHAH
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires 01/30/2012

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Owners: Allen W. Gould and Janet Gould

Address: 1S701 Taylor Road
Glen Ellyn, IL 60137

P.I.N.: 05-23-412-004

Legal Description:

Of LOT 1 IN MAPLE CREEK, A SUBDIVISION OF LOT 14 IN KAMMES ESTATES, IN THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID MAPLE CREEK RECORDED NOVEMBER 18, 1966, AS DOCUMENT R66-45844, IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS.

EXHIBIT B

PETITION FOR ANNEXATION
VILLAGE OF GLEN ELLYN, ILLINOIS

TO THE GLEN ELLYN VILLAGE BOARD: Petitioners on oath state as follows:

1. That the undersigned are the sole Owners of record of all of the Property described in Attachment A and commonly known as 1S701 Taylor Road (P.I.N. 05-23-412-004).

2. That no electors reside on the Property, or in the alternative, at least fifty-one percent (51%) of the electors residing on the Property have executed this petition.

3. That no portion of the Property is within the corporate limits of any municipality and that this Property is not yet contiguous the Village of the Glen Ellyn.

4. That the Property, which the Petitioners desire to have annexed to the Village of Glen Ellyn, is described in Attachment A attached hereto and made a part hereof.

5. That this Petition shall be in full force and effect from and after the date hereof and until the Property is annexed to the Village of Glen Ellyn or unless this Petition is withdrawn by Petitioners in advance of Village Board acceptance.

WHEREFORE, the applicants petition that the Property be annexed by ordinance to the Village of Glen Ellyn, Illinois, in accordance with the appropriate statutes.

The undersigned on oath state that the undersigned have read the foregoing Petition for Annexation have knowledge of the allegations contained therein, and that said allegations are true and correct to the best of the Petitioners' knowledge.

Subscribed and sworn to before me this
_____day of _____, 20____.

_____
NOTARY PUBLIC

Owner of Record of said Property

Sign: _____
Print Name: _____

Subscribed and sworn to before me this
_____day of _____, 20_____.

_____
NOTARY PUBLIC

Owner of Record of said Property

Sign: _____
Print Name: _____

VILLAGE OF GLEN ELLYN
1834

CERTIFICATION

I, Andrea Draths, duly elected Village Clerk of the Village of Glen Ellyn, Illinois, do hereby certify that the attached is the true original copy of Ordinance No. 5683, passed by the Board of Trustees of the Village of Glen Ellyn, Illinois, at the Regular Meeting of said Board held on the 12 day of May 2008, and that the same was signed and approved by the President of said Village on the 12 day of May 2008. I do further certify that the original is entrusted to me as Village Clerk of said Village for safekeeping and that I am the lawful custodian and keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Glen Ellyn, Illinois, this 5 day of June 2008.

Andrea Draths
Village Clerk

CORPORATE SEAL

Village Of Glen Ellyn

Ordinance No. _____

An Ordinance Approving an Amendment to the Annexation Agreement for Property Located at 1S701 Taylor 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 Approving an Amendment to the Annexation Agreement for Property Located at 1S701 Taylor Road Glen Ellyn, IL 60137

Whereas, on May 12, 2008, the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, passed Ordinance 5683 which approved an Annexation Agreement for the property known as 1S701 Taylor Road; and

Whereas, the subject property is legally described as follows:

OF LOT 1 IN MAPLE CREEK, A SUBDIVISION OF LOT 14 IN KAMMES ESTATES, IN THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID MAPLE CREEK RECORDED NOVEMBER 18, 1966, AS DOCUMENT R66-45844, IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-23-412-004; and

Whereas, the property owners, Allen and Janet Gould, are requesting approval of an amendment to the Annexation Agreement to allow a two-year extension from January 1, 2013 to January 1, 2015, to connect to the Village's sanitary sewer main; and

Whereas, the Village has issued, delivered and published all statutorily required notices regarding the consideration of the proposed Annexation Agreement Amendment; and

Whereas, following due and proper publication in the Daily Herald not less than fifteen (15) days nor more than thirty (30) days prior, the President and Board of Trustees conducted a public hearing regarding the proposed amendment to the Annexation Agreement on December 12, 2011, at which hearing evidence and testimony pertaining to the amendment to the Annexation Agreement was presented; and

Whereas, the owners of the subject property, as indentified hereinabove, represented that they are ready, willing, and able to enter into said Annexation Agreement Amendment, in the form

attached hereto as Exhibit "A," and to bind themselves and their successors in interest to the terms of the Amendment; and

Whereas, the President and Board of Trustees, after due investigation and consideration and pursuant to the December 12, 2011, public hearing, deem it in the best interest of the Village of Glen Ellyn to enter into said Annexation Agreement Amendment, for the subject property.

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: That the Annexation Agreement Amendment set forth in Exhibit "A" attached hereto and affecting the subject realty described herein above is approved by the Board of Trustees of the Village of Glen Ellyn.

Section Two: The President and Village Clerk are hereby authorized and directed to execute and attest said Amendment to Annexation Agreement, attached hereto as Exhibit "A," on behalf of the Village of Glen Ellyn, with the following conditions:

A. The amendment to the Annexation Agreement shall be substantially in conformance with the document attached hereto as Exhibit "A"; and

B. Allen and Janet Gould, the property owners, shall sign the Amendment to the Annexation Agreement not more than fifteen (15) days after the approval of this ordinance.

Section Three: The Village Clerk is hereby authorized and directed to cause the Annexation Agreement Amendment approved herein to be recorded with the Recorder of Deeds of DuPage County, upon the proper execution of the same on behalf of all of the parties, together with a certified copy of this Ordinance approving the execution of the Annexation Agreement Amendment on behalf of the Village of Glen Ellyn.

Section Four: This Ordinance shall be in full force and effect from and after its 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:

Abstentions:

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 _____)

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Exhibit "A"

Amendment to
the Annexation Agreement
for Property Located at
1S701 Taylor Road
Glen Ellyn, IL 60137

This Annexation Agreement Amendment is made and entered into this _____ day of _____, 2011, between Allen and Janet Gould ("Property Owners"), and the Village of Glen Ellyn, an Illinois municipal corporation ("Village").

Whereas, the Village and Property Owners have previously entered into a certain Annexation Agreement dated May 12, 2008, pertaining to certain real estate legally described in Exhibit "A" attached hereto and made a part hereof by reference ("Subject Realty"); and

Whereas, Section 5, Paragraph 1 of said Annexation Agreement requires the Property Owners to connect to the Village's water main no later than January 1, 2009 and to the Village's sanitary sewer main no later than January 1, 2013 both of which are located in the adjacent Taylor Road right of way; and

Whereas, the Property Owners connected to the Village water main by the required January 1, 2009 deadline; and

Whereas, the Village and Property Owners desire to amend the time period for which the Property Owners shall be required to connect to the Village's sanitary sewer main.

Now Therefore, in consideration of the foregoing, the mutual covenants hereinafter set forth, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the Village and Property Owners agree as follows:

1. Paragraph 1 of Section 5 of the aforementioned Annexation Agreement between the Village and Property Owners for 1S701 Taylor Road is hereby amended to read as follows (changes in **bold**):

5. *<u>Connection to Village Water & Sanitary Sewer Mains</u>: Owners are obligated to connect to the Village's water main no later than January 1, 2009 and the Village's sanitary sewer main no later than* ***January 1, 2015*** *both of which are located in the adjacent Taylor Road right of way. The Owners shall meet all applicable ordinance requirements pertaining to such connections, including upgrades and other necessities.*

2. Property Owners agree to pay the out of pocket expenses incurred by the Village in effectuating this Annexation Agreement Amendment.

3. In all other respects, the May 12, 2008, Annexation Agreement between the Village and Property Owners, including, without limitation, Paragraph 1 of Section 5 thereof, shall remain in full force and effect.

4. This Annexation Agreement Amendment shall be recorded in the office of the Recorder of Deeds, DuPage County, Illinois, at the expense of the Property Owners.

5. This Annexation Agreement Amendment shall be binding upon the Village and the Property Owners and their successors and assigns.

In Witness Whereof, the parties hereto have signed this agreement on the day and year first above written.

Village of Glen Ellyn:
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, IL 60137

BY: _____
Village President of the
Village of Glen Ellyn, Illinois

Property Owners:
Allen W. Gould and Janet Gould
1S701 Taylor Road
Glen Ellyn, IL 60137

BY: _____
Allen W. Gould

BY: _____
Janet Gould

Attest:

By: _____
Village Clerk of the
Village of Glen Ellyn, Illinois

Subscribed and Sworn to before me
this _____day of
_____, 2011.

_____
Notary Public

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Exhibit "A"
to Amendment to
Annexation Agreement

LEGAL DESCRIPTION OF PROPERTY

Owners: Allen W. Gould and Janet Gould

Address: 1S701 Taylor Road
Glen Ellyn, IL 60137

P.I.N.: 05-23-412-004

Legal Description:

OF LOT 1 IN MAPLE CREEK, A SUBDIVISION OF LOT 14 IN KAMMES ESTATES, IN THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID MAPLE CREEK RECORDED NOVEMBER 18, 1966, AS DOCUMENT R66-45844, IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS.

A-8

MEMORANDUM

TO: Mark Franz, Village Manager

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

DATE: December 7, 2011

FOR: December 12, 2011 Village Board Meeting

SUBJECT: 1000 Oxford Road – Construction Necessitated Variation

Background: The property owners, Diane Urban, Heather Dalskov and Jesper Dalskov, are requesting approval of a construction necessitated variation from the Glen Ellyn Zoning Code, Section 10-5-5(B)4, No. 36, to allow a patio, previously constructed, to remain with a setback of 8 feet to the side yard lot line in lieu of the minimum required setback of 13 feet 4 inches to the side yard lot line. The subject property is defined as a corner lot on the northwest corner of the intersection of Abbotsford Court and Oxford Road in the R2 Residential District. Notice of the public hearing was published in the Daily Herald on October 24, 2011. The Zoning Board of Appeals conducted a public hearing on the requested variation on Tuesday, November 8, 2011. At the meeting, no persons spoke in favor of or in opposition to the variation request. Supplemental information and photos were received on 12/7/11 and is attached for consideration.

Issues:
The plans submitted for the building permit to construct the patio did not indicate a setback dimension from the side yard lot line. The minimum required side yard setback of 13 feet 4 inches was indicated by the plan reviewer on the submitted permit documents which were approved and returned to the applicant. The Zoning Board of Appeals was evenly divided in their recommendation because some felt that there is a particular hardship with a "pie" shaped lot which results in a greater side yard setback than an equivalent typical rectangular lot, and some felt that the patio could easily have been, and should be, constructed completely within the permitted rear yard area.

Recommendation:
The Zoning Board of Appeals voted on a motion to recommend approval of the variation request which did not carry with three (3) "yes" votes and three (3) "no" votes. In accordance with the motion, staff has prepared ordinances to **approve** and **deny** the requested variation.

Action Requested: It is requested that the Village Board consider the petitioners' request, the recommendation offered by the Zoning Board of Appeals, the supplemental information and photos submitted 11/7/11, and any further evidence or testimony presented at the Village Board Meeting and grant, deny or amend the construction necessitated variation request. Ordinances to both approve and deny the requested construction necessitated variation have been prepared and are attached.

Attachments:

- Minutes of ZBA meeting dated November 8, 2011
- Photo of the Subject Property
- Location Map
- Ordinance to Approve

- Ordinance to Deny
- Notice of Public Hearing
- List of Addresses
- Petitioners' Application packet
- Approved Building Permit Plan
- Supplemental Information and Photos Received 12/7/11

C: Diane Urban, Heather Dalskov and Jesper Dalskov

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DRAFT
ZONING BOARD OF APPEALS
MINUTES
NOVEMBER 8, 2011

The meeting was called to order by Chairman Rick Garrity at 7:32 p.m. Board Members Gregory Constantino, Gary Fasules, Barbara Fried, Ed Kolar and Dale Siligmueller were present. Board Member Mary Ozog was excused. Also present were Trustee Liaison Peter Cooper, 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 September 27, 2011 ZBA minutes. The motion carried unanimously by voice vote.

One public hearing agenda was on the agenda for the property at 1000 Oxford Road.

PUBLIC HEARING – 1000 OXFORD ROAD
A REQUEST FOR APPROVAL OF A CONSTRUCTION-NECESSITATED VARIATION FROM THE GLEN ELLYN ZONING CODE, SECTION 10-5-5(B)4, ITEM 36, TO ALLOW A PATIO, PREVIOUSLY CONSTRUCTED, WITH A SETBACK OF 8 FEET TO THE SIDE YARD LOT LINE IN LIEU OF THE MINIMUM REQUIRED SETBACK OF 13 FEET 4 INCHES TO THE SIDE YARD LOT LINE.
(Diane Urban, Heather Dalskov and Jesper Dalskov, owners)

Staff Report

Building and Zoning Official Joe Kvapil stated that Diane Urban, Heather Dalskov and Jesper Dalskov, owners of the property at 1000 Oxford Road, are requesting approval of one variation from Section 10-5-5(B)4 of the Glen Ellyn Zoning Code to allow a previously constructed patio with a setback of 8 feet to the side yard lot line in lieu of the minimum required setback of 13 feet 4 inches to the side yard lot line. Mr. Kvapil displayed a map of the subject property which is in the R2 Zoning District and is defined as a corner lot on the northwest corner of the intersection of Abbotsford Court and Oxford Road. The zoning and land use surrounding the property is single-family residential. Mr. Kvapil stated that the subject lot is unusually shaped. He added that the requirement for a patio setback from the side yard lot line is 10 percent of the lot width and that 10 percent of the 133-foot lot width of the subject property is 13.3 feet or 13 feet 4 inches. Mr. Kvapil stated that a zoning variation was granted for the subject property in 2005 to allow a second floor addition and a two-story addition to the existing home that exceeds the maximum permitted altered area and does not meet the minimum front and rear yard setback requirements. Several building permits have been issued for the subject property including the original construction of the home in 1954.

Mr. Kvapil stated that the owners received a building permit to construct a patio in the summer of 2011. He displayed a plat of survey of the property that did not show a dimension between the edge of the patio and the side yard lot line. He explained that when plans for simple projects are reviewed, staff will often write requirements on the submitted documents and subsequently issue a permit. He stated that, in this case, the applicants received a copy of the approved plan with the required setback between the patio and the side yard lot line marked by staff to be 13 feet 4 inches, however, the patio was constructed with a setback of 8 feet. Mr. Kvapil stated that when the petitioners were given the option of correcting the patio or applying for a variation, they chose to apply for a construction-necessitated variation.

Petitioners' Presentation

Jesper Dalskov, the homeowner at 1000 Oxford Road, Glen Ellyn, Illinois, and Scott Podjasek, landscape contractor, Downers Grove, Illinois, spoke on behalf of the subject project. Mr. Podjasek stated that he did not start work on the subject property until permits were received. He explained that the drawing submitted for the project was exactly to scale and that the measurement from the lot line over was 8 feet. He added that it is common practice in towns in this area that a permit will be denied if there is a deviation between what is submitted and what is acceptable. Mr. Podjasek also stated that the area where the subject patio is constructed has always been a ponding area and he explained the flow of water in the area. He added that the water issues in the area are a reason for a variance on the subject property because there is no way to re-grade the property to get water beyond the side yard because there is no pitch there. Mr. Podjasek added that another hardship is the unusual shape of the subject lot.

Jesper Dalskov stated that the fence will not stop water because the bottom of the fence is a couple of inches above the actual grade and mulch will not stop water. Mr. Dalskov stated that a patio is not allowed in a side yard but is allowed anywhere in a rear yard. He added that the pie-shaped lot with no rear yard is a hardship and that the intent of the code is that patios should be located in rear yards. He added that drainage problems from other properties are additional issues. Mr. Dalskov added that the soil in his yard has a lot of clay in it and takes a long time for water to percolate in that area. Mr. Dalskov stated that his neighbors are very supportive of the subject project.

Heather Dalskov, 1000 Oxford Road, Glen Ellyn, Illinois stated that she had contacted the Village about the fence permit and was told it was approved but she had never been informed about the patio issue.

Diane Urban, 1000 Oxford Road, Glen Ellyn, Illinois stated that their neighbors have stated that they support the patio which they believe has improved the appearance of the neighborhood. Ms. Urban stated that the subject area was never kept up until they moved in approximately one year ago.

Responses to Questions from the ZBA

Mr. Kvapil responded to Board Member Constantino that the incorrect patio setback was discovered during a new fence inspection at the subject property. Mr. Kvapil also responded to Board Member Constantino that the incorrect patio setback would have been discovered at the time of the final inspection of the patio. Mr. Kvapil responded to Board Member Constantino that the architectural design of the wall, the patio and the fire pit would be significantly impacted if the patio and the wall around the fire pit were required to be moved. He also responded to Board Member Constantino that a landscape contractor provided the submitted plans and that neither the homeowners nor their contractor asked any questions regarding the building permit approval materials received from Village staff. Mr. Kvapil responded to Board Member Constantino that no contacts nor complaints have been received by staff regarding the subject variation. Mr. Podjasek responded to Board Member Fasules that he did not ask the Village what their side yard setback is but that a typical side yard setback in Glen Ellyn is 8 feet. Board Member Constantino asked if the patio could have been moved over 5 feet to comply with the side yard and Mr. Podjasek replied no because of water issues at that location. Mr. Podjasek also replied to Board Member Constantino that he believes that the subject solution is the most effective solution because of the water problems. Mr. Podjasek responded to Board Member Fasules that the fence does not inhibit the flow of the water. Mr. Podjasek responded to Board Member Kolar that the fence does not impede the flow of water from the property to the west. Mr. Kolar stated that the final inspection of the patio has not yet occurred, and the stormwater drainage around the patio will be reviewed.

Board Member Constantino asked Mr. Dalskov if he reviewed the permit and materials returned to him or Mr. Podjasek before the work began, and Mr. Dalskov responded no. Mr. Dalskov responded to Board Member Siligmueller that the owner of 966 Abbotsford does not feel adversely impacted by the subject project. At Board Member Fasules' request, Mr. Kvapil indicated the rear lot line of the subject project. Mr. Dalskov responded to Board Member Kolar that he is an architect.

Persons in Favor of or in Opposition to the Petition

No one spoke in favor of or in opposition to the petition.

Comments from the ZBA

Three Board Members were in favor of the variation request, and three Board Members were opposed to the variation request although some Board Members were somewhat conflicted. Board Members Siligmueller, Fasules and Chairman Garrity voted yes and Board Members Constantino, Fried and Kolar voted no. Board Member Siligmueller was supportive because the patio is built in the rear yard of the house as would normally be defined and flooding problems would lessen as well as an overall improvement to the neighborhood would occur. Board Member Fasules stated that the subject project was a compounding of errors and that there is a hardship in favor of the variance. Chairman

Garrity who was also in favor of the variance felt there was no harm in leaving the patio as is and stated that there was nothing that approved the permit other than a marking on the drawing. He added that building first and asking for approval later has not been traditionally accepted by the Village. Board Member Constantino was very conflicted and somewhat reluctant to approve the variation. He wondered if the Village should have notified the applicant that changes were made on the plans. He added that the variation is in excess of 30% and that the patio could have been located within the setbacks and not required a variation. Board Member Fried was not in favor of after-the-fact approval and stated that she had a problem with the project because the setbacks were marked on the drawings and they were not followed. Board Member Kolar also was not in favor of the request of the construction necessitated variation and felt that the landscaper had wrongly assumed that Glen Ellyn is the same as other communities regarding setbacks. Mr. Kolar wondered why the property owner, who is an architect, did not review the subject plans. Mr. Kolar did not feel it was necessary to have the patio located at its current location.

Motion

Board Member Siligmueller moved, seconded by Board Member Fasules, to recommend approval of a constructed necessitated variation from the Glen Ellyn Zoning Code, Section 10-5-5(B)4, Item 36, to allow a patio previously constructed with a setback of 8 feet to the side yard lot line in lieu of the minimum required setback of 13 feet 4 inches to the side yard lot line at 1000 Oxford Road. The recommendation for approval was made because of a hardship regarding the unusual pie shape of the lot that makes the normal 10 percent setback a practical difficulty and hardship. Another hardship related to confusion regarding the Village making notes on approved plans returned to the petitioner. Also, the excessive water flow in the area and water drainage problems in the neighborhood caused the lot to be previously unusable.

The motion did not carry with three (3) yes votes and (3) no votes as follows: Board Members Siligmueller, Fasules and Chairman Garrity voted yes; Board Members Constantino, Fried and Kolar voted no.

Trustee Report

Trustee Cooper provided a brief report on the College of DuPage situation. He also stated that the Village budget process has begun and that a TIF district is currently under consideration. Trustee Cooper also stated that a strategic planning session was recently held.

Chairman Report

Mr. Kvapil stated that the next regularly scheduled ZBA meeting will be cancelled but that two variations will be on the December 13, 2011 agenda.

There being no further business before the Zoning Board of Appeals, the meeting was adjourned at 8:55 p.m.

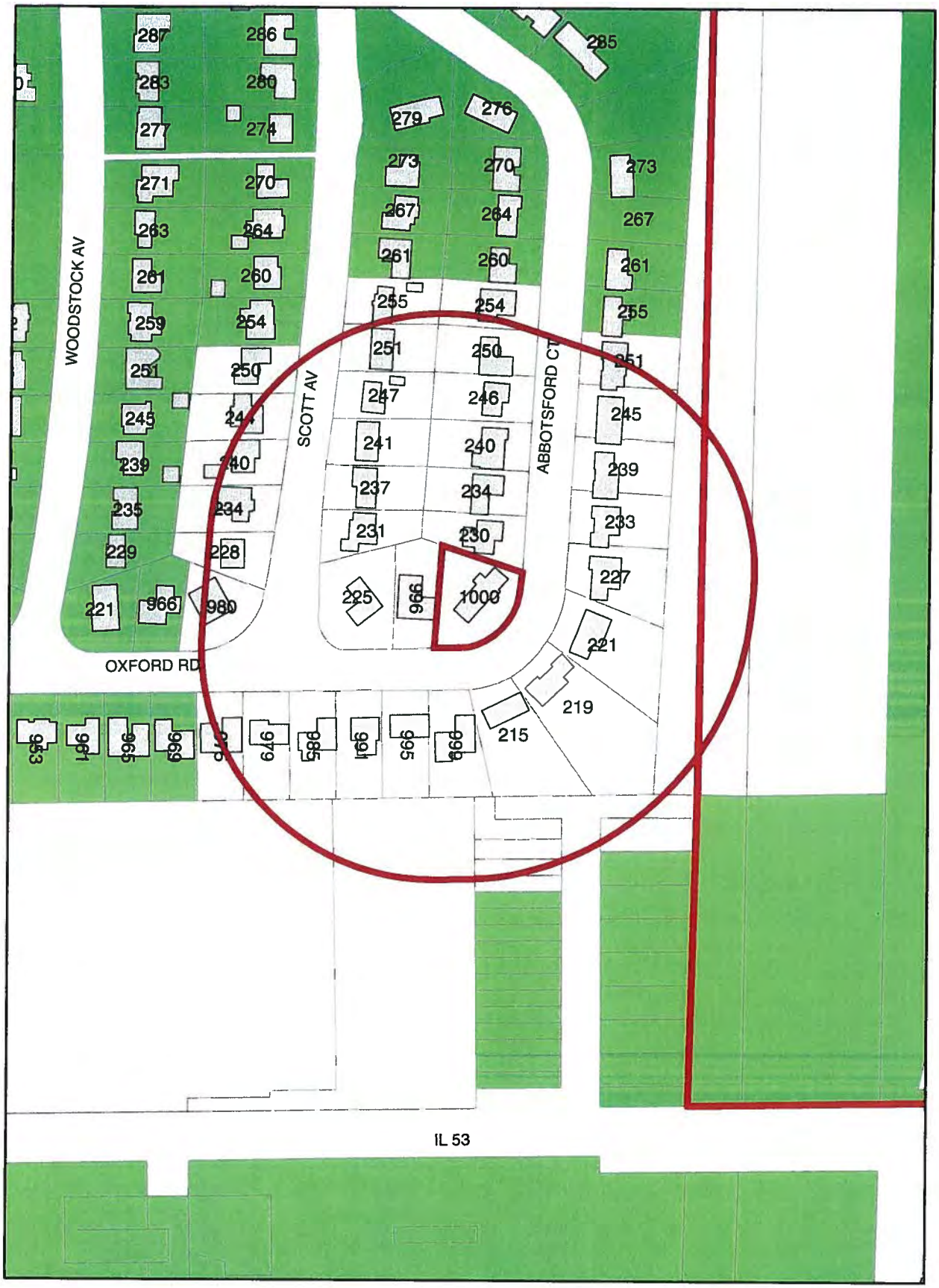
Submitted by:

Barbara Utterback
Recording Secretary

Reviewed by:

Joe Kvapil
Building & Zoning Official

1000 OXFORD ROAD



Prepared By: Planning and Development
Date: October 25, 2011

0 175 350 700 Feet

N

Village of Glen Ellyn

Ordinance No. _____

An Ordinance Approving a Construction Necessitated Variation from the Side Yard Setback Requirements of the Zoning Code to Allow a Patio on the Property at 1000 Oxford Road, 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 a Construction Necessitated Variation from the Side Yard Setback Requirements of the Zoning Code to Allow a Patio on the Property at 1000 Oxford Road, Glen Ellyn, IL 60137

Whereas, Diane Urban, Heather Dalskov and Jesper Dalskov, owners of the property at 1000 Oxford Road, Glen Ellyn, Illinois, which is legally described as follows:

> Lot 3 in Block 5 in Arthur T. Mc Intosh and Co.'s Glen Ellyn Golf Club Addition, being a Subdivision in the North ½ of Section 13, Township 39 North, Range 10, Document 185312, in DuPage County, Illinois
>
> P.I.N.: 0513119023

have petitioned the President and Board of Trustees of the Village of Glen Ellyn for a construction necessitated variation from the Glen Ellyn Zoning Code, Section 10-5-5(B)4 item 36, to allow a patio, previously constructed, with a side yard setback of 8 feet in lieu of the minimum required side yard setback of 13 feet 4 inches; 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 a public hearing on November 8, 2011, at which the petitioners presented evidence, testimony, and exhibits in support of the variation request and no persons appeared in favor of or in opposition thereto; and

Whereas, based upon the evidence, testimony, and exhibits presented at the public hearing on November 8 2011, the Zoning Board of Appeals adopted findings of fact and voted on a motion

to approve the construction necessitated variation, which did not carry by a vote of three (3) "yes" and three (3) "no," resulting in a recommendation for denial as set forth in its draft Minutes dated November 8, 2011, 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 unique circumstances because this corner lot is a unique shape that significantly reduces the area available in the rear yard to construct a patio;

B. That the construction necessitated variation, if granted, will not alter the essential character of the locality since the size, type and appearance of the patio is typical compared to other patios within the Village;

C. That the particular "pie" shaped lot and resulting side yard setback brings particular hardship upon the owner as distinguished from a mere inconvenience, since the required side yard setback is greater than on an equivalent typical rectangular lot;

D. That the conditions upon which the construction necessitated variation is based would not be applicable generally to other property within the same zoning district since this is a uniquely shaped corner lot;

E. That the purpose of the construction necessitated variation is not based exclusively upon a desire to make more money out of the property since the owners have expressed their intent to retain the property into the foreseeable future;

F. That the construction necessitated variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located since the area of the patio that encroaches into the side yard setback is minimal;

G. That the construction necessitated variation will not otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village since a patio is a common accessory use;

H. That the construction necessitated variation will not diminish or impair property values within the neighborhood since a patio is a property improvement that adds value to the property; and

Whereas, the President and Board of Trustees, based on the aforementioned findings of fact, find it appropriate to grant the variation 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 November 8, 2011 Glen Ellyn Zoning Board of Appeals meeting, 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 a construction necessitated variation from the Glen Ellyn Zoning Code, Section 10-5-5(B)4 item 36, to allow a patio, previously constructed, at 1000 Oxford Road, Glen Ellyn, Illinois, which is legally described as follows:

> Lot 3 in Block 5 in Arthur T. Mc Intosh and Co.'s Glen Ellyn Golf Club Addition, being a Subdivision in the North ½ of Section 13, Township 39 North, Range 10, Document 185312, in DuPage County, Illinois

P.I.N.: 0513119023

Section Three: This grant of construction necessitated variation to allow a patio, previously constructed, is conditioned upon the construction being completed in substantial conformance with the plans and the Application for Construction Necessitated Variation received by the Planning & Development Department and signed on September 22, 2011 and the testimony and exhibits provided at the November 8, 2011 Zoning Board of Appeals public hearing.

Section Four: The Building and Zoning Official is hereby authorized and directed to amend building permits previously issued for the subject property, consistent with the construction necessitated variation 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 construction necessitated variation shall expire and become null and void twenty-four (24) months from the date of passage of this Ordinance 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 construction necessitated variation 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 _____, 2011.

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 _____).

X:\Plandev\BUILDING\ZBA\ORDINANCE\OXFORD1000-SIDE PATIO approve.doc

Village of Glen Ellyn

Ordinance No. _____

An Ordinance Denying a Construction Necessitated Variation from the Side Yard Setback Requirements of the Zoning Code to Allow a Patio on the Property at 1000 Oxford Road, 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 Denying a Construction Necessitated Variation from the Side Yard Setback Requirements of the Zoning Code to Allow a Patio on the Property at 1000 Oxford Road, Glen Ellyn, IL 60137

Whereas, Diane Urban, Heather Dalskov and Jesper Dalskov, owners of the property at 1000 Oxford Road, Glen Ellyn, Illinois, which is legally described as follows:

> Lot 3 in Block 5 in Arthur T. Mc Intosh and Co.'s Glen Ellyn Golf Club Addition, being a Subdivision in the North ½ of Section 13, Township 39 North, Range 10, Document 185312, in DuPage County, Illinois
>
> P.I.N.: 0513119023

have petitioned the President and Board of Trustees of the Village of Glen Ellyn for a construction necessitated variation from the Glen Ellyn Zoning Code, Section 10-5-5(B)4 item 36, to allow a patio, previously constructed, with a side yard setback of 8 feet in lieu of the minimum required side yard setback of 13 feet 4 inches; 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 a public hearing on November 8, 2011, at which the petitioners presented evidence, testimony, and exhibits in support of the variation request and no persons appeared in favor of or in opposition thereto; and

Whereas, based upon the evidence, testimony, and exhibits presented at the public hearing on November 8 2011, the Zoning Board of Appeals adopted findings of fact and voted on a motion

to approve the construction necessitated Variation, which did not carry by a vote of three (3) "yes" and three (3) "no," resulting in a recommendation for denial as set forth in its draft Minutes dated November 8, 2011, 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 not due to unique circumstances, since this corner lot complies with all corner lot requirements including the minimum width, depth and area;

B. That this particular "pie" shaped lot and resulting side yard setback does not bring particular hardship upon the owner as distinguished from a mere inconvenience, since the rear yard provides adequate space to construct the patio without encroaching into the side yard setback;

C. That the conditions upon which the construction necessitated variation is based would be applicable generally to other property within the same zoning district since other similar shaped corner lots exist within the Village;

D. That the construction necessitated variation may potentially impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village by allowing an outdoor living space with associated activities to be closer to the neighboring property than permitted; and

Whereas, the President and Board of Trustees, based on the aforementioned findings of fact, find it appropriate to deny the construction necessitated variation 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 November 8, 2011 Glen Ellyn Zoning Board of Appeals meeting, 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 deny a construction necessitated variation from the Glen Ellyn Zoning Code, Section 10-5-5(B)4 item 36, to allow a patio, previously constructed, at 1000 Oxford Road, Glen Ellyn, Illinois, which is legally described as follows:

> Lot 3 in Block 5 in Arthur T. Mc Intosh and Co.'s Glen Ellyn Golf Club Addition, being a Subdivision in the North ½ of Section 13, Township 39 North, Range 10, Document 185312, in DuPage County, Illinois
>
> P.I.N.: 0513119023

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

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

Section Five: 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 _____, 2011.

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 _____).

X:\Plandev\BUILDING\ZBA\ORDINANCE\OXFORD1000-SIDE PATIO deny.doc

NOTICE OF PUBLIC HEARING

Diane Urban, Heather Dalskov and Jesper Dalskov, owners of the property at 1000 Oxford Road, are requesting a public hearing for a construction necessitated Variation in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code. The owners have modified the existing home by constructing a patio that is setback 8 feet from the side yard lot line. The Zoning Code does not allow a patio to be setback less than 13 feet 4 inches from the side yard lot line. The Glen Ellyn Zoning Board of Appeals will conduct a public hearing to consider this Variation on **November 8, 2011** 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 10-5-5(B)4 item 36 to allow a patio, previously constructed, with a setback of 8 feet to the side yard lot line in lieu of the minimum required setback of 13 feet 4 inches to the side yard lot line.

The property is zoned R2, Residential District, and is legally described as follows:
Lot 3 in Block 5 in Arthur T. Mc Intosh and Co.'s Glen Ellyn Golf Club Addition, being a Subdivision in the North ½ of Section 13, Township 39 North, Range 10, Document 185312, in DuPage County, Illinois

P.I.N.: 0513119023

Plans related to the proposed project 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, October 24, 2011)

X:\Plandev\BUILDING\ZBA\PUBLIC NOTICE\OXFORD1000-SIDE PATIO.doc

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

RECEIVED
OCT 11 2011
PLANNING DEPARTMENT
VILLAGE OF GLEN ELLYN

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: Scott Podjasek

Address: 5719 Pershing Ave. Downers Grove, IL. 60516

Phone No.: (630) 319-1380

Fax No.: (630) 541-3624

E-mail: scottpodjasek@comcast.net

Ownership Interest in the Property in Question: none

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):
Diane Urban, Heather Dalskov and Jesper Dalskov
1000 oxford Road Glen Ellyn, IL 60137

Name and address of the person or entity for whom the applicant is acting (if the applicant is acting in a representative capacity):
Diane Urban, Heather Dalskov and Jesper Dalskov

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: 1000 Oxford Road Glen Ellyn, IL. 60137

Permanent tax index number: 05-13-119-023-0000

Legal description: Lot 3 in block 5 in Arthur T. McIntosh and CO'S Glen Ellyn golf Club addition, being a subdivision in the north ½ of section 13, Township 39 north, range 10 east of the third principal meridian, according to the plat there of recorded November 24, 1924 as document 185312 in DuPage County IL.

Zoning classification: residential R2

Lot size: 31.00 ft. x 150.25 ft. X 14.78 Ft X 124.90 Ft. X 148.00 Ft Area: 13,881 sq. ft.

Present use: single family home

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):
10-5-5(B) 4 item 36 Build a patio in sideyard set back.

Estimated date to begin construction: Patio was constructed in July

Names and addresses of any experts (e.g., planner, architect, engineer, attorney, etc.):
Marilyn Sucoe Consulting Engineer for the Village of Glen Ellyn. Engineering Resource Associates

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:
All of the storm water run off from surrounding houses flows and pooled in the back of this house. Also, this house does not have an area that is considered a back yard due to the lots irregular shape.

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):
This lot, due to its irregular shape, does not allow the home owner to use their property to construct a usable outdoor space.

OR

(b) Provide evidence that the plight of the applicant/owner is due to unique circumstances relating to the property in question:
The circumstances are unique to this home because of the lots irregular shape and the storm water run off from surrounding houses that collects in the back of this house.

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

There is only a small portion of the patio in the sideyard setback.

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:

The storm water runoff from surrounding properties made much off the yard in back of the house un usable

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 Variation is unique to this property due to the storm water run off problems and irregular shape of the lot.

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:

They are just trying to make a usable out door space for themselves to use and to solve a stormwater runoff problem.

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.

This was a existing problem when the house was purchased. The Village of Glen Ellyn has knowledge of a history of water issues at this lot from before it was purchased by the current owners.

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 design of the patio, retaining wall and landscape is to manage the stormwater without changing the flow of water onto surrounding properties. It has been veiwed and is supported by consulting Engineer Marilyn Sucoe.

6. Provide evidence that the proposed variation will not:

a. Impair an adequate supply of light and air to adjacent property;
n/a patio has no elevation

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

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

d. Diminish or impair property values within the neighborhood;
This is an improvement to the neighborhood.

e. Unduly increase traffic congestion in the public streets and highway;
n/a It is not visable from the street

f. Create a nuisance; or
It is in a fensed yard.

g. Results in an increase in public expenditures.
Has no effect on public expenditures.

7. Provide evidence that the variation is the minimum variation that will make possible the reasonable use of the land, building or structure.
The variation is only for the part of the yard that was always flooded. The patio only extended the minimum distance into the set back to create a surface to move the storm water into the sideyard.

8. Please add any comments which may assist the Zoning Board of Appeals of Appeals in reviewing this application.
1. The design and construction of the patio was to solve a water problem without affecting surrounding properties.
2. The patio does not extend beyond the south west wall of the house. If it wasn't for the irregular shaped lot the area where the patio is built would be considered backyard and no variation would be needed.

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.

_____
_____
_____
_____

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.

_____
_____
_____
_____

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.

_____
_____
_____

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

_____
_____
_____

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.

_____

_____

_____

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

_____

_____

_____

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.

Scott Podjasek

Signature of Applicant(s)

9/22/11

Date filed

AFFIDAVIT OF AUTHORIZATION

I, HEATHER DALSKOV owner of the property described as 1000 OXFORD RD, GLEN ELLYN, IL 60137

verify that SCOTT PODJASEK is duly authorized to apply and represent my interests before the Glen Ellyn Architectural Review Commission, Plan Commission, Zoning Board of Appeals and/or Village Board. Owner acknowledges that any notice given applicant is actual notice to owner.

Heather Dalskov
OWNER

Linda A. Messino
NOTARY

OFFICIAL SEAL
LINDA A MESSINO
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:04/21/12

SPECIAL WARRANTY DEED

This Document Prepared By:
Richard J. Traub, Esq.
Freeborn & Peters LLP
311 South Wacker Drive
Suite 3000
Chicago, Illinois 60606

After Recording Please Return To:
Steven K. Norgaard
493 Duane Street
Suite 400
Glen Ellyn, Illinois 60137

THIS INDENTURE WITNESSETH, that **OXFORD BANK & TRUST**, having an address of 1111 W. 22nd Street, Suite 800, Oak Brook, Illinois 60523 ("Grantor"), GRANTS, BARGAINS AND SELLS to **DIANE URBAN, HEATHER DALSKOV and JESPER DALSKOV, as joint tenants**, having an address of 1000 Oxford Road, Glen Ellyn, Illinois 60137 ("Grantee"), for and in consideration of TEN and No/100 ($10.00) DOLLARS, and other good and valuable consideration in hand paid, the receipt whereof is hereby acknowledged, all interest in the Real Estate situated in the County of DuPage, in the State of Illinois, and legally described on Exhibit A attached hereto and by this reference made a part hereof, and subject to those certain permitted title exceptions described on Exhibit B attached hereto and by this reference made a part hereof.

Permanent Index Number: 05-13-119-023-0000

Property Address: 1000 Oxford Road, Glen Ellyn, Illinois 60137

Together with all and singular the hereditaments and appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever, of Grantor, either in law or equity, of, in and to the above described premises, with the hereditaments and appurtenances: TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto Grantee, its heirs and assigns forever.

And Grantor, for itself and its successors does covenant, promise and agree, to and with Grantee, Grantee's successors and assigns, that Grantor has not done or suffered to be done anything whereby the Premises hereby granted are, or may be, in any manner encumbered or charged, except as herein recited; and that Grantor will warrant and forever defend title to the premises described above, against all persons lawfully claiming or who may claim the same, by, through or under Grantor but not otherwise.

IN WITNESS WHEREOF, this Special Warranty Deed is executed as of the 2 day of August, 2010.

OXFORD BANK & TRUST

By: Peter J. Kuplic
Name: Peter J Kuplic
Title: Vice President

STATE OF ILLINOIS)
) SS.
COUNTY OF DuPage)

Michelle Kras

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Peter Kuplic, who is the Vice President of **OXFORD BANK & TRUST**, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that as such V. P., he signed, sealed and delivered the said instrument as his free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 2nd day of August, 2010.

Commission Expires 2-16-2013

Michelle Kras
Notary Public

"OFFICIAL SEAL"
MICHELLE KRAS
Notary Public, State of Illinois
My Commission Expires 02/16/13

Please Mail Tax Bills To:
Diane Urban, Heather Dalskov
and Jesper Dalskov
1000 Oxford Road
Glen Ellyn, Illinois 60137

Village of Glen Ellyn
Real Estate Transfer Tax
014019
Sale $ 635,000.00
Tax $ 1905.00
Date 7-30-10 Initials JE

EXHIBIT A

LEGAL DESCRIPTION

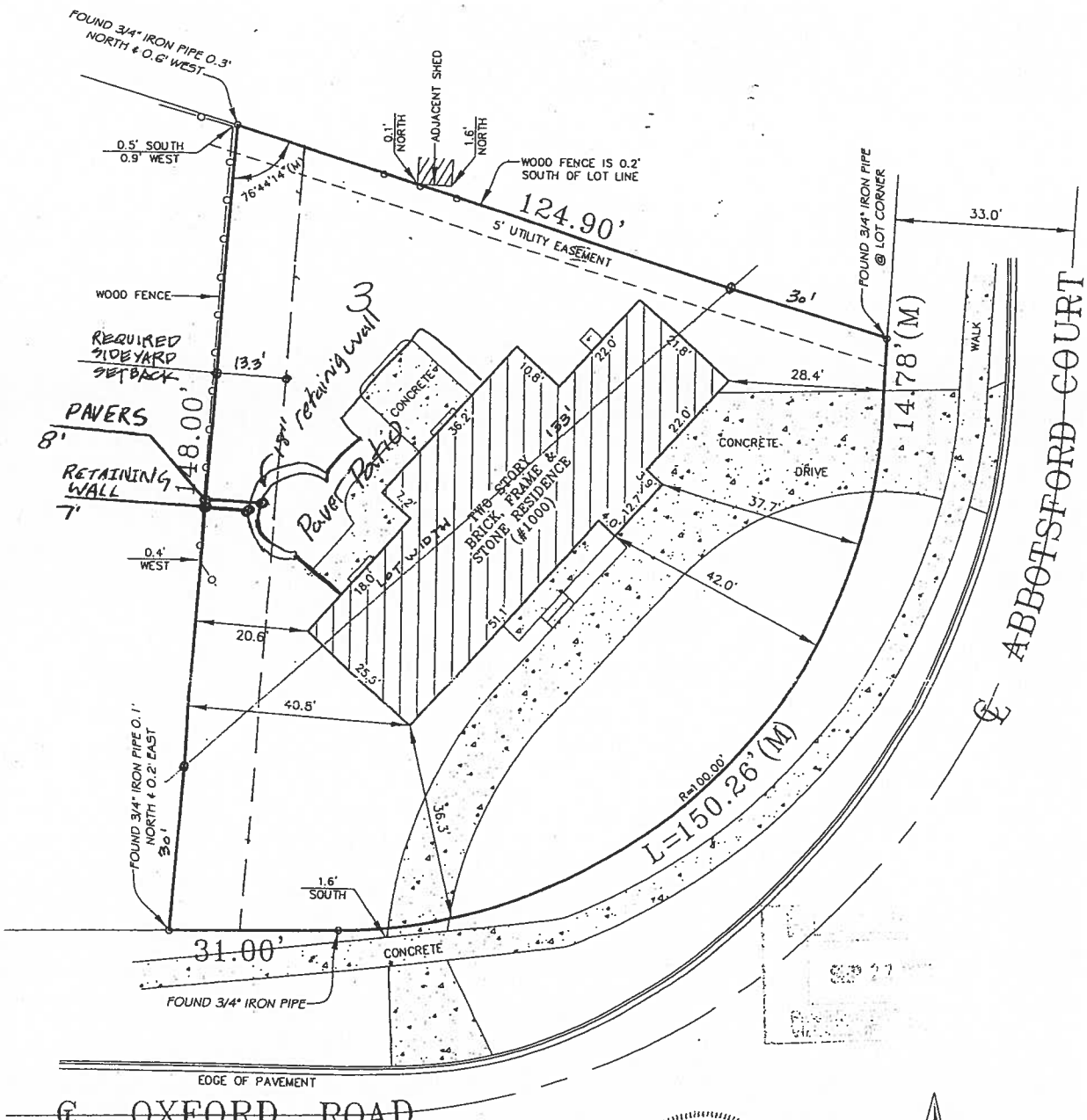
LOT 3 IN BLOCK 5 IN ARTHUR T. MC INTOSH AND CO'S GLEN ELLYN GOLF CLUB ADDITION, BEING A SUBDIVISION IN THE NORTH 1/2 OF SECTION 13, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE TPM, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 24, 1924 AS DOCUMENT 185312, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 1000 Oxford Road, Glen Ellyn, Illinois 60137
Property Index No.: 05-13-119-023-0000

PLAT OF SURVEY

OF

LOT 3 IN BLOCK 5 IN ARTHUR T. MCINTOSH AND CO'S GLEN ELLYN GOLF CLUB ADDITION, BEING A SUBDIVISION IN THE NORTH 1/2 OF SECTION 13, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 24, 1924 AS DOCUMENT 185312, IN DUPAGE COUNTY, ILLINOIS.



LEGEND

(R/M) - RECORD / MEASURED
L - ARC LENGTH
R - RADIUS
CH - CHORD

AREA = 13,881 SQ. FT.
MORE OR LESS

PROFESSIONAL LAND SURVEYOR
WAYNE W. NEKOLA
035-002923
BOLINGBROOK ILLINOIS
STATE OF ILLINOIS

NORTH
SCALE: 20'

PREPARED FOR: MICHAEL STEINGOH (ATTORNEY AT LAW)
JOB ADDRESS: 1000 OXFORD ROAD, GLEN ELLYN, IL
JOB NO. 10-07-0049-R

NEKOLA SURVEY, INC.
PROFESSIONAL LAND SURVEYING SERVICES
WWW.NEKOLASURVEY.COM
400 N. SCHMIDT RD., STE. 203
BOLINGBROOK, ILLINOIS 60440
(630) 226-1530 PHONE (630) 226-1430 FAX

BUILDING DESCRIPTION REVISED ON THE 29TH DAY OF JULY, 2010
FIELD WORK COMPLETED ON THE 21ST DAY OF JULY, 2010.

(STATE OF ILLINOIS)
(COUNTY OF WILL) SS

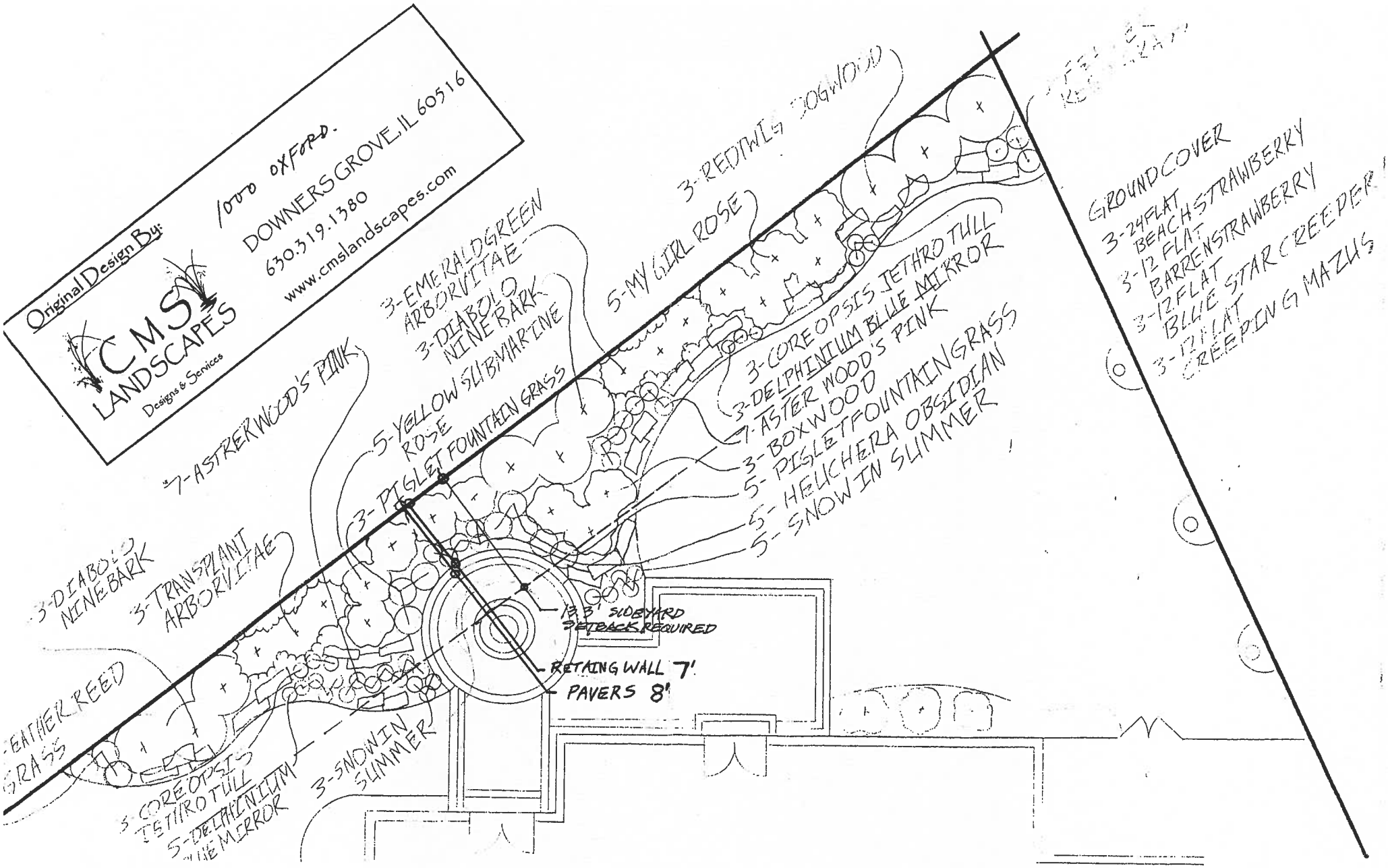
NEKOLA SURVEY INC. DOES HEREBY CERTIFY THAT IT HAS SURVEYED THE TRACT OF LAND ABOVE DESCRIBED, AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 22ND DAY OF JULY, 2010.

IPLS No. 2923
LICENSE RENEWAL DATE: 30 NOVEMBER 2010.

☐ - "X" IN BOX INDICATES THE HEREON DRAWN PLAT WAS ORDERED AS A NON MONUMENTED SURVEY.

NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF ANY AND ALL CONSTRUCTION. FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, ABSTRACT, TITLE POLICY, CONTRACTS AND LOCAL BUILDING AND ZONING ORDINANCES.

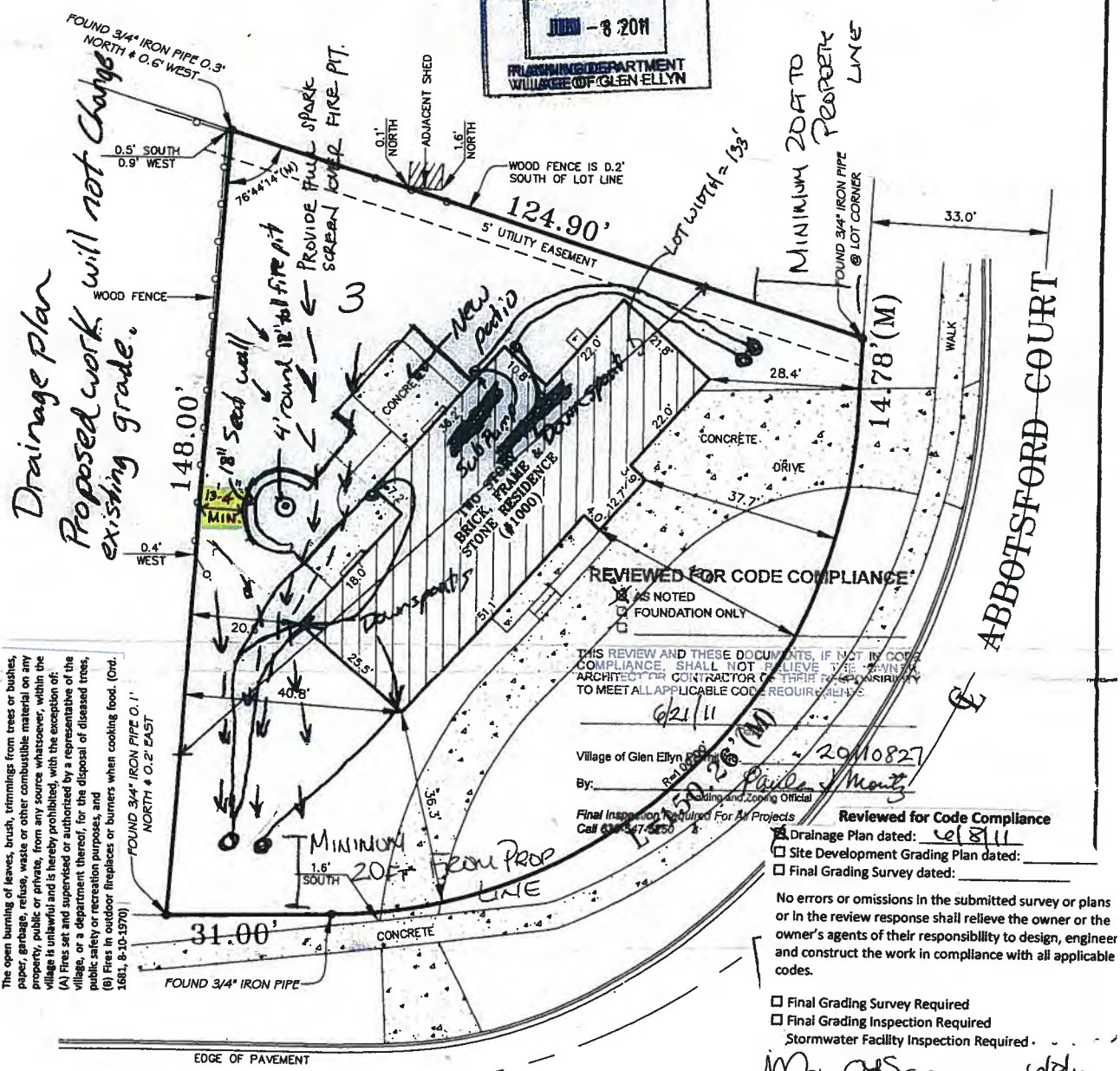

Original Design By:
CMS LANDSCAPES
Designs & Services
1000 OXFORD.
DOWNERS GROVE, IL 60516
630.319.1380
www.cmslandscapes.com
7-ASTER WOOD'S PINK
3-EMERALD GREEN ARBORVITAE
3-DIABOLO NINE BARK
5-YELLOW SUBMARINE ROSE
3-PIGLET FOUNTAIN GRASS
5-MY GIRL ROSE
3-REDTWIG DOGWOOD
3-CORE OPSIS TETHRO TULL
3-DELPHINIUM BLUE MIRROR
7-ASTER WOOD'S PINK
3-BOXWOOD
5-PIGLET FOUNTAIN GRASS
5-HELICHERA OBSIDIAN
5-SNOW IN SUMMER
GROUNDCOVER
3-24 FLAT BEACH STRAWBERRY
3-12 FLAT BARRENSTRAWBERRY
3-12 FLAT BLUE STAR CREEPER
3-12 FLAT CREEPING MAZUS
3-DIABOLO NINE BARK
3-TRANSPLANT ARBORVITAE
FEATHER REED GRASS
5-CORE OPSIS TETHRO TULL
5-DELPHINIUM BLUE MIRROR
3-SNOW IN SUMMER
13.3' SIDEYARD SETBACK REQUIRED
RETAINING WALL 7'
PAVERS 8'

PLAT OF SURVEY

OF

LOT 3 IN BLOCK 5 IN ARTHUR T. MCINTOSH AND CO'S GLEN ELLYN GOLF CLUB ADDITION, BEING A SUBDIVISION IN THE NORTH 1/2 OF SECTION 13, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 24, 1924 AS DOCUMENT 185312, IN DUPAGE COUNTY, ILLINOIS.

RECEIVED
JUN - 8 2011
PLANNING DEPARTMENT
VILLAGE OF GLEN ELLYN



REVIEWED FOR CODE COMPLIANCE
☒ AS NOTED
☐ FOUNDATION ONLY
☐

THIS REVIEW AND THESE DOCUMENTS, IF NOT IN CODE COMPLIANCE, SHALL NOT RELIEVE THE OWNER, ARCHITECT OR CONTRACTOR OF THEIR RESPONSIBILITY TO MEET ALL APPLICABLE CODE REQUIREMENTS.

6/21/11

Village of Glen Ellyn Permit No. 20110827

By: Paula J. Monty
Building and Zoning Official

Final Inspection Required For All Projects
Call 630-547-5250

Reviewed for Code Compliance
☒ Drainage Plan dated: 6/8/11
☐ Site Development Grading Plan dated: _____
☐ Final Grading Survey dated: _____

No errors or omissions in the submitted survey or plans or in the review response shall relieve the owner or the owner's agents of their responsibility to design, engineer and construct the work in compliance with all applicable codes.

☐ Final Grading Survey Required
☐ Final Grading Inspection Required
Stormwater Facility Inspection Required

Date: 6/8/11
Engineering Resource Associates, Inc.

7-7-3: OPEN BURNING:
The open burning of leaves, brush, trimmings from trees or bushes, paper, garbage, refuse, waste or other combustible material on any property, public or private, from any source whatsoever, within the village is unlawful and is hereby prohibited, with the exception of:
(A) Fires set and supervised or authorized by a representative of the village, or a department thereof, for the disposal of diseased trees, public safety or recreation purposes, and
(B) Fires in outdoor fireplaces or burners when cooking food. (Ord. 1681, 8-10-1970)

LEGEND

(R/M) – RECORD / MEASURED
L – ARC LENGTH
R – RADIUS
CH – CHORD

AREA = 13,881 SQ. FT. MORE OR LESS

PROFESSIONAL LAND SURVEYOR
WAYNE W. NEKOLA
035-002923
BOLINGBROOK ILLINOIS
STATE OF ILLINOIS

NORTH
SCALE: 20'

PREPARED FOR: MICHAEL STEINGO (ATTORNEY AT LAW)
JOB ADDRESS: 1000 OXFORD ROAD, GLEN ELLYN, IL
JOB NO.: 10-07-0049-R

FILE COPY

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Explanation of Petition

We attempted to collect signatures of support from all homeowners within 250 feet of our property. We received the signatures, as well as words of support from every neighbor that we were able to speak with.

Attached is the signed petition. The first signature is from our neighbor closest to the patio, 996 Oxford Rd.

RECEIVED
DEC 07 2011
PLANNING DEPARTMENT
VILLAGE OF GLEN ELLYN

December 6, 2011

Re: 1000 Oxford Rd

To Whom it May Concern:

My family and I live immediately adjacent to the property at 1000 Oxford Rd, where a new patio was built. The purpose of this letter is to let the village know of my strong support for the construction necessitated zoning variance required to keep the patio. I am communicating with you, the village, because I believe that this project deserves to be supported.

The patio project that is built on the property is a delight for me to see. The patio is designed to beautifully integrate into the sloping landscape of the property, which before, was just a down hill drop off from my fence line, lacking any planting or thought. Now, it is a beautiful collection of flowers and shrubs, and a beautifully designed patio area that I enjoy walking by every day.

I hope that putting forward my support of this project will go a long way toward the approval of this zoning variation.

Sincerely,

Mary Ellen Sagean

996 Oxford Rd.

PETITION FOR CONSTRUCTION NECESSITATED VARIANCE FOR 1000 OXFORD ROAD, GLEN ELLYN 60137

PATIO IN SIDEYARD SETBACK PER GLEN ELLYN ZONING ORDINANCE SECTION 10-5-5(B)4, ITEM 36

SUMMARY:

By signing this petition, I hereby support that a zoning variance be granted as sought for a patio located approximately 8 feet away from the side property line versus 13'-4" as required by the Glen Ellyn Zoning Ordinance Section 10-5-5(B)4, Item 36, for the property at 1000 Oxford Road, Glen Ellyn.

	NAME	ADDRESS	PHONE NUMBER	SIGNATURE
1	Mary Ellen Ingram	996 Oxford	469-4260	Mary Ingram
2	Julie Colombo	225 Scott Ave	630 8586585	Julie Colombo
3	E Mechalis	241 SCOTT AVE	630 469 6733	
4	DONALD FISCHER	251 SCOTT AVE	630-469-6323	Donald Fischer
5	Karolyn Jahn	255 Scott Ave	630-615-0464	Karolyn Jahn
6	Grey Bane	250 Scott Ave	858-5811	[illegible]
7	JOHN PETERSEN	234 SCOTT AVE	532-0620	[illegible]
8	Nancy Desmond	990 Oxford Rd	630.534.6288	[illegible]
9	Laurie Swatek	979 Oxford Rd	630-858-4969	[illegible]
10	Angela DelGiudice	991 Oxford Rd	630-942-1532	[illegible]
11	Jon Berg	995 OXFORD	630 858-6115	Jon Berg
12	[illegible]	999 OXFORD	630-858-3915	[illegible]
13	Russ Brown	219 Abbotsford CT	630 790-2842	Russ Brown
14	KAREN SCHMID	251 Abbotsford Ct	630-790-9898	Karen Schmid
15	Dan Schier	240 Abbotsford Ct	630-545-2544	Dan Schier
16	Karen Hillenbrand	233 Abbotsford Ct	630-858-4165	Karen Hillenbrand
17	John Fondel	227 ABBOTSFORD CT.	630-858-6748	John Fondel
18	Ed Hendricks	230 ABBOTSFORD CT	630-469-9518	Ed Hendricks
19	Vivian Bachelor	25 Abbotsford Ct	630 858 0355	Vivian Bachelor
20	Ed Beazley	240 Scott Ave	630 942-9570	Ed Beazley

PETITION FOR CONSTRUCTION NECESSITATED VARIANCE FOR 1000 OXFORD ROAD, GLEN ELLYN 60137

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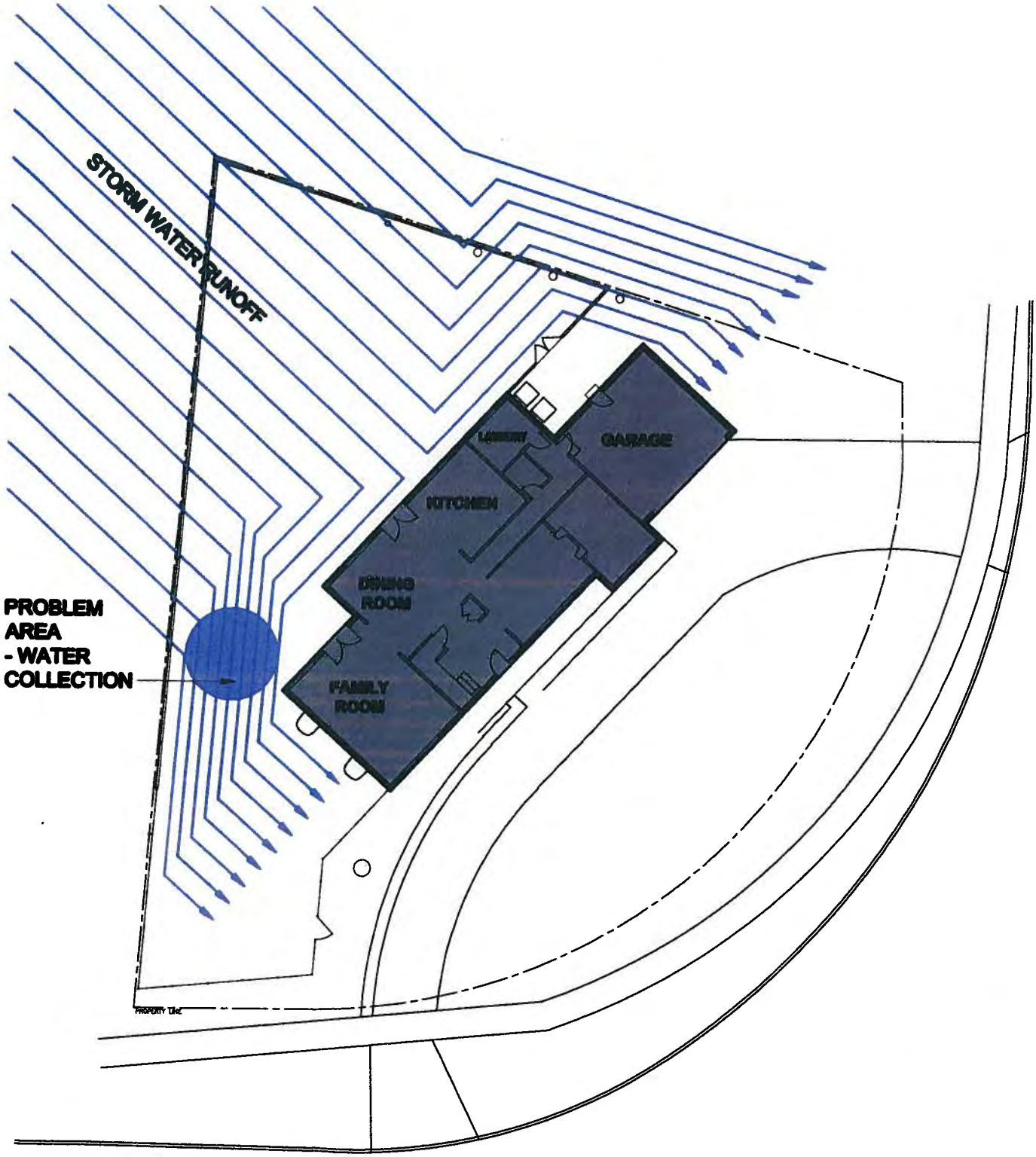
	NAME	ADDRESS	PHONE NUMBER	SIGNATURE
21	Donald Henry	985 Oxford	469 7368	Donald Henry
22	Rosalind Loos	250 Abbotsford	469 1647	[illegible]
23	Jeff Shinde	239 Abbotsford	469-3864	[illegible]
24	MAUREEN Golden	221 Abbotsford	469-2381	Maureen E Golden
25	Alice Cobkentz	975 OXFORD	545-0535	[illegible]
6	Sean McDonnell	237 Scott	545-9953	[illegible]

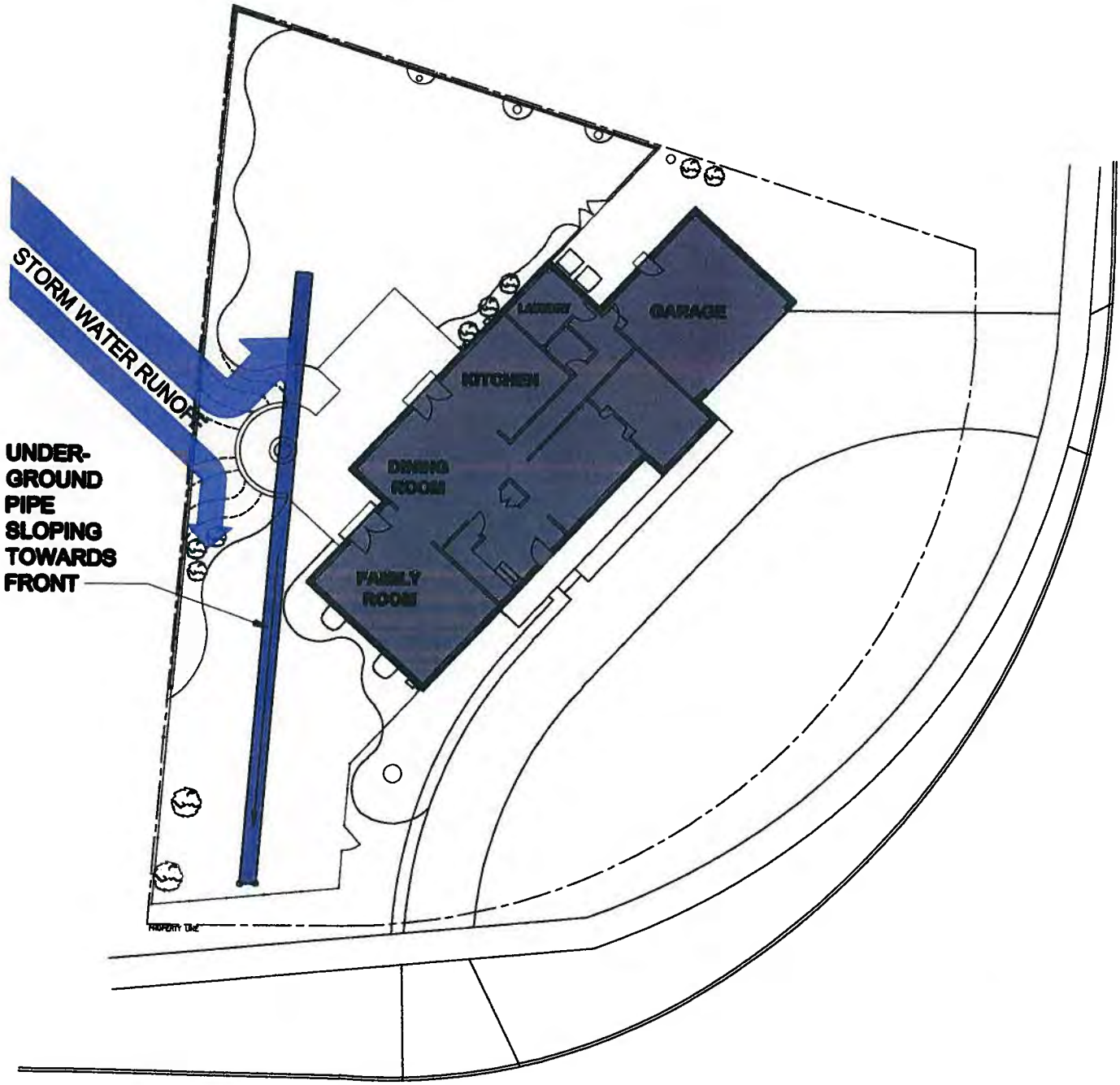
BEFORE

BEFORE



1A DRAINAGE PLAN - PROBLEMS

URBAN / DALSKOV
1000 OXFORD RD
GLEN ELLYN



1B SUCCESSFUL DRAINAGE PLAN

URBAN / DALSKOV
1000 OXFORD RD
GLEN ELLYN

DRAINAGE STRATEGY:
SLOPE WAS NOT ADEQUATE AT GRADE
SPLIT FLOW OF WATER
DIRECT WATER TO DRAIN PIPE
SLOPE DRAIN PIPE TO FRONT

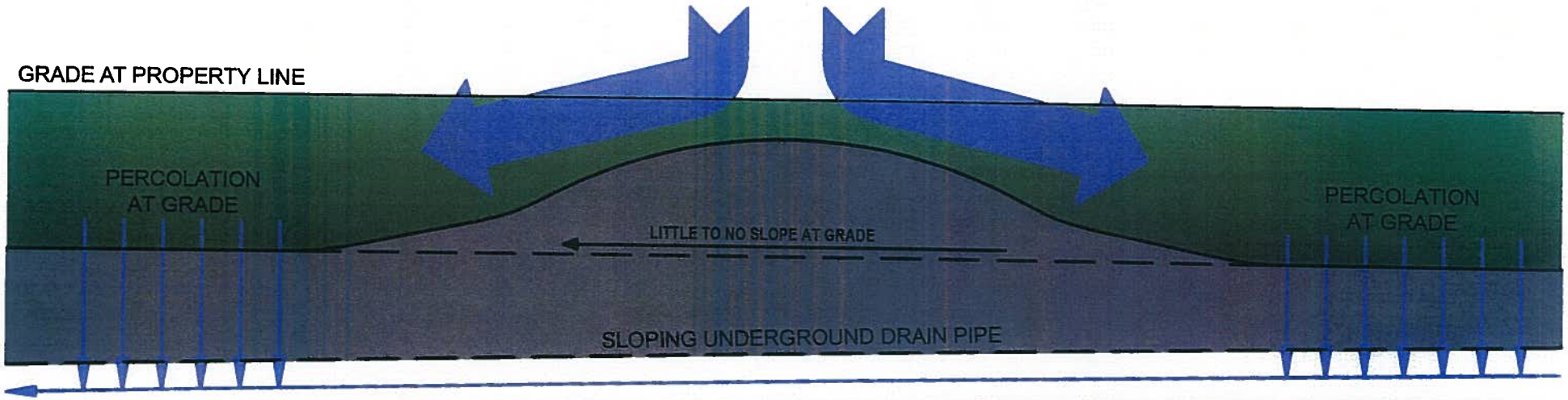


DIAGRAM SECTION
THROUGH
RETAINED EARTH BEHIND RETAINING WALL

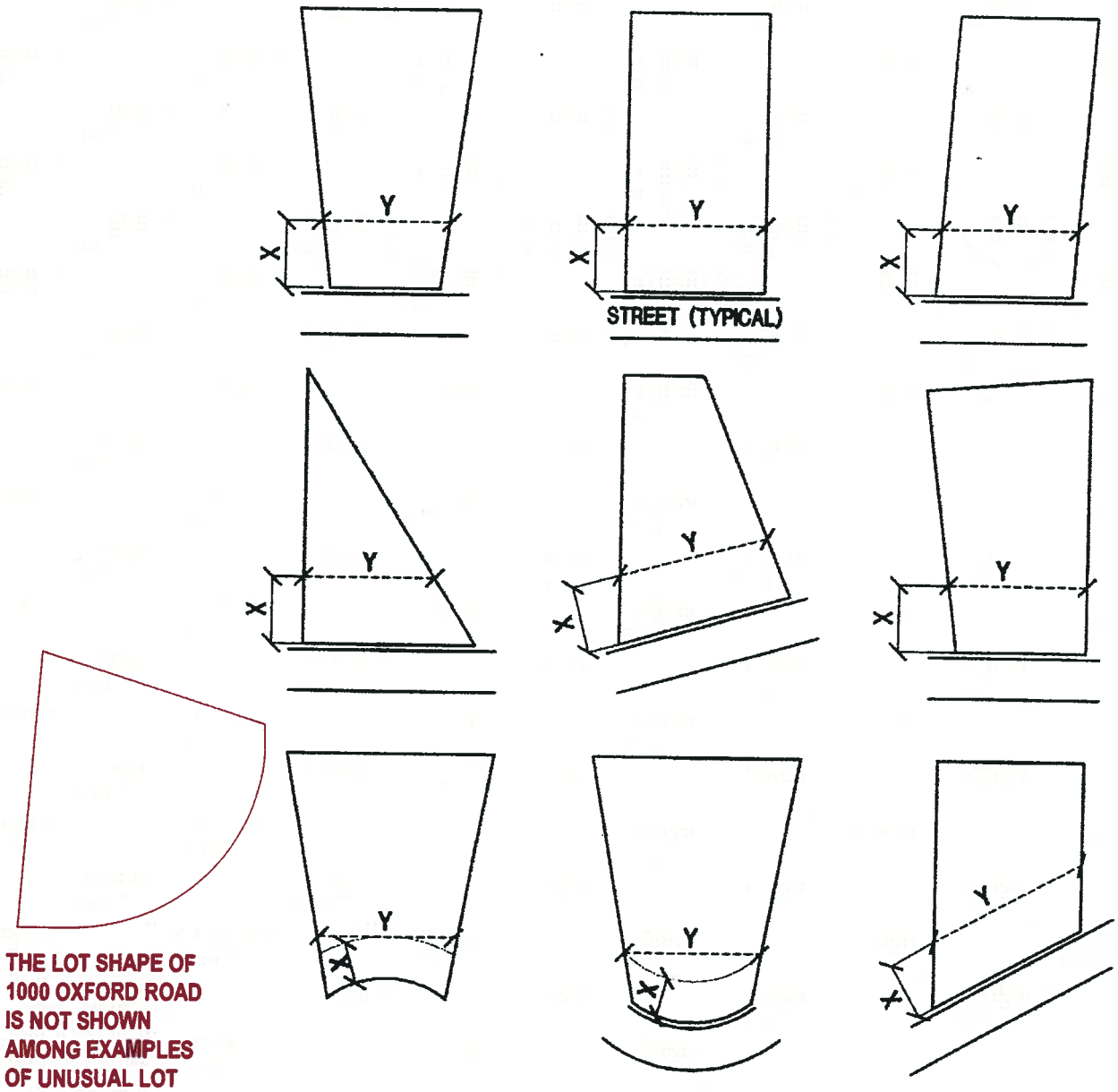
1C SUCCESSFUL DRAINAGE STRATEGY

URBAN / DALSKOV
1000 OXFORD RD
GLEN ELLYN

Appendix (continued)

FIGURE 2 - Lot Width and Depth Explained

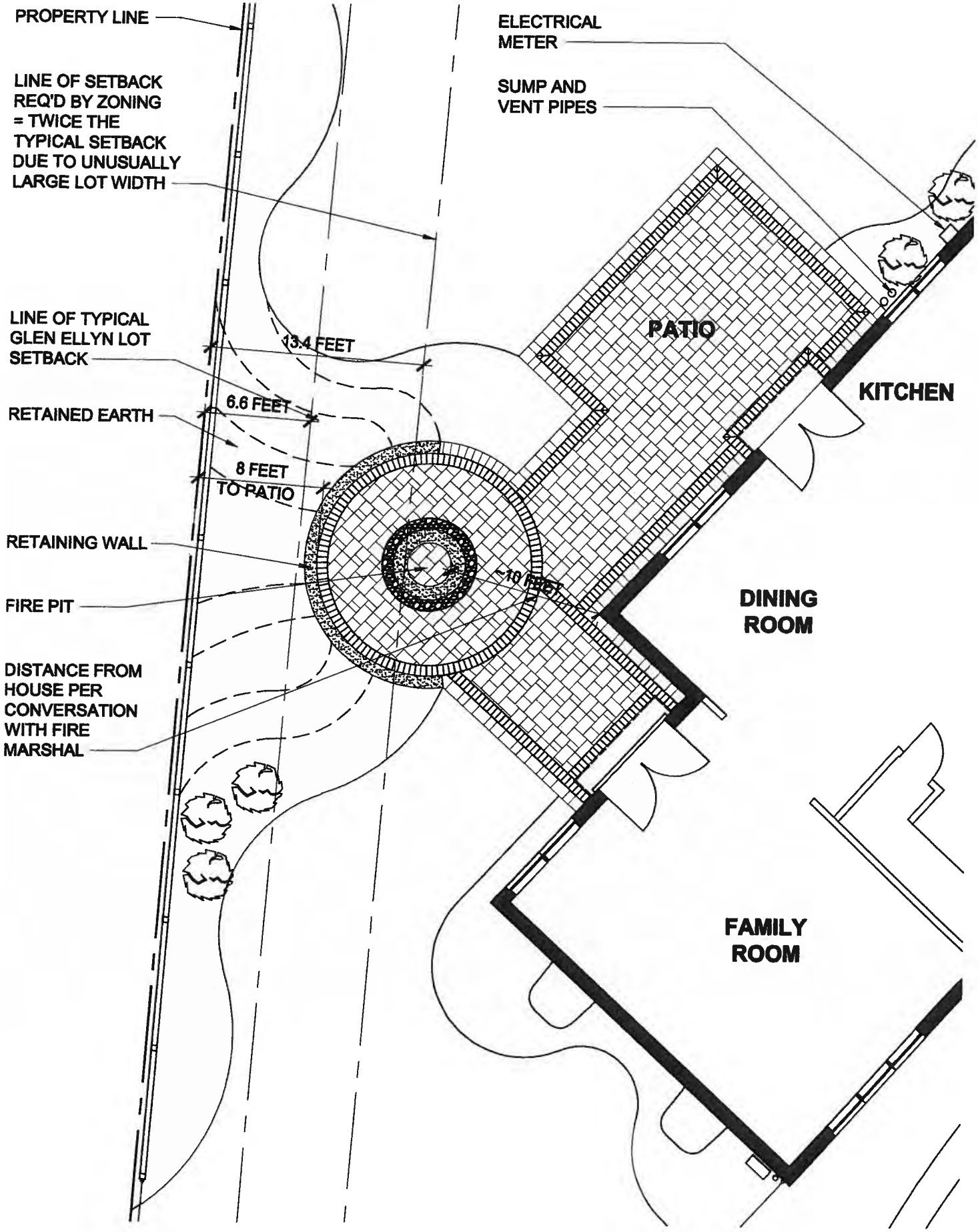
LOT WIDTH



THE LOT SHAPE OF 1000 OXFORD ROAD IS NOT SHOWN AMONG EXAMPLES OF UNUSUAL LOT SHAPES IN THE ZONING ORDINANCE.

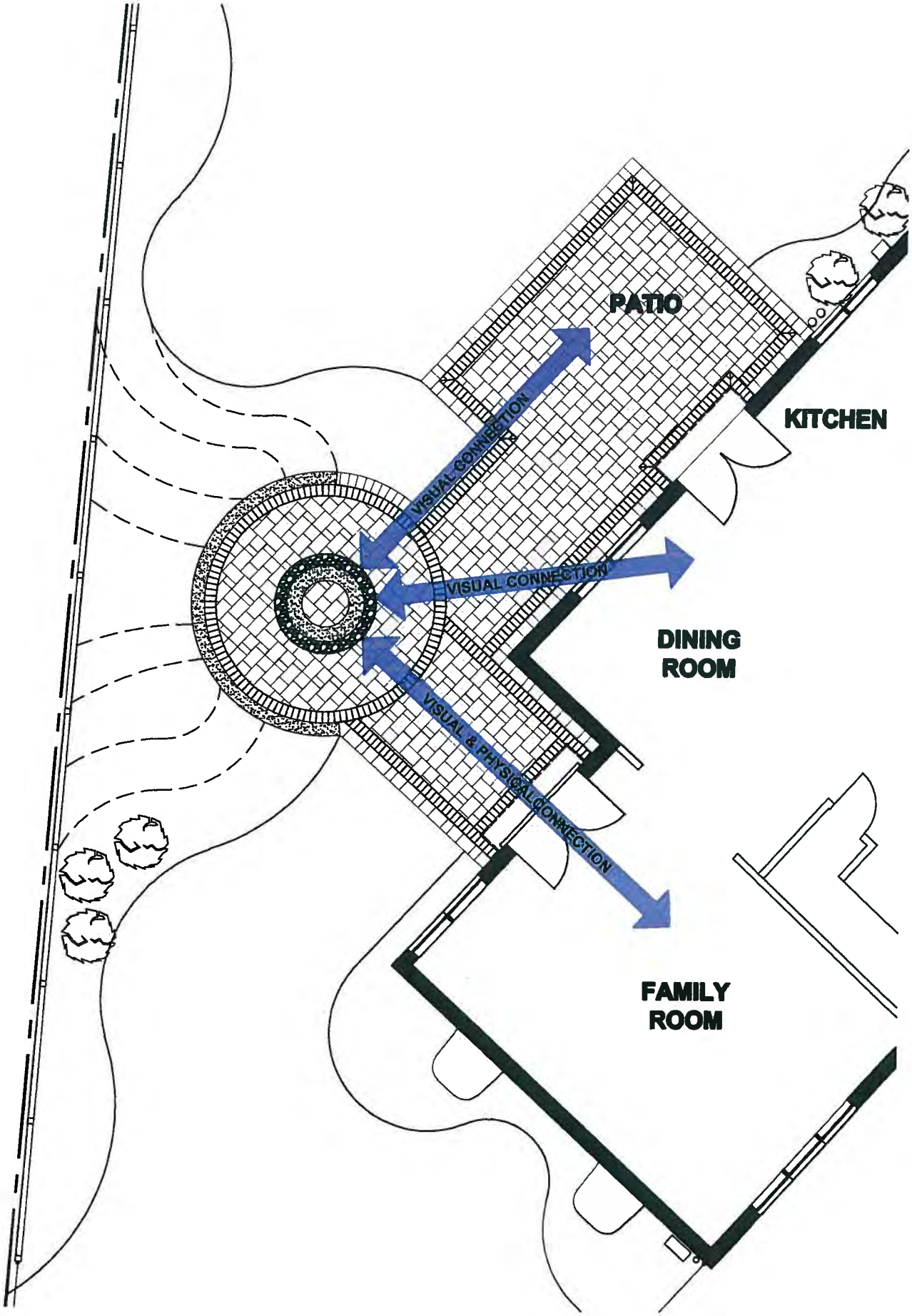
X = MINIMUM ALLOWED FRONT YARD SETBACK

Y = LOT WIDTH - DISTANCE BETWEEN SIDE LOT LINES MEASURED AT THE MINIMUM FRONT YARD SETBACK LINE



2A LAYOUT - DISTANCES

URBAN / DALSKOV
1000 OXFORD RD
GLEN ELLYN



2B LAYOUT - CONNECTIONS

URBAN / DALSKOV
1000 OXFORD RD
GLEN ELLYN

A-9

MEMORANDUM

DATE: December 7, 2011

TO: Village President and Village Board and Finance Commission Members

FROM: Mark Franz, Village Manager

RE: The Glen Ellyn Market

CC: Staci Hulseberg, Planning and Development Director
Kevin Wachtel, Finance Director

Background

Village Management, with the assistance of the Economic Development Corporation over the last few years, has been pursuing a development project on the former Packey Webb Dodge Dealership located on Roosevelt Rd. between Lambert Road and the Wheaton border. The property was formerly used as a Packey Webb Dodge dealership which has been closed since??? and has been used by Nicor on a temporary basis while their Finley Road facility is being reconstructed. SRS Real Estate Partners is a 25-year old development company, well known in the industry. Ryan Murphy, SRS, has been interested in this property for some time and has formed Vequity LLC and has a contract on the property. Attached for your information is the following:

- Vequity Proposal
- SRS Real Estate Partners-Capabilities Overview
- Revenue Analysis

The Developer has designed a project that would potentially beautify Roosevelt Road, restore Taft Avenue and could serve as both an anchor and stimulus for additional redevelopment along the Roosevelt Road corridor in Glen Ellyn. The Glen Ellyn Market Project will be a retail center consisting of 32,000 square feet with a 22,000 foot grocery store anchor and an additional 10,000 square feet of commercial/retail space for two or more additional tenants. The project will also include a quarter-acre of adjacent land located in the Village of Wheaton (to be used for parking) bringing the total site to approximately 3.2 acres. The anchor of the center would be The Fresh Market, a high-end European-style market that is expanding in the Chicagoland area over the last few years as many specialty groceries continue to grow and thrive. The total cost of the Glen Ellyn Market project is estimated to be $12,340,000 including extraordinary costs. The developer has indicated that Village assistance is required in order to make the project viable. A detailed proposal from Vequity LLC has been provided which consists of the request for assistance, demographic information, site renderings and site plan, and a tax analysis. The tax analysis has been incorporated into a proforma or revenue analysis that village management has been crafting with the assistance of the Finance Commission.

The Fresh Market and the Developer are interested in an accelerated planning and construction schedule, therefore, this project has been on the fast track over the last six weeks. The Village Board has supported the concept of improving Taft Ave. and maintaining this roadway in the future. The Taft Avenue portion of this project could be incorporated into the Capital Improvement Plan and funded through a reimbursement to the developer from the CIP Fund; funds are available. Furthermore, the Village Board has expressed willingness to financially support a new opportunity for a grocery store and has asked the Finance Commission to assist in evaluating the viability of such assistance.

The Fresh Market and the Developer are interested in an accelerated planning and construction schedule, therefore, this project has been on the fast track over the last six weeks. Village management has been working with the Finance Commission to review and evaluate the economics of this proposal over the last few weeks. To meet the developers requests and keep this project on track, Village Management is looking for a recommendation from the Finance Committee on Friday, December 9 and is prepared to discuss the conceptual business terms with the Village Board at the December 12, 2011 Board meeting. At that time, Village Management will ask for direction from the Village Board on conceptually agreeing to basic business terms of a possible redevelopment agreement.

Business Terms

Purpose

The Village is interested in aggressively pursuing and attracting new businesses and has approached this project from the perspective of the new economy. Development opportunities have decreased significantly over the last few years as the money supply has tightened and investors have become more risk averse. The Finance Committee through its 5-Year Forecast has highlighted the importance of increasing sales tax revenues as a way of stabilizing the overall financial position of the Village. Grocery stores are among the best sources of sales tax generators as evidence by the success of Glen Ellyn's grocery stores. Village Management has researched other Fresh Markets in the Chicagoland area and have learned those particular deals did not involve any incentives. (Crystal Lake did agree to cut 50% of TFM permit fees.) However, our research to this point has found that these deals were not part of a redevelopment site, but rather occupied vacant tenant space. Lastly, the Village has financially supported two other developments in the Village, Baker Hill ($1 million incentive) and Pickwick Place ($900,000 incentive), both in the late 90s.

Incentive Request

Given the framework above, the fact that this site has been an eyesore for some time, and that former auto dealers present unique challenges to redevelop, Village Management believes that working in partnership with a developer is the only way to achieve the goal of redeveloping this site. As early as last spring, the Developer stated that the project is not possible without Village assistance, particularly with respect to improvements on Taft Ave. and other extraordinary costs attributable to this site. They are requesting $793,000 up front to defray the cost of certain improvements and requesting that the Village enter into a sales tax sharing on a 60% / 40% (Village/Developer) arrangement for 10 years or $1 million, whichever occurs first. The upfront

costs would be reimbursement upon completion of the improvement on Taft Ave. and the other upfront costs would be provided at the time the store opens, as specified in the future redevelopment agreement.

Over the course of the last six weeks, Village management has met with the Developer to discuss various aspects of this project, primarily sales tax projections, Taft Ave. construction costs, and extraordinary costs. First, the Developer has had some difficulty in gathering information from TFM on projected annual sales. TFM closely guards this information as proprietary. Therefore, these numbers have fluctuated as more information became available, but management feels that with the help of the Finance Commission, we have analyzed various likely outcomes and have a good range of what to expect. As you can see from their proposal, the projections are conservative as compared to other TFM stores in Geneva and Kildeer which have generated $30 million in annual sales. The proposal states that Glen Ellyn has better demographics than both stores in terms of population and better demographics than Geneva in income.

Secondly, the Village has been communicating with the Village of Wheaton to ensure intergovernmental cooperation with a project that extends across communities boundaries. We have discussed the benefits of improvements to Taft Ave. and to the area in general and Wheaton has been very receptive to communication. However, they are not willing to pay for any improvements to their portion of Taft Ave. at this time. Regardless of their decision, Village management made it clear to the Developer that we do not intend to pay for improvements to Taft Ave. in Wheaton.

Lastly, Village management has worked with the Developer to clarify what costs are extraordinary and what are typically development costs. We were able to negotiate a reduced extraordinary cost list and believe these costs are reasonable to reimburse given the Taft Ave. part of the project. We have stressed to the Developer that some of these costs should be paid out through the sales tax reimbursement, but the Developer insists that these funds are needed upfront. Additionally, Management did have some concerns about paying for acquisition costs for Taft Ave., but given that the Developer has reduced the overall upfront request and is willing to pledge that any and all cost overruns are his responsibility, we believe it is reasonable. Therefore, the extraordinary costs included in the proposal are:

On-Site Improvements	
Remove Existing Retaining Wall	$12,000.00
Site Excavation and Embankment	$23,600.00
Import/Export Material	$45,000.00
Demolition	$93,000.00
Detention	$37,500.00
Control'd Improvements	
Site Improvements	$59,149.00
Taft Avenue Improvements	

Glen Ellyn Improvements (Includes Land Acquisition)	$523,528.00
Total	$793,777.00

To summarize the business terms of this agreement, I wanted to compare the initial proposal with the current proposal. As you can see below, the Developer has reduced his upfront cost request from $1.56 million to $793,000; eliminated the Wheaton costs; and agreed to a 60/40 split in terms of sales tax reimbursement, but did increase the sales tax reimbursement total from $880,000 to $1 million over ten years.

Initial Proposal

- Total project size=30,800 (20,300 TFM and 10,500 two or more tenants proposed) and includes a10 year lease with TFM at $18/sq ft
- Anticipating $11-$15 million in annual sales
- $1.56 Million for On Site and Off Site improvements – Upfront
    - Includes Taft Rd improvements and acquisition costs
    - Includes Wheaton portion of Taft Rd. improvements
    - Other Extraordinary Costs for the project
- $880,000 in sales tax reimbursements over a 10 year period at a 50/50 split

Current Proposal

- Total project size=30,800 (20,300 TFM and 10,500 two or more tenants proposed) and includes a10 year lease with TFM at $18/sq ft
- Anticipating $15million in annual sales with spikes in first three years; 4% thereafter
- $793,000 for on site improvements – Upfront
    - Includes Taft Rd improvements and acquisition costs
    - **Excludes** Wheaton portion of Taft Rd. improvements
    - Other Extraordinary Costs for the project were reduced
- $1 million in sales tax reimbursements over a 10 year period at a 60/40 Village/Developer split

The Developer stressed the following: *If it was a clean site with necessary roads already built as well as the necessary infrastructure, the total private investment of the Project would be $10,780,000. But because of the extraordinary costs, the total cost of the Project is currently projected to be $12,239,000. The Developer is requesting that the Village defray the extraordinary costs of $793,000 and to further assist the Project with $666,000 of sales tax which is the net present value of 40% of the sales tax revenue for 10 years with a cap of $1,000,000.* In summary, the Developer is asking the Village to reimburse all extraordinary costs, some up front and some over 10 years and at the same time improve the economics of the investment.

Economic Development Incentive Guidelines

The Village has recently approved in concept Economic Development guidelines in which to apply requests for financial assistance from developers and businesses. This project is eligible since it meets the following objectives:

- Attracting businesses/developers to high priority redevelopment sites
- Attracting high priority and unique businesses to the Village that improve the overall mix of uses
- Improving properties which are considered unattractive or have been vacant for a long period of time
- Introducing uses which further the Village's reputation as a destination for shopping, dining, cultural events and entertainment

In addition, the following review criteria have been considered and analyzed to determine the appropriate threshold of assistance given to the developer to allow for a reasonable rate of return on the project:

- Enhancement and diversification of Village revenue base-*positive*
- Conformance with Comprehensive Plan goals and objectives-*positive*
- Improvement of economic base through attraction, retention or expansion of businesses-*positive*
- Attraction of high priority business that would enhance diversity of businesses and vitality in the Village's business districts-*positive*
- Fulfillment of an underserved business segment-*moderate*
- Presence of extraordinary costs above and beyond typical development improvement costs, such as prohibitively expensive:
    - Environmental remediation-*unknown*
    - Capital purchases-*Yes*
    - Facility expansion-*Yes*
    - Public infrastructure-*Yes*
    - Governmental impositions (impact fees, storm water retention, public infrastructure improvements, shared parking etc.)-*Yes*
- Significant increase in employment-*positive, 90 new jobs include 54 full time jobs*
- Enhancement of streetscape and pedestrian experiences-*Yes*
- Improvement of public infrastructure-*Yes*
- Provision of a variety of quality housing choices-*No*
- Quality of development and aesthetics above and beyond code requirements and design standards-*Yes, has pledged to invest in a higher end façade and exceed design requirements, see site renderings in proposal*
- Demonstrated ability to construct, operate and maintain the proposed project based upon past experience, reputation and credit history-*Yes, see SRS Capabilities Overview*
- Demonstrated probability of economic success—*See "Revenue Analysis"*

Revenue Analysis

Attached is the latest proforma for this project, subject to modifications by the Finance Commission at their meeting on Friday. The following is a summary of the worksheets:

- Five economic scenarios are presented (with annual sales projections): best (20M), likely (15M), worst(10M), developer(15M), and developer proposal with a 6% discount rate(15M). The likely scenario and developer scenarios are similar. The developer has indicated that numbers are conservative.
- The discount rate used for calculations is 4.2%, which is the average long term borrowing cost for the Village over the past 10 years. Short term borrowing rates have been as low as 2%, but the longer duration bonds are more appropriate.
- Detailed assumptions for each scenario is noted on the spreadsheet. Major differences are sales tax starting point and growth rates, portion of sales subject to home rule sales tax, EAV growth rate, and utility tax revenue.
- The developer has requested $793,000 in up front costs and 40% of sales tax revenue. We have calculated the 40% split on the total regular sales tax, home rule sales tax, less displacement.
- A summary sheet identifies key 10 year totals, including revenues, costs, present value of the overall project, present value of Village revenue less revenue share to the developer, and the present value of the cost of the revenue share.
- From an economic perspective, the $793,000 is evaluated differently than the ongoing revenue share. The analysis assumes the $793,000 is paid fully in year one, with revenue also occurring in year one. The Finance Commission identified a measure to use as 50% of the public improvement cost (for this case, ½ of $793,000 discounted) to be received in village revenue within 5 to 7 years. Also, for this presentation, I have assumed that the entire $793,000 is appropriate for up front reimbursement.
- Each economic scenario spreadsheet includes a line graph, which compares four cumulative revenue scenarios:
    - 100% of the up front costs applied to this project, but no revenue share
    - 100% of the up front costs applied to this project, but including the revenue share
    - 50% of the up front costs applied to this project, but no revenue share
    - 50% of the up front costs applied to this project, including revenue share.

  These scenarios are intended to illustrate the maximum cumulative NPV revenue as well as the NPV costs of providing the incentive. The 50% of up front costs illustration is applying the measure previously discussed by the Finance Commission to the current model.
- A detailed analysis was provided by Commissioner Faber, which is the basis for much of the NPV calculations. When I updated the data for the current sales tax assumptions and made other modifications, I was not able to make all the functions work properly, such as investment rate of return and years to break even. I fundamentally changed some presentation, including factoring in the up front costs into the main spreadsheets, so this has altered the base data. Thanks to Commissioner Faber for this great work.
- Utility tax revenue is based on estimates of typical electricity usage by grocery and convenience stores by square footage. These estimates were found on the federal

government's Energystar program. We used 20,000 square feet as a conservative estimate and minimal telecommunications and natural gas usage.

Sales Tax Reimbursement

In order to appropriately evaluate the request, one should evaluate the two different incentive requests separately. The upfront costs of the project is the Village risk and the attached worksheets address this risk. However, the sales tax incentives are funds we would not get, but for the project moving forward. This part of the agreement is a performance-based agreement where if, and only if, the developer performs, they would be eligible for reimbursement. The risk is solely on the developer once the Village initial investment is reimbursed. Furthermore, Taft Ave. becomes an asset, albeit one that we have to maintain, but this public improvement will enhance future economic development opportunities in this area.

NPV

Net present value is used a key evaluation tool to estimate and normalize the long terms costs and present and compare them in today's dollars. For purposes of this presentation, we looked at long term borrowing costs over the past 10 years (4.2%). The developer has used 6%. In these analyses where the nominal dollars remain the same, the discount rate used to calculate the NPV does not change the overall comparison of NPV costs and benefits. However, adjusting the NPV will impact the magnitude of dollars included in the presentation.

Displacement

The issue of displacement or cannibalization, while a worthwhile concept to consider in this type of analysis, is difficult to compute. Displacement is a market driven issue. While it is possible to hire a consultant to prepare a gravity model to estimate a fairly accurate percentage of possible displacement, that type of analysis is more time consuming and costly than the benefit of the analysis would yield. A gravity model would analyze where the various stores draw from, what their sales volumes are, and drive times to the various stores, among other things.

While it makes conceptual sense to factor in some percentage of loss to the Village's sales tax revenue from sales that will be drawn away from similar stores in the community, it may not be wise to focus too closely on a specific percentage, since we are wholly unsure of what that number would be. We should consider that if we do not move forward with this development, the Village of Glen Ellyn will still likely experience diversion, without the benefit of any revenue from a new grocer. For example, the proposed grocer could locate in another nearby community and continue to draw sales from our stores, or the proposed Mariano's in Wheaton could draw from our stores.

Results

As depicted in the revenue analysis, the Village stands to realize 100% of its upfront investment returned within 5-14 years with the most likely scenario being 6 or 7 years. In addition, this analysis projects that the Village will realize 50% of its upfront investment returned within 3-7 years with the most likely scenario being 4 years. Remember, these are conservative projections as explained in the incentive request section above and once the Village pays off this initial investment, all revenue is new revenue.

Economic Development Analysis

Positives

- Meets the economic development incentive guidelines objectives and meets many of the criteria.
- Development could be a catalyst for long term improvements on the Roosevelt Road corridor which benefits both Glen Ellyn and Wheaton.
- Developer will add to the real estate tax base (EAV) in Glen Ellyn – benefitting the Village and other taxing bodies.
- Neighboring businesses (to the east) may remodel/rebuild to become higher sales tax generators given traffic generated by anchor tenant and new access via Taft Ave.
- Neighboring properties that are upgraded may add to real estate tax base (EAV) and sales tax base in Glen Ellyn.
- Anchor tenant's operation overlaps with existing businesses in GE but brings new product offerings as well.
- Anchor tenant will likely attract shoppers to GE that haven't shopped here frequently in the past.
- Anchor tenant will likely attract additional shopper traffic that will benefit other stores/businesses.
- If the project does not happen, the property would remain vacant and the Village would have to start over in a search for another opportunity
- If project does not happen, Glen Ellyn could see more shopper displacement to other specialty stores outside of Glen Ellyn, decreasing sales tax revenue
- TFM alone is anticipated to generate 90 new jobs within the Village, with 60% (54) being full-time and 40% (36) part-time.
- In this difficult economic climate, this would be beneficial from a future economic development marketing standpoint

Negatives

- Glen Ellyn has historically taken a conservative approach with respect to economic incentives in general
- This project could set a precedent that could lead to more incentive agreements and the belief that the Village is negotiating against themselves
- Significant upfront costs
- 10 year term is a long agreement

- The sales tax reimbursement minimizes the positive effect this could have on overall sales tax generation from this project
- Other TFM projects in the area did not receive incentives (However, most, if not all TFM projects were not re-development sites)
- We have been unable to definitively determine the minimum amount of incentive necessary to make the development work

Recommendation

Village Management is looking forward to getting feedback from the Finance Commission and ultimately the Village Board. The Glen Ellyn Market is a unique development opportunity that requires a public investment upfront to facility the project. The total upfront investment is likely to be paid off in 6 or 7 years. The positives outweigh the negatives and with conservative sales tax projections, there is an opportunity for a significant upside to this project. The project will add to the tax base, workforce population, meets the economic incentive guideline requirements, and improves an area in need of investment in the critical Roosevelt Road corridor.

For these reasons, staff is recommending approval of the business terms, subject to Finance Commission and Village Board direction, as follows: $793,000 to be reimbursed upon completion and opening of TFM and $1million in performance-based sales tax reimbursements on 60/40 split between Village/Developer and direction to prepare a redevelopment agreement between the Developer and Village.

If you have any questions, please let me know.

SRS Real Estate Partners
Capabilities Overview

SRS
Real Estate Partners

Celebrating Coast to Coast

"Proudly the nation's largest real estate firm dedicated exclusively to retail"

In 1986, Roger Staubach and Chris Maguire created Staubach Retail Services. In 2009, we evolved into SRS Real Estate Partners. The foundation laid by these two leaders, the people they have entrusted as team members and the business built since, are responsible for our past success and yours in the future. Welcome to the journey, the road to success.

The SRS Constitution

25 YEARS

Mission Provide extraordinary real estate services to users and owners of retail real estate. Our success is measured in the achievement of our clients' objectives, satisfaction and trust.

Values

- **Integrity:** We will not compromise our individual or corporate integrity for any reason. Everyone will be held to the highest ethical standards of honesty and integrity in all business dealings, both internal and external to the company. Every individual pledges to preserve the corporate integrity.
- **Respect:** We celebrate the intrinsic value of each person because it is the right thing to do. We embrace diverse perspectives and cultural backgrounds as this builds a positive work environment for all regardless of race, age, gender, religion or sexual orientation.
- **Teamwork:** Teams work. The collective efforts of varied specialists will produce extraordinary results; lone efforts do not. Fidelity to the team ethic will result in personal achievements beyond one's own capabilities. Teamwork allows us to serve our clients needs consistently office to office globally.
- **Balance:** Balanced lives will make for a healthier and consistently productive organization. While hard work and devotion to our profession are desired qualities, all employees are encouraged to balance their faith, family, community and self with those of their vocation.
- **Leadership:** Our continued success relies on our ability to attract and motivate leaders of character throughout the organization. If we invest in people who demonstrate integrity and achievement, success will be the natural consequence. Principled-leadership and technical competence will never become obsolete.

Operating Principles

- **Quality:** Pursue excellence in all of our professional endeavors and remain above the conflicts that prevail in our industry. Inform our clients of any potential conflicts, whether real or perceived. Always choose the harder right over the easier wrong. We will accept only excellence in both client services and quality of our work.
- **Client Service:** We will adopt the objectives of our clients and dedicate ourselves to the achievement of their goals. We strive to understand our clients' long-term operational objectives and to orient our work to achieve these objectives, rather than simply fulfill a short-term real estate need.
- **Value-Added Service:** Deliver value every day. Exceed our clients' expectations by maintaining standards of value-added services well above the norms in our industry. Seek not only to achieve what is asked of us, but provide more than is expected.

Guarantee of Value

- If we have not provided value, in terms of time, money, and qualitative issues while performing our duties, we will waive all or part of our fees at the reasonable discretion of our client.

Our History

1986	1989	1996	1999	2002	2005	2009	2011
SRS Real Estate Partners opens in Dallas to exclusively serve the retail real estate industry	Newport Beach, San Francisco and South Florida offices now open	Atlanta, Chicago and New York offices now open	Philadelphia and Phoenix offices now open	Denver, Houston, Minneapolis, Orlando and Portland offices now open	Austin and Mobile offices now open	SRS Real Estate Partners unveils a new brand with a strong heritage	East Bay, San Jose and Tampa offices now open
Brokerage Services launched with tenant representation at its core		Development Services and Corporate Services offerings now in full swing		Investment Services platform launched		Managed Services offering launched	International platform launched

"For 25 years your satisfaction has been our guarantee."

– Chris Maguire, CEO & Chairman of the Board
SRS Real Estate Partners

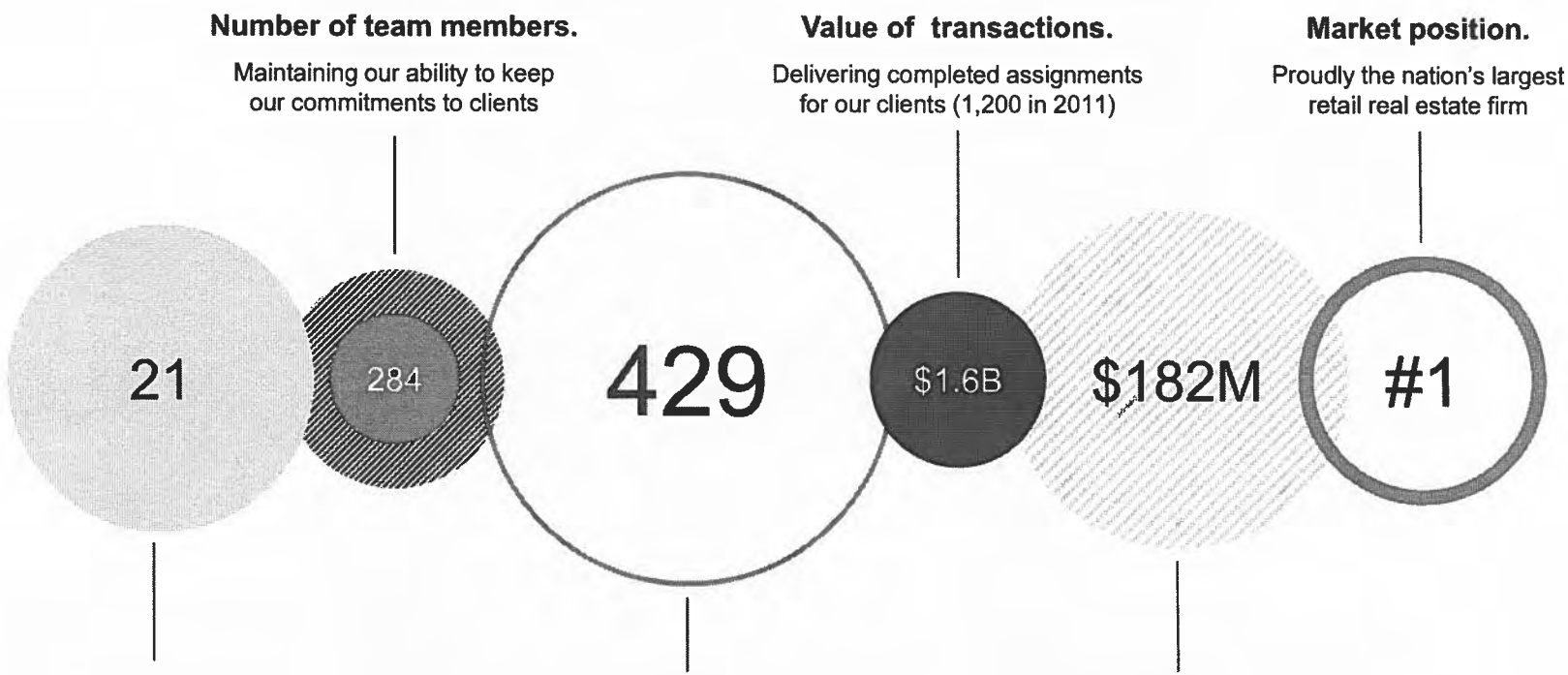
SRS Real Estate Partners

Lines of Business

	Brokerage Services	Corporate Services	Development Services	Investment Services	Managed Services
Services	Tenant representation Disposition Landlord representation Land brokerage SRS Urban	Lease administration Lease renewal and restructuring Portfolio disposition Project / construction management Facilities management Strategic advisory	Preferred development Fee development / build-to-suit Redevelopment Development advisory	Investment sales Sale / leaseback Financial advisory	Asset / property management Design and construction management Marketing and leasing management Development / Redevelopment Property advisory
Target Customers	Retailers and users of retail space Owners / investors of retail space and centers	Retailers and users of retail space Office / industrial users for lease administration	Retailers and users of retail space	Owners / investors of retail space and centers	Owners / investors of retail space and centers
Focus	Advanced market research and strategic planning Site selection, acquisitions, dispositions, and leasing	Outsourcing & staff augmentation Occupancy cost reduction Growth initiatives	New construction and redevelopment Turn-key creative solutions Multi-unit programs	Maximizing value for each situation Real estate advisory and valuation Expert transactions	Local market solutions Retail repositioning Maximizing NOI and asset value

SRS Real Estate Partners

SRS by the Numbers



SRS Real Estate Partners

Blue Chip Client Base

SRS Offices and Resources

SRS Real Estate Partners

Affiliate and Alliance Partners

CYPRESS EQUITIES

ZENTA

Affiliate or Alliance Partner	Nature of Relationship
Cypress Equities Companies	Cypress Equities companies are developing and/or managing approximately 10 million square feet in projects throughout the U.S. and Caribbean, consisting of community and power centers, as well as vertically integrated mixed-use villages that incorporate retail, residential, hotel and offices. Cypress Equities is an affiliate of SRS and is leveraged for SRS's Development Services, Investment Services and Management Services offerings, most often in partnership with SRS or through a direct to client arrangement.
Zenta	Zenta is a trusted outsourcing partner for the world's leading real estate and financial institutions providing some of the most sophisticated activities performed in India. SRS has 25 certified Zenta resources on SRS's staff in India and contracts those resources in a prime contractor relationship model.
Quality Project Management LLC	Quality Project Management offers scalable, flexible and affordable project management solutions for retailers across all 50 states. SRS teams with QPM for project management solutions most often in a prime contractor relationship model.
FacilitySource, Inc.	FacilitySource provides a managed service model that enables customers to optimize their facility maintenance process. SRS teams with FacilitySource for facility maintenance optimization most often in a prime contractor relationship model.
Arrow Retail	Arrow Retail acquires quality retail properties that need to be recapitalized or repositioned due to difficult market conditions or capital constraints. Leveraging an unparalleled platform of strategic affiliates - including retail industry veterans SRS Real Estate Partners and Cypress Equities - Arrow Retail accesses a broad array of expertise, market knowledge, and relationships throughout the United States.

SRS
Real Estate Partners

Ryan Murphy

Senior Vice President

Ryan joined SRS Real Estate Partners in 2008 as Senior Vice President and Market Leader for the company's Midwest region. Ryan specializes in recognizing value added retail opportunities for developers, investors and tenants. From 2005 to 2008, Mr. Murphy successfully negotiated the joint venture, managed the development and was a partner in several retail developments totaling over $130,000,000 in value.

Years Experience: 17

Awards

- Founding Committee Member of the ICSC Next Generation
- Editorial Board member of the Shopping Center Business
- 2008 NAI Global Council Leadership Award
- Chairman 2007-08 NAI Global Retail Council
- 2007 Costar Power Broker
- Partner NAI Hiffman 2003-2008
- 2002 Real Estate Chicago 40 Under 40
- Managing Director NAI Hiffman Retail Brokerage Group 2000-2007
- Partner SRS Real Estate Partners 2009 to Present
- Partner Arrow Retail 2009 to Present

Education

- Michigan State University – BS, Urban Planning & Development

Contact Information:

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Oak Brook, Illinois 60523

T: 630-203-6330 | F: 630-203-6340

ryan.murphy@srsre.com

Areas of Service

- Managed Services
- Investment Sales
- Landlord Representation
- Tenant Representation

Your Business: Our Experience

We have represented some of the country's most successful, best known brands. We are privileged to be a part of the success of these clients:

- Tide Dry Cleaners – Tenant Representation
- Boston's Pizza – Tenant Representation
- Tilted Kilt – Tenant Representation
- Flirty Girl Fitness - Tenant Representation
- Boston Market – Disposition

Tilted Kilt Pub & Eatery
Tide Dry Cleaners
Arrowretail
The Private Bank
Boston's Restaurant & Sports Bar
Flirty Girl Fitness

ARROWRETAIL

Daniel C. Slattery

Managing Director – Senior Vice President

Dan was Executive Vice President for Kimco Developers, a wholly owned subsidiary of Kimco Realty Corporation for the past thirteen years. Dan was responsible for all aspects of the development process including land acquisition, joint venture relationships, approvals, leasing and property disposition. During the thirteen years at Kimco, he has overseen the retail development on a national basis of over twenty million square feet in nearly sixty projects. Prior to joining Kimco, Dan was Director of Development for Homart Development Company focusing on retail development and with Opus Corporation as a Construction Project Manager

Years Experience: 25

Education

- Iowa State University – BS, Construction Engineering
- Keller Graduate School - MBA

Community/Personal Information

- Dan is married and lives in Hinsdale, Illinois. He enjoys many outdoor activities including running, skiing, golf and hiking.

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dan.slattery@arrowretail.com

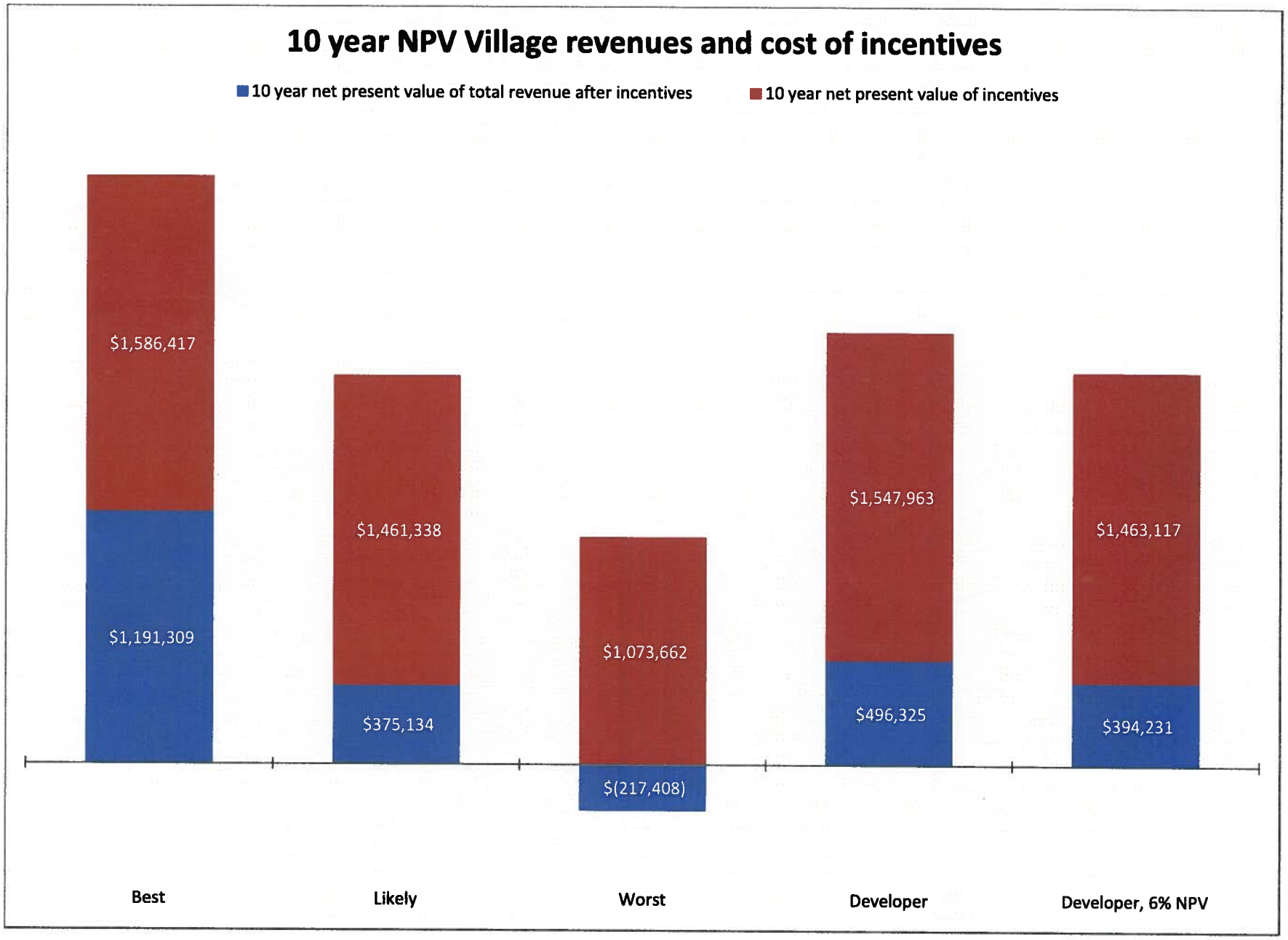
Areas of Service

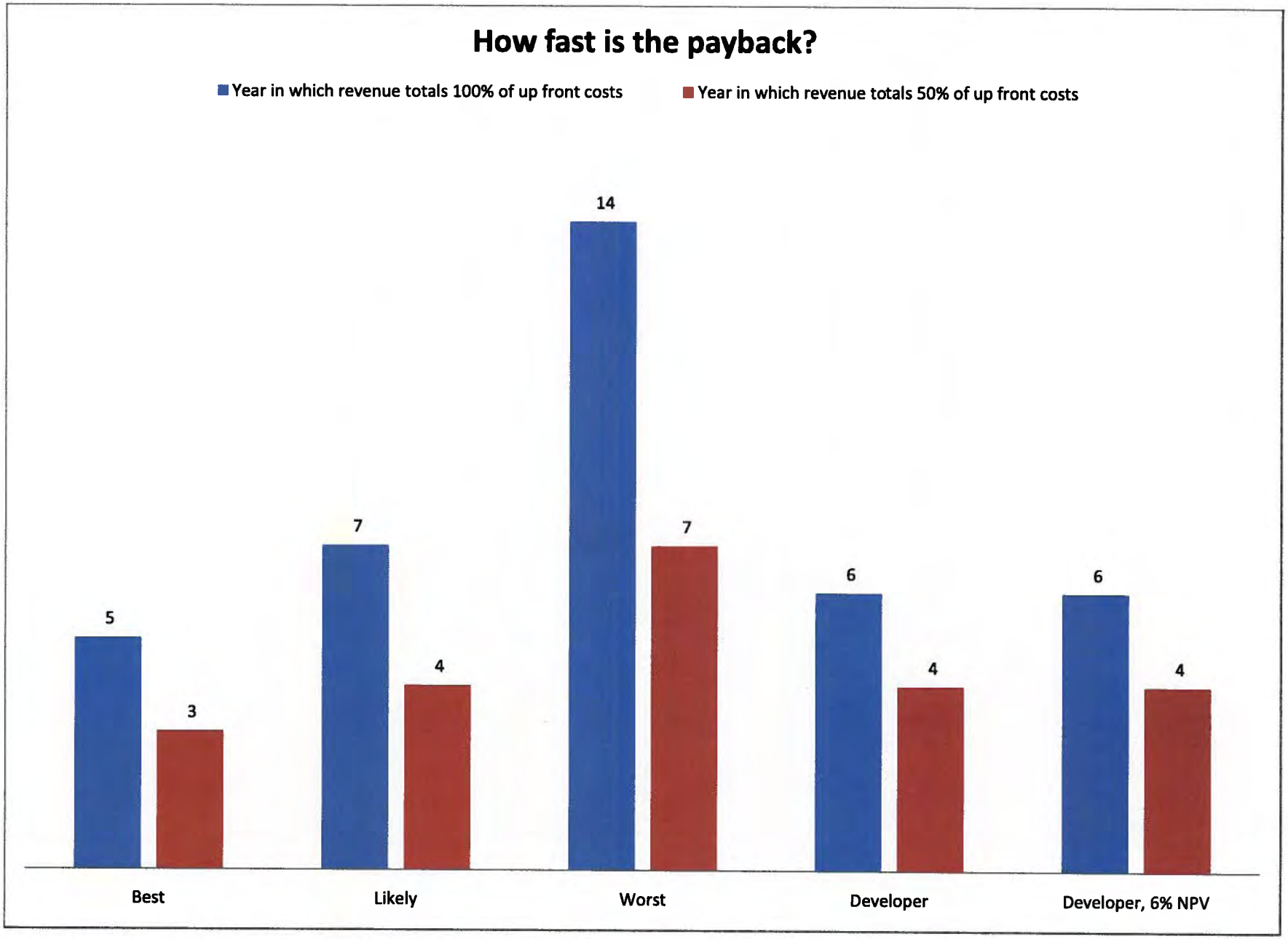
- Development
- Disposition
- Acquisition
- Investment Underwriting
- Leasing
- Construction

10 year totals, Glen Ellyn Market

	Best	Likely	Worst	Developer	Developer, 6% NPV
Total Sales	$ 309,067,071	$ 231,800,303	$ 121,918,475	$ 231,800,303	$ 231,800,303
Ongoing Revenues					
Local Sales Tax	$ 3,090,671	$ 2,318,003	$ 1,219,185	$ 2,318,003	$ 2,318,003
Estimated Home Rule Sales Tax	$ 695,401	$ 463,601	$ 182,878	$ 463,601	$ 463,601
Utility Taxes	$ 50,000	$ 40,000	$ 30,000	$ 30,000	$ 30,000
Total new property tax generated	$ 73,077	$ 68,776	$ 64,671	$ 64,671	$ 64,671
Total ongoing revenues	$ 3,909,149	$ 2,890,380	$ 1,496,734	$ 2,876,275	$ 2,876,275
One Time Revenues					
Building Permit Fees	$ 27,800	$ 27,800	$ 27,800	$ 27,800	$ 27,800
Total one time revenue	$ 27,800	$ 27,800	$ 27,800	$ 27,800	$ 27,800
Total 10 year revenues	$ 3,936,949	$ 2,918,180	$ 1,524,534	$ 2,904,075	$ 2,904,075
Costs					
Up front capital contribution	$ 793,000	$ 793,000	$ 793,000	$ 793,000	$ 793,000
Developer Share of Sales Tax	$ 1,000,000	$ 890,113	$ 392,577	$ 1,000,000	$ 1,000,000
Displacement	$ (378,607)	$ (556,321)	$ (420,619)	$ (278,160)	$ (278,160)
Total costs	$ 1,414,393	$ 1,126,792	$ 764,959	$ 1,514,840	$ 1,514,840
Village 10 year net	$ 2,522,556	$ 1,791,388	$ 759,575	$ 1,389,235	$ 1,389,235
10 year net present value of total revenue before incentives	*$ 2,777,725*	*$ 1,836,471*	*$ 856,254*	*$ 2,044,287*	*$ 1,857,349*
10 year net present value of total revenue after incentives	*$ 1,191,309*	*$ 375,134*	*$ (217,408)*	*$ 496,325*	*$ 394,231*
10 year net present value of incentives	*$ 1,586,417*	*$ 1,461,338*	*$ 1,073,662*	*$ 1,547,963*	*$ 1,463,117*
Year in which revenue totals 100% of up front costs	*5*	*7*	*14*	*6*	*6*
Year in which revenue totals 50% of up front costs	*3*	*4*	*7*	*4*	*4*
Total incentive request (up front and sales tax share) / total sales tax (including displacement)	*53%*	*76%*	*121%*	*72%*	*72%*
New Revenues to other agencies					
New SSA Revenue	$ 21,478	$ 20,214	$ 19,008	$ 19,008	$ 19,008
New property tax revenue	$ 1,017,625	$ 957,738	$ 900,571	$ 900,571	$ 900,571

Detailed notes and assumptions are located on the following pages.


10 year NPV Village revenues and cost of incentives
10 year net present value of total revenue after incentives
10 year net present value of incentives
$1,586,417
$1,191,309
$1,461,338
$375,134
$1,073,662
$(217,408)
$1,547,963
$496,325
$1,463,117
$394,231
Best
Likely
Worst
Developer
Developer, 6% NPV


How fast is the payback?
Year in which revenue totals 100% of up front costs
Year in which revenue totals 50% of up front costs
5
3
7
4
14
7
6
4
6
4
Best
Likely
Worst
Developer
Developer, 6% NPV

Village Investment	**$ 800,000**			Up-Front	$ 800,000		Sales-Tax	$ 1,000,000
Upfront %	**44%**							
Cost of Capital	**3.5%**							

		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8
Best	**Discounted Benefit**	$ 216,411	$ 254,522	$ 277,287	$ 291,976	$ 291,288	$ 290,603	$ 289,922	$ 289,245
	Discounted Village Benefit	$ (629,271)	$ 157,042	$ 170,639	$ 179,393	$ 178,920	$ 178,451	$ 177,985	$ 201,678
	Total Value to Village	$ (629,271)	$ (472,229)	$ (301,589)	$ (122,197)	$ 56,723	$ 235,174	$ 413,159	$ 614,837
	Years till Break-Even	5.0				**4.2**			
	Year till Village covers $400,000	3.0		**2.5**					
	10-Year Village IRR	30.6%							
Likely	**Discounted Benefit**	$ 142,035	$ 169,052	$ 183,809	$ 193,294	$ 192,739	$ 192,189	$ 191,644	$ 191,104
	Discounted Village Benefit	$ (674,280)	$ 105,392	$ 114,161	$ 119,770	$ 119,356	$ 118,947	$ 118,542	$ 118,143
	Total Value to Village	$ (674,280)	$ (568,889)	$ (454,727)	$ (334,958)	$ (215,602)	$ (96,655)	$ 21,888	$ 140,030
	Years till Break-Even	7.0						**9.6**	
	Year till Village covers $400,000	4.0			**3.5**				
	10-Year Village IRR	18.0%							
Worst	**#VALUE!**	$ 80,134	$ 90,536	$ 92,459	$ 92,842	$ 89,998	$ 87,241	$ 84,568	$ 81,978
	Discounted Village Benefit	$ (711,804)	$ 57,913	$ 58,960	$ 59,086	$ 57,279	$ 55,527	$ 53,828	$ 52,181
	Total Value to Village	$ (711,804)	$ (653,891)	$ (594,930)	$ (535,844)	$ (478,566)	$ (423,039)	$ (369,211)	$ (317,030)
	Years till Break-Even	14.0							
	Year till Village covers $400,000	7.0						**6.7**	
	10-Year Village IRR	1.3%							
Developer	**Discounted Benefit**	$ 158,349	$ 188,025	$ 204,596	$ 215,239	$ 214,590	$ 213,949	$ 213,316	$ 212,690
	Discounted Village Benefit	$ (692,800)	$ 126,390	$ 142,826	$ 156,231	$ 162,190	$ 168,384	$ 174,823	$ 181,516
	Total Value to Village	$ (692,800)	$ (566,410)	$ (423,583)	$ (267,353)	$ (105,163)	$ 63,221	$ 238,043	$ 419,559
	Years till Break-Even	6.0					**6.4**		
	Year till Village covers $400,000	4.0			**3.8**				
	10-Year Village IRR	20.9%							

Year 9	Year 10	10 Years	Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18
$ 288,571	$ 287,901	**$ 2,777,725**	$ 279,224	$ 270,811	$ 262,655	$ 254,748	$ 247,082	$ 239,650	$ 232,445	$ 225,459
$ 288,571	$ 287,901	**$ 1,191,309**	$ 279,224	$ 270,811	$ 262,655	$ 254,748	$ 247,082	$ 239,650	$ 232,445	$ 225,459
$ 903,408	$ 1,191,309		$ 1,470,532	$ 1,741,343	$ 2,003,998	$ 2,258,747	$ 2,505,829	$ 2,745,479	$ 2,977,924	$ 3,203,384
$ 190,569	$ 190,038	**$ 2,268,119**	$ 184,280	$ 178,698	$ 173,285	$ 168,037	$ 162,949	$ 158,015	$ 153,232	$ 148,594
$ 117,747	$ 117,356	**$ 1,422,341**	$ 114,392	$ 178,698	$ 173,285	$ 168,037	$ 162,949	$ 158,015	$ 153,232	$ 148,594
$ 257,777	$ 375,134		$ 489,526	$ 668,224	$ 841,509	$ 1,009,546	$ 1,172,495	$ 1,330,510	$ 1,483,741	$ 1,632,335
$ 79,466	$ 77,032	**$ 1,353,028**	$ 74,672	$ 72,384	$ 70,166	$ 68,016	$ 65,932	$ 63,912	$ 61,954	$ 60,055
$ 50,585	$ 49,037	**$ 658,908**	$ 40,964	$ 39,711	$ 70,166	$ 68,016	$ 65,932	$ 63,912	$ 61,954	$ 60,055
$ (266,445)	$ (217,408)		$ (176,444)	$ (136,733)	$ (66,567)	$ 1,450	$ 67,382	$ 131,294	$ 193,247	$ 253,303
						14.7				
$ 212,073	$ 211,462	**$ 1,353,028**	$ 204,974	$ 198,684	$ 192,588	$ 186,679	$ 180,950	$ 175,398	$ 170,016	$ 164,799
$ 188,473	$ 197,082	**$ 658,908**	$ 322,287	$ 325,519	$ 328,783	$ 332,080	$ 335,409	$ 338,772	$ 342,169	$ 345,599
$ 608,032	$ 805,115		$ 1,127,402	$ 1,452,921	$ 1,781,704	$ 2,113,784	$ 2,449,193	$ 2,787,966	$ 3,130,135	$ 3,475,734

Year 19	Year 20	Year 21	Year 22	Year 23	Year 24	Year 25
$ 218,686	$ 212,120	$ 205,754	$ 199,581	$ 193,597	$ 187,794	$ 182,169
$ 218,686	$ 212,120	$ 205,754	$ 199,581	$ 193,597	$ 187,794	$ 182,169
$ 3,422,070	$ 3,634,190	$ 3,839,943	$ 4,039,524	$ 4,233,121	$ 4,420,916	$ 4,603,084
$ 144,096	$ 139,736	$ 135,508	$ 131,409	$ 127,434	$ 123,580	$ 119,844
$ 144,096	$ 139,736	$ 135,508	$ 131,409	$ 127,434	$ 123,580	$ 119,844
$ 1,776,432	$ 1,916,168	$ 2,051,676	$ 2,183,085	$ 2,310,519	$ 2,434,100	$ 2,553,943
$ 58,215	$ 56,431	$ 54,702	$ 53,025	$ 51,400	$ 49,825	$ 48,298
$ 58,215	$ 56,431	$ 54,702	$ 53,025	$ 51,400	$ 49,825	$ 48,298
$ 311,518	$ 367,949	$ 422,650	$ 475,676	$ 527,076	$ 576,901	$ 625,200
$ 159,742	$ 154,840	$ 150,089	$ 145,483	$ 141,018	$ 136,691	$ 132,496
$ 349,064	$ 352,564	$ 356,098	$ 359,668	$ 363,273	$ 366,915	$ 370,593
$ 3,824,798	$ 4,177,362	$ 4,533,460	$ 4,893,128	$ 5,256,401	$ 5,623,316	$ 5,993,909

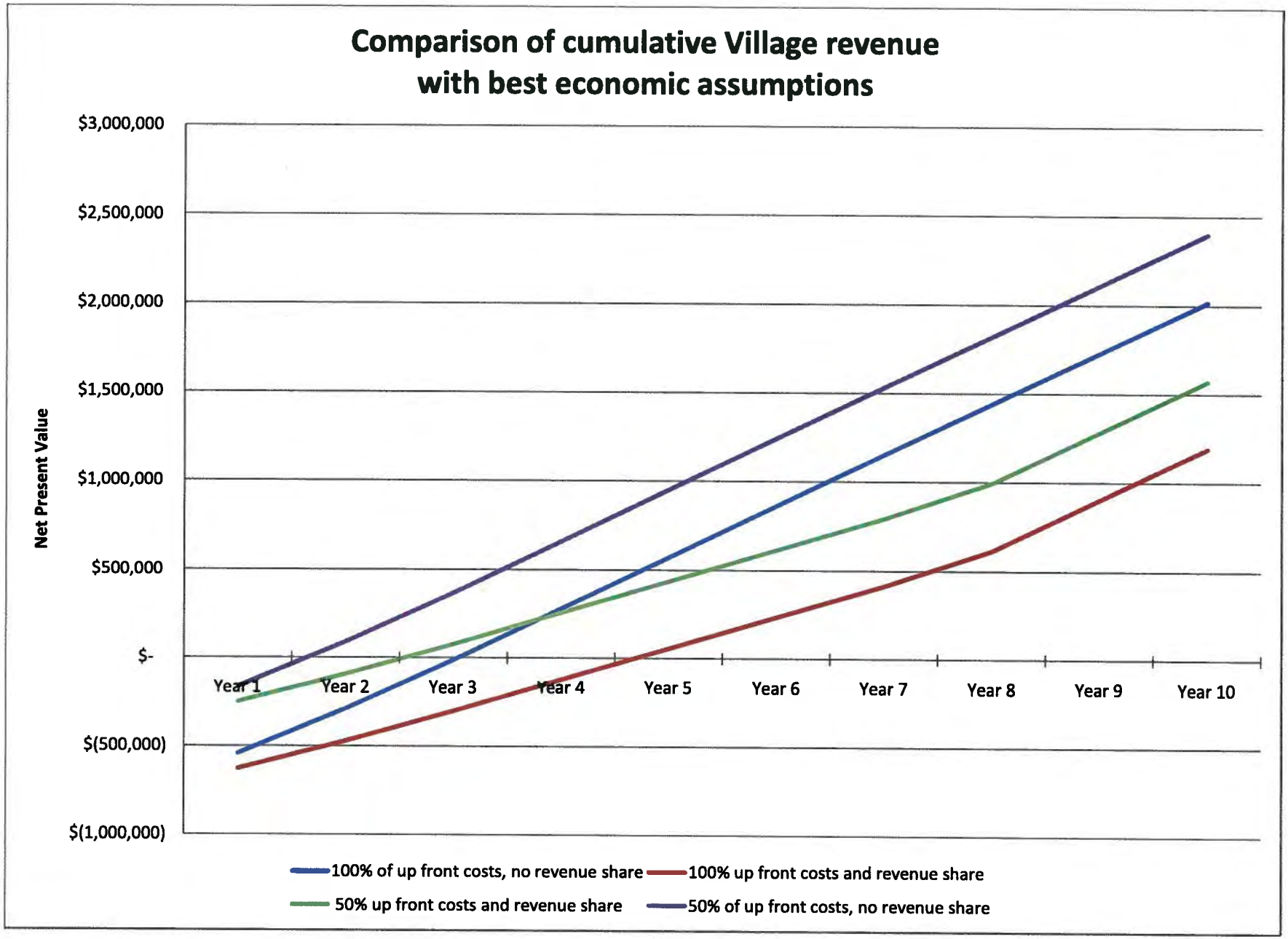
The Glen Ellyn Market-Cost Benefit Anlaysis-BEST

The Glen Ellyn Market (3.2 acres)
(Total Project Cost = $12,340,000) Sales-Tax Grant $ 1,000,000

4.2%

	Sales Tax Revenue					Property Tax Revenue				Utility Tax				Developer Request					Revenue to others	
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T
Year	Total Annual Sales	Estimated Local Sales Tax	Home Rule Sales Tax	Village Revenue 60%	Displacement	EAV	EAV Increment	Village Tax Rate	Total new RE Generated	Utility Tax Revenue	Total Village Revenue (Before Reimbursements)	Discount Factor at 4.2%	*Discount Village Benefit (Before)*	Up front costs	Developer 40%	Total Village Revenue (After Reimbursements)	*Discount Village Benefit (After)*	*Village cost at present value*	New SSA Revenue	Estimated New Tax Revenue for other districts
1	$ 20,000,000	$ 200,000	$ 45,000	$ 111,600	$ (24,500)	$ 912,610	$ -	0.4253%	$ -	$ 5,000	$ 225,500	4.20%	$ 216,411	$ 793,000	$ 88,200	$ (665,700)	$ (629,371)	$ 845,681	$ -	$ -
2	$ 24,000,000	$ 240,000	$ 54,000	$ 134,160	$ (29,400)	$ 2,500,000	$ 1,587,190	0.4253%	$ 6,750	$ 5,000	$ 276,350	8.58%	$ 254,622		$ 105,840	$ 170,510	$ 157,042	$ 97,480	$ 1,984	$ 94,001
3	$ 27,360,000	$ 273,600	$ 61,560	$ 152,942	$ (33,516)	$ 2,575,000	$ 1,662,190	0.4253%	$ 7,069	$ 5,000	$ 313,713	13.14%	$ 277,297		$ 120,658	$ 193,056	$ 170,639	$ 106,649	$ 2,078	$ 98,443
4	$ 30,096,000	$ 300,960	$ 67,716	$ 168,237	$ (36,868)	$ 2,652,250	$ 1,739,440	0.4253%	$ 7,396	$ 5,000	$ 344,206	17.69%	$ 291,976		$ 132,723	$ 211,483	$ 179,393	$ 112,584	$ 2,174	$ 103,018
5	$ 31,299,840	$ 312,998	$ 70,425	$ 174,966	$ (38,342)	$ 2,731,818	$ 1,819,008	0.4253%	$ 7,736	$ 5,000	$ 357,817	22.84%	$ 291,269		$ 138,032	$ 219,785	$ 178,920	$ 112,368	$ 2,274	$ 107,730
6	$ 32,551,834	$ 325,518	$ 73,242	$ 181,985	$ (39,876)	$ 2,813,772	$ 1,900,962	0.4253%	$ 8,085	$ 5,000	$ 371,969	28.00%	$ 290,603		$ 143,554	$ 228,415	$ 178,451	$ 112,152	$ 2,376	$ 112,584
7	$ 33,853,907	$ 338,539	$ 76,171	$ 189,243	$ (41,471)	$ 2,898,185	$ 1,985,375	0.4253%	$ 8,444	$ 5,000	$ 386,683	33.37%	$ 289,922		$ 149,296	$ 237,387	$ 177,985	$ 111,937	$ 2,482	$ 117,583
8	$ 35,208,063	$ 352,081	$ 79,218	$ 230,383	$ (43,130)	$ 2,985,131	$ 2,072,321	0.4253%	$ 8,814	$ 5,000	$ 401,982	38.06%	$ 289,245		$ 121,697	$ 280,285	$ 201,478	$ 87,567	$ 2,590	$ 122,732
9	$ 36,616,386	$ 366,164	$ 82,367	$ 366,164	$ (44,855)	$ 3,074,685	$ 2,161,875	0.4253%	$ 9,194	$ 5,000	$ 417,890	44.61%	$ 288,571		$ -	$ 417,890	$ 288,571	$ -	$ 2,702	$ 128,036
10	$ 38,081,041	$ 380,810	$ 85,682	$ 380,810	$ (46,649)	$ 3,168,925	$ 2,254,115	0.4253%	$ 9,587	$ 5,000	$ 434,430	50.90%	$ 287,901		$ -	$ 434,430	$ 287,901	$ -	$ 2,818	$ 133,499
Total	$ 308,067,071	$ 3,080,671	$ 695,401	$ 2,280,671	$ (378,607)				$ 79,077	$ 50,000	$ 3,580,542		$ 2,777,726	$ 793,000	$ 1,000,000	$ 1,787,542	$ 1,181,309	$ 1,686,477	$ 21,476	$ 1,017,625
		58%																		

Requesting 793,000 up front to pay for acquisition and reconstruction of Taft, plus extraordinary costs associated with the project
A: Assume $ 31,299,840
B: Assumes 1% of total sales
C: Assumes 22.5% of sales would be HRST eligible
D: Village/Developer share 60%/40% for 10 years or 1 million, whichever first occurs
E. Assume 10% of sales are taken from existing Glen Ellyn grocery stores
F: Current EAV; Projected EAV of between $2.5 and $2.8 million, growth at 3%
G: Difference in projected EAV and current EAV to estimated new revenue
H: Village Tax Rate
I: Estimated Increase in Property Tax (Village Share Only)
J. $5,000 annual utility taxes, no growth expected
K: Total of sales tax, home rule sales tax, property tax, and utility tax revenue, less displacement
L: Discount factor applied for each year, based on average long term interest rate paid by Village, secured over the last 10 years
M. Discounted present value of total annual Village Revenue (K), excluding any payouts
N. Developer request for up front costs of Taft Avenue, as previously mentioned
O: Village/Developer share 60%/40% for 10 years or 1 million, whichever first occurs
P: Village Revenue (K), less up front costs and sales tax cost sharing requested by developer
Q. Discounted present value for Village revenue less developer request (P)
V. Difference of the Discounted present value of Village revenue before (K) and after (P) payment of developer request
S. New SSA revenue at 0.00125 rate on new EAV increment
T. New property tax revenue for other taxing districts


Comparison of cumulative Village revenue
with best economic assumptions
Net Present Value
$3,000,000
$2,500,000
$2,000,000
$1,500,000
$1,000,000
$500,000
$-
$(500,000)
$(1,000,000)
Year 1
Year 2
Year 3
Year 4
Year 5
Year 6
Year 7
Year 8
Year 9
Year 10
100% of up front costs, no revenue share
100% up front costs and revenue share
50% up front costs and revenue share
50% of up front costs, no revenue share

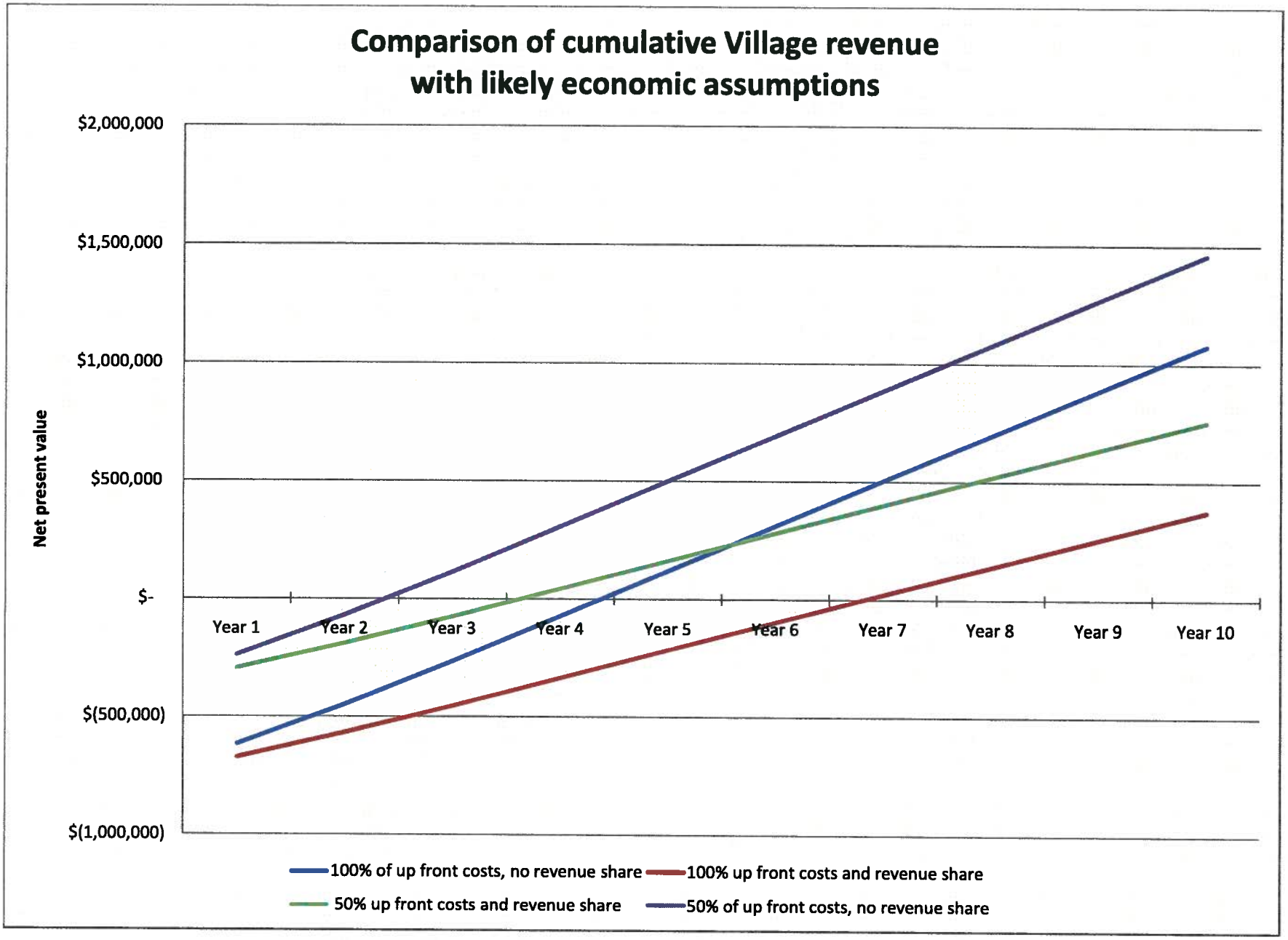
The Glen Ellyn Market-Cost Benefit Anlaysis-LIKELY

The Glen Ellyn Market (3.2 acres)
(Total Project Cost = $12,340,000) Sales-Tax Grant $1,000,000

4.2%

	Sales Tax Revenue					Property Tax Revenue				Utility Tax				Developer Request					Revenue to others	
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T
Year	Total Annual Sales	Estimated Local Sales Tax	Home Rule Sales Tax	Village Revenue 60%	Displacement	EAV	EAV Increment	Village Tax Rate	Total new RE Generated	Utility Tax Revenue	Total Village Revenue (Before Reimbursements)	Discount Factor at 4.2%	*Discount Village Benefit (Before)*	Up front costs	Developer 40%	Total Village Revenue (After Reimbursements)	*Discount Village Benefit (After)*	*Village cost at present value*	New SSA Revenue	Estimated New Tax Revenue for other districts
1	$ 15,000,000	$ 150,000	$ 30,000	$ 92,400	$ (36,000)	$ 912,810	$ -	0.4253%	$ -	$ 4,000	$ 148,000	4.20%	*$ 142,036*	$ 793,000	$ 57,600	$ (702,600)	*$ (674,280)*	*$ 818,315*	$ -	$ -
2	$ 18,000,000	$ 180,000	$ 36,000	$ 110,880	$ (43,200)	$ 2,500,000	$ 1,587,190	0.4253%	$ 6,750	$ 4,000	$ 183,550	8.58%	*$ 169,052*		$ 69,120	$ 114,430	*$ 105,392*	*$ 63,660*	$ 1,984	$ 94,001
3	$ 20,520,000	$ 205,200	$ 41,040	$ 126,403	$ (49,248)	$ 2,560,000	$ 1,637,190	0.4253%	$ 6,963	$ 4,000	$ 207,955	13.14%	*$ 183,809*		$ 78,797	$ 129,158	*$ 114,161*	*$ 69,647*	$ 2,046	$ 96,962
4	$ 22,572,000	$ 225,720	$ 45,144	$ 139,044	$ (54,173)	$ 2,601,000	$ 1,688,190	0.4253%	$ 7,180	$ 4,000	$ 227,871	17.69%	*$ 193,294*		$ 86,676	$ 141,195	*$ 119,770*	*$ 73,524*	$ 2,110	$ 99,982
5	$ 23,474,880	$ 234,749	$ 46,950	$ 144,605	$ (56,340)	$ 2,653,020	$ 1,740,210	0.4253%	$ 7,401	$ 4,000	$ 236,760	22.84%	*$ 192,739*		$ 90,144	$ 146,616	*$ 119,356*	*$ 73,363*	$ 2,175	$ 103,063
6	$ 24,413,875	$ 244,139	$ 48,828	$ 150,389	$ (58,593)	$ 2,706,080	$ 1,793,270	0.4253%	$ 7,627	$ 4,000	$ 246,000	28.00%	*$ 192,189*		$ 93,749	$ 152,251	*$ 118,947*	*$ 73,242*	$ 2,242	$ 106,206
7	$ 25,390,430	$ 253,904	$ 50,781	$ 156,405	$ (60,937)	$ 2,760,202	$ 1,847,392	0.4253%	$ 7,857	$ 4,000	$ 255,605	33.37%	*$ 191,644*		$ 97,499	$ 158,106	*$ 118,542*	*$ 73,102*	$ 2,309	$ 109,411
8	$ 26,406,047	$ 264,060	$ 52,812	$ 162,681	$ (63,375)	$ 2,815,406	$ 1,902,596	0.4253%	$ 8,092	$ 4,000	$ 265,590	38.98%	*$ 191,104*		$ 101,399	$ 164,191	*$ 118,143*	*$ 72,961*	$ 2,378	$ 112,681
9	$ 27,462,289	$ 274,623	$ 54,925	$ 169,168	$ (65,909)	$ 2,871,714	$ 1,958,904	0.4253%	$ 8,331	$ 4,000	$ 275,969	44.61%	*$ 190,569*		$ 105,455	$ 170,514	*$ 117,747*	*$ 72,821*	$ 2,449	$ 116,015
10	$ 28,560,781	$ 285,608	$ 57,122	$ 175,934	$ (68,546)	$ 2,929,148	$ 2,016,338	0.4253%	$ 8,575	$ 4,000	$ 286,759	50.90%	*$ 190,038*		$ 109,673	$ 177,086	*$ 117,356*	*$ 72,682*	$ 2,520	$ 119,417
Total	$ 231,800,303	$ 2,318,009	$ 463,602	$ 1,427,850	$ (556,321)				$ 68,776	$ 40,000	$ 2,334,059		*$ 1,836,471*	$ 793,000	$ 890,118	$ 650,946	*$ 375,134*	*$ 1,461,338*	$ 20,214	$ 957,798
		78%																		

Requesting 793,000 up front to pay for acquisition and reconstruction of Taft, plus extraordinary costs associated with the project
A: Assume $ 23,474,880
B: Assumes 1% of total sales
C: Assumes 20% of sales would be HRST eligible
D: Village/Developer share 60%/40% for 10 years or 1 million, whichever first occurs
E. Assume 20% of sales are taken from existing Glen Ellyn grocery stores
F: Current EAV; Projected EAV of between $2.5 and $2.8 million, growth at 2%
G: Difference in projected EAV and current EAV to estimated new revenue
H: Village Tax Rate
I: Estimated increase in Property Tax (Village Share Only)
J. $4,000 annual utility taxes, no growth expected
K: Total of sales tax, home rule sales tax, property tax, and utility tax revenue, less displacement
L: Discount factor applied for each year, based on average long term interest rate paid by Village, secured over the last 10 years
M. Discounted present value of total annual Village Revenue (K), excluding any payouts
N. Developer request for up front costs of Taft Avenue, as previously mentioned
O: Village/Developer share 60%/40% for 10 years or 1 million, whichever first occurs
P: Village Revenue (K), less up front costs and sales tax cost sharing requested by developer
Q. Discounted present value for Village revenue less developer request (P)
V. Difference of the Discoutned present value of Village revenue before (K) and after (P) payment of developer request
S. New SSA revenue at 0.00125 rate on new EAV increment
T. New property tax revenue for other taxing districts


Comparison of cumulative Village revenue
with likely economic assumptions
Net present value
$2,000,000
$1,500,000
$1,000,000
$500,000
$-
$(500,000)
$(1,000,000)
Year 1
Year 2
Year 3
Year 4
Year 5
Year 6
Year 7
Year 8
Year 9
Year 10
100% of up front costs, no revenue share
100% up front costs and revenue share
50% up front costs and revenue share
50% of up front costs, no revenue share

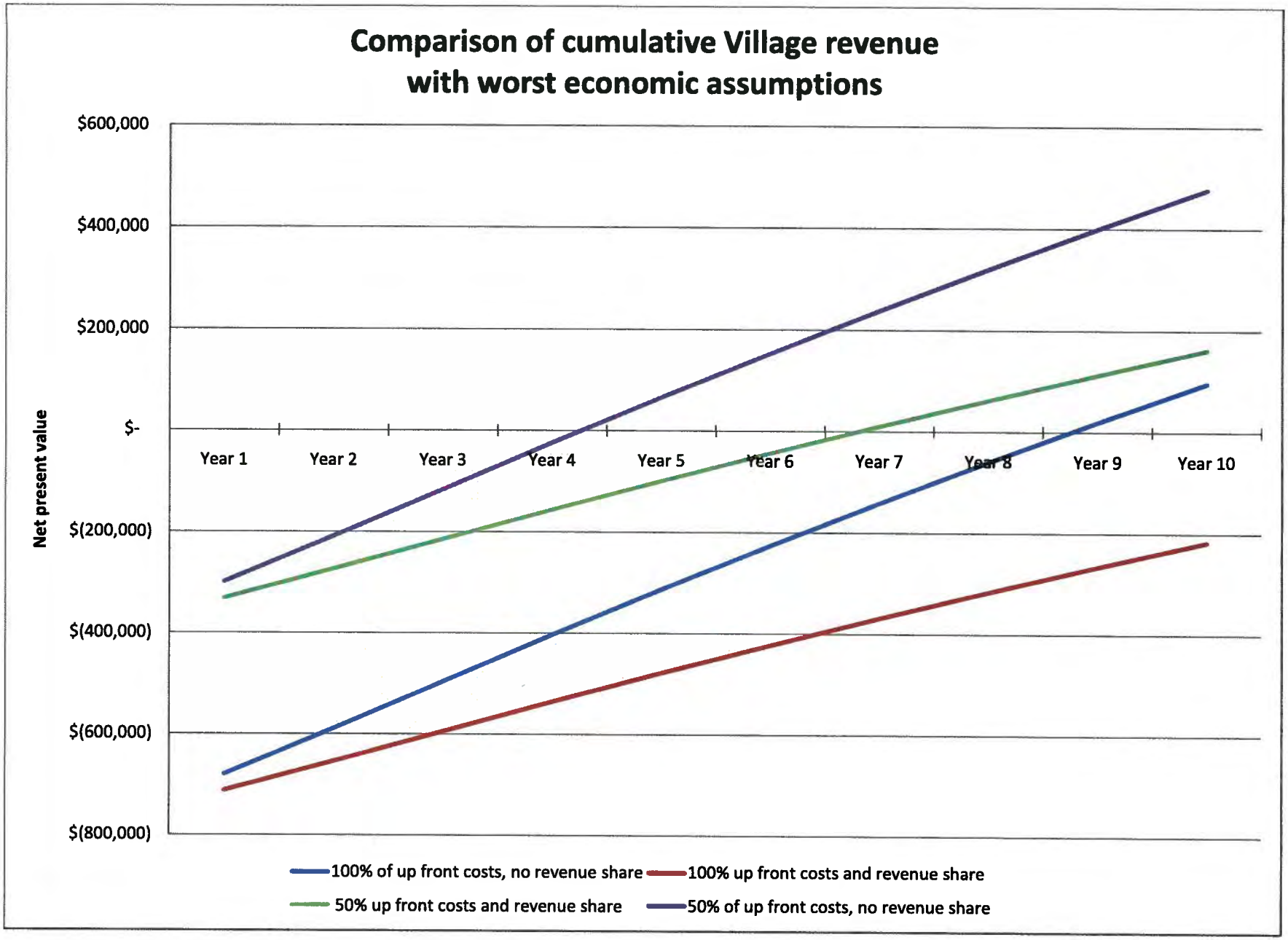
The Glen Ellyn Market-Cost Benefit Anlaysis-LIKELY

The Glen Ellyn Market (3.2 acres)
(Total Project Cost = $12,340,000) Sales-Tax Grant $1,000,000

4.2%

	Sales Tax Revenue					Property Tax Revenue				Utility Tax				Developer Request					Revenue to others	
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T
Year	Total Annual Sales	Estimated Local Sales Tax	Home Rule Sales Tax	Village Revenue 60%	Displacement	EAV	EAV Increment	Village Tax Rate	Total new RE Generated	Utility Tax Revenue	Total Village Revenue (Before Reimbursements)	Discount Factor at 4.2%	*Discount Village Benefit (Before)*	Up front costs	Developer 40%	Total Village Revenue (After Reimbursements)	*Discount Village Benefit (After)*	*Village cost at present value*	New SSA Revenue	Estimated New Tax Revenue for other districts
1	$ 10,000,000	$ 100,000	$ 15,000	$ 67,800	$ (34,500)	$ 912,810	$ -	0.4253%	$ -	$ 3,000	$ 83,500	4.20%	*$ 80,134*	$ 793,000	$ 32,200	$ (741,700)	*$ (711,604)*	*$ 791,939*	$ -	$ -
2	$ 11,000,000	$ 110,000	$ 16,500	$ 74,580	$ (37,950)	$ 2,500,000	$ 1,587,190	0.4253%	$ 6,750	$ 3,000	$ 98,300	8.58%	*$ 90,536*		$ 35,420	$ 62,880	*$ 57,913*	*$ 32,622*	$ 1,984	$ 94,001
3	$ 11,770,000	$ 117,700	$ 17,655	$ 79,801	$ (40,607)	$ 2,525,000	$ 1,612,190	0.4253%	$ 6,857	$ 3,000	$ 104,805	13.14%	*$ 92,459*		$ 37,899	$ 66,706	*$ 58,960*	*$ 33,499*	$ 2,015	$ 95,461
4	$ 12,358,500	$ 123,585	$ 18,538	$ 83,791	$ (42,637)	$ 2,550,250	$ 1,637,440	0.4253%	$ 6,964	$ 3,000	$ 109,450	17.69%	*$ 92,842*		$ 39,794	$ 69,656	*$ 59,086*	*$ 33,756*	$ 2,047	$ 96,977
5	$ 12,482,085	$ 124,821	$ 18,723	$ 84,629	$ (43,063)	$ 2,575,753	$ 1,662,943	0.4253%	$ 7,072	$ 3,000	$ 110,553	22.84%	*$ 89,998*		$ 40,192	$ 70,361	*$ 57,279*	*$ 32,719*	$ 2,079	$ 98,487
6	$ 12,606,906	$ 126,069	$ 18,910	$ 85,475	$ (43,494)	$ 2,601,510	$ 1,688,700	0.4253%	$ 7,182	$ 3,000	$ 111,668	28.00%	*$ 87,241*		$ 40,594	$ 71,073	*$ 55,527*	*$ 31,715*	$ 2,111	$ 100,013
7	$ 12,732,975	$ 127,330	$ 19,099	$ 86,330	$ (43,929)	$ 2,627,626	$ 1,714,715	0.4253%	$ 7,293	$ 3,000	$ 112,793	33.37%	*$ 84,568*		$ 41,000	$ 71,793	*$ 53,828*	*$ 30,741*	$ 2,143	$ 101,553
8	$ 12,860,305	$ 128,603	$ 19,290	$ 87,193	$ (44,368)	$ 2,653,800	$ 1,740,990	0.4253%	$ 7,404	$ 3,000	$ 113,930	38.98%	*$ 81,978*		$ 41,410	$ 72,520	*$ 52,181*	*$ 29,797*	$ 2,176	$ 103,109
9	$ 12,988,908	$ 129,889	$ 19,483	$ 88,065	$ (44,812)	$ 2,680,338	$ 1,767,528	0.4253%	$ 7,517	$ 3,000	$ 115,078	44.81%	*$ 79,466*		$ 41,824	$ 73,254	*$ 50,585*	*$ 28,881*	$ 2,209	$ 104,681
10	$ 13,118,797	$ 131,188	$ 19,678	$ 88,945	$ (45,260)	$ 2,707,142	$ 1,794,332	0.4253%	$ 7,631	$ 3,000	$ 118,238	50.90%	*$ 77,032*		$ 42,243	$ 73,995	*$ 49,037*	*$ 27,994*	$ 2,243	$ 106,269
Total	$ 121,818,475	$ 1,219,185	$ 182,878	$ 826,607	$ (420,615)				$ 64,671	$ 30,000	$ 1,076,115		$ 656,254	$ 793,000	$ 393,577	$ (109,463)	$ (217,408)	$ 1,073,662	$ 19,008	$ 900,571
		149%																		

Requesting 793,000 up front to pay for acquisition and reconstruction of Taft, plus extraordinary costs associated with the project
A: Assume $ 12,482,085
B: Assumes 1% of total sales
C: Assumes 20% of sales would be HRST eligible
D: Village/Developer share 60%/40% for 10 years or 1 million, whichever first occurs
E. Assume 20% of sales are taken from existing Glen Ellyn grocery stores
F: Current EAV; Projected EAV of between $2.5 and $2.8 million, growth at 1%
G: Difference in projected EAV and current EAV to estimated new revenue
H: Village Tax Rate
I: Estimated Increase in Property Tax (Village Share Only)
J. $4,000 annual utility taxes, no growth expected
K: Total of sales tax, home rule sales tax, property tax, and utility tax revenue, less displacement
L: Discount factor applied for each year, based on average long term interest rate paid by Village, secured over the last 10 years
M. Discounted present value of total annual Village Revenue (K), excluding any payouts
N. Developer request for up front costs of Taft Avenue, as previously mentioned
O: Village/Developer share 60%/40% for 10 years or 1 million, whichever first occurs
P: Village Revenue (K), less up front costs and sales tax cost sharing requested by developer
Q. Discounted present value for Village revenue less developer request (P)
V. Difference of the Discoutned present value of Village revenue before (K) and after (P) payment of developer request
S. New SSA revenue at 0.00125 rate on new EAV increment
T. New property tax revenue for other taxing districts


Comparison of cumulative Village revenue
with worst economic assumptions
$600,000
$400,000
$200,000
$-
$(200,000)
$(400,000)
$(600,000)
$(800,000)
Net present value
Year 1
Year 2
Year 3
Year 4
Year 5
Year 6
Year 7
Year 8
Year 9
Year 10
100% of up front costs, no revenue share
100% up front costs and revenue share
50% up front costs and revenue share
50% of up front costs, no revenue share

The Glen Ellyn Market-Cost Benefit Anlaysis-DEVELOPER MODEL

The Glen Ellyn Market (3.2 acres)
(Total Project Cost = $12,340,000) Sales-Tax Grant $1,000,000 4.2%

	Sales Tax Revenue					Property Tax Revenue				Utility Tax				Developer Request					Revenue to others	
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T
Year	Total Annual Sales	Estimated Local Sales Tax	Home Rule Sales Tax	Village Revenue 60%	Displacement	EAV	EAV Increment	Village Tax Rate	Total new RE Generated	Utility Tax Revenue	Total Village Revenue (Before Reimbursements)	Discount Factor at 4.2%	*Discount Village Benefit (Before)*	Up front costs	Developer 40%	Total Village Revenue (After Reimbursements)	*Discount Village Benefit (After)*	*Village cost at present value*	New SSA Revenue	Estimated New Tax Revenue for other districts
1	$ 15,000,000	$ 150,000	$ 30,000	$ 85,200	$ (15,000)	$ 912,810	$ -	0.4253%	$ -	$ 3,000	$ 165,000	4.20%	*$ 158,349*	$ 793,000	$ 64,800	$ (662,800)	*$ (664,878)*	*$ 823,225*	$ -	$ -
2	$ 18,000,000	$ 180,000	$ 36,000	$ 102,240	$ (21,600)	$ 2,500,000	$ 1,587,190	0.4253%	$ 6,750	$ 3,000	$ 204,150	8.58%	*$ 188,025*		$ 77,760	$ 126,390	*$ 116,407*	*$ 71,618*	$ 1,984	$ 94,001
3	$ 20,520,000	$ 205,200	$ 41,040	$ 116,554	$ (24,624)	$ 2,625,000	$ 1,612,190	0.4253%	$ 6,857	$ 3,000	$ 231,473	13.14%	*$ 204,596*		$ 88,646	$ 142,828	*$ 126,242*	*$ 78,353*	$ 2,015	$ 96,481
4	$ 22,572,000	$ 225,720	$ 45,144	$ 128,209	$ (27,088)	$ 2,550,250	$ 1,637,440	0.4253%	$ 6,964	$ 3,000	$ 253,742	17.69%	*$ 215,239*		$ 97,511	$ 158,231	*$ 132,624*	*$ 82,715*	$ 2,047	$ 98,977
5	$ 23,474,880	$ 234,749	$ 46,950	$ 133,337	$ (28,170)	$ 2,575,753	$ 1,662,943	0.4253%	$ 7,072	$ 3,000	$ 263,601	22.84%	*$ 214,590*		$ 101,411	$ 162,190	*$ 132,034*	*$ 82,556*	$ 2,079	$ 98,487
6	$ 24,413,875	$ 244,139	$ 48,828	$ 138,671	$ (29,297)	$ 2,601,510	$ 1,688,700	0.4253%	$ 7,182	$ 3,000	$ 273,852	28.00%	*$ 213,949*		$ 105,488	$ 168,364	*$ 131,551*	*$ 82,398*	$ 2,111	$ 100,013
7	$ 25,390,430	$ 253,904	$ 50,781	$ 144,218	$ (30,468)	$ 2,627,525	$ 1,714,716	0.4253%	$ 7,293	$ 3,000	$ 284,509	33.37%	*$ 213,316*		$ 109,687	$ 174,823	*$ 131,076*	*$ 82,239*	$ 2,143	$ 101,553
8	$ 26,406,047	$ 264,060	$ 52,812	$ 149,988	$ (31,687)	$ 2,653,800	$ 1,740,990	0.4253%	$ 7,404	$ 3,000	$ 295,590	38.98%	*$ 212,690*		$ 114,074	$ 181,516	*$ 130,609*	*$ 82,082*	$ 2,176	$ 103,109
9	$ 27,462,289	$ 274,623	$ 54,925	$ 155,986	$ (32,955)	$ 2,680,338	$ 1,767,528	0.4253%	$ 7,517	$ 3,000	$ 307,110	44.81%	*$ 212,073*		$ 118,637	$ 188,473	*$ 130,149*	*$ 81,924*	$ 2,209	$ 104,681
10	$ 28,560,781	$ 285,608	$ 57,122	$ 163,603	$ (34,273)	$ 2,707,142	$ 1,794,332	0.4253%	$ 7,631	$ 3,000	$ 319,088	50.90%	*$ 211,462*		$ 122,005	$ 197,082	*$ 130,608*	*$ 80,654*	$ 2,243	$ 106,269
Total	**$ 231,800,303**	**$ 2,318,009**	**$ 463,601**	**$ 1,318,009**	**$ (278,160)**				**$ 64,671**	**$ 30,000**	**$ 2,596,115**		**$ 2,044,287**	**$ 793,000**	**$ 1,000,000**	**$ 805,115**	**$ 496,825**	**$ 1,547,963**	**$ 19,008**	**$ 900,571**

78%

Requesting 793,000 up front to pay for acquisition and reconstruction of Taft, plus extraordinary costs associated with the project
A: Assume $ 23,474,880
B: Assumes 1% of total sales
C: Assumes 20% of sales would be HRST eligible
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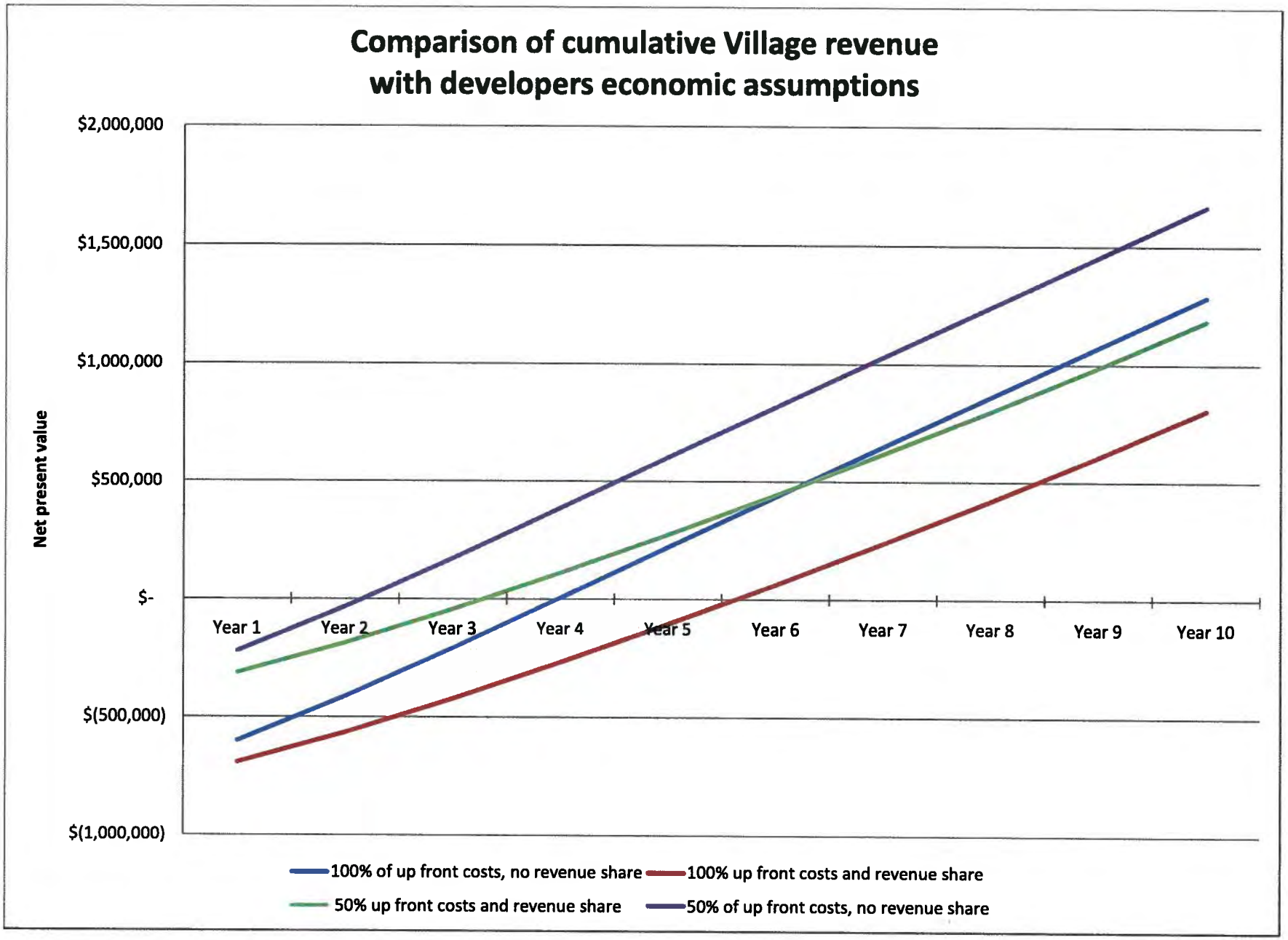
S. New SSA revenue at 0.00125 rate on new EAV increment
T. New property tax revenue for other taxing districts


Comparison of cumulative Village revenue
with developers economic assumptions
Net present value
$2,000,000
$1,500,000
$1,000,000
$500,000
$-
$(500,000)
$(1,000,000)
Year 1
Year 2
Year 3
Year 4
Year 5
Year 6
Year 7
Year 8
Year 9
Year 10
100% of up front costs, no revenue share
100% up front costs and revenue share
50% up front costs and revenue share
50% of up front costs, no revenue share

The Glen Ellyn Market-Cost Benefit Anlaysis-DEVELOPER MODEL

The Glen Ellyn Market (3.2 acres)
(Total Project Cost = $12,340,000) Sales-Tax Grant $ 1,000,000

6.0%

	Sales Tax Revenue					Property Tax Revenue				Utility Tax				Developer Request					Revenue to others	
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T
Year	Total Annual Sales	Estimated Local Sales Tax	Home Rule Sales Tax	Village Revenue 60%	Displacement	EAV	EAV Increment	Village Tax Rate	Total new RE Generated	Utility Tax Revenue	Total Village Revenue (Before Reimbursements)	Discount Factor at 4.2%	*Discount Village Benefit (Before)*	Up front costs	Developer 40%	Total Village Revenue (After Reimbursements)	*Discount Village Benefit (After)*	*Village cost at present value*	New SSA Revenue	Estimated New Tax Revenue for other districts
1	$ 15,000,000	$ 150,000	$ 30,000	$ 85,200	$ (18,000)	$ 912,810	$ -	0.4253%	$ -	$ 3,000	$ 165,000	6.00%	*$ 155,660*	$ 793,000	$ 64,800	$ (692,800)	*$ (653,585)*	*$ 809,245*	$ -	$ -
2	$ 18,000,000	$ 180,000	$ 36,000	$ 102,240	$ (21,600)	$ 2,500,000	$ 1,587,190	0.4253%	$ 6,750	$ 3,000	$ 204,150	12.36%	*$ 181,693*		$ 77,760	$ 126,390	*$ 112,487*	*$ 69,208*	$ 1,984	$ 94,001
3	$ 20,520,000	$ 205,200	$ 41,040	$ 116,554	$ (24,624)	$ 2,625,000	$ 1,612,190	0.4253%	$ 6,857	$ 3,000	$ 231,473	19.10%	*$ 194,349*		$ 88,646	$ 142,828	*$ 119,920*	*$ 74,429*	$ 2,015	$ 96,481
4	$ 22,572,000	$ 225,720	$ 45,144	$ 128,209	$ (27,086)	$ 2,550,250	$ 1,637,440	0.4253%	$ 6,964	$ 3,000	$ 253,742	26.25%	*$ 200,987*		$ 97,511	$ 156,231	*$ 123,749*	*$ 77,238*	$ 2,047	$ 98,977
5	$ 23,474,880	$ 234,749	$ 46,950	$ 133,337	$ (28,170)	$ 2,575,753	$ 1,662,943	0.4253%	$ 7,072	$ 3,000	$ 263,601	33.62%	*$ 196,978*		$ 101,411	$ 162,190	*$ 121,198*	*$ 75,781*	$ 2,079	$ 96,487
6	$ 24,413,875	$ 244,139	$ 48,828	$ 138,671	$ (29,297)	$ 2,601,510	$ 1,688,700	0.4253%	$ 7,182	$ 3,000	$ 273,852	41.85%	*$ 193,055*		$ 105,468	$ 168,384	*$ 118,704*	*$ 74,351*	$ 2,111	$ 100,013
7	$ 25,390,430	$ 253,904	$ 50,781	$ 144,218	$ (30,469)	$ 2,627,525	$ 1,714,715	0.4253%	$ 7,293	$ 3,000	$ 284,509	50.36%	*$ 189,215*		$ 109,687	$ 174,823	*$ 116,267*	*$ 72,948*	$ 2,143	$ 101,553
8	$ 26,406,047	$ 264,060	$ 52,812	$ 149,986	$ (31,687)	$ 2,653,800	$ 1,740,990	0.4253%	$ 7,404	$ 3,000	$ 295,590	59.38%	*$ 185,457*		$ 114,074	$ 181,516	*$ 113,885*	*$ 71,572*	$ 2,176	$ 103,109
9	$ 27,462,289	$ 274,623	$ 54,925	$ 155,986	$ (32,956)	$ 2,680,338	$ 1,767,528	0.4253%	$ 7,517	$ 3,000	$ 307,110	68.96%	*$ 181,778*		$ 118,637	$ 188,473	*$ 111,557*	*$ 70,221*	$ 2,209	$ 104,681
10	$ 28,560,781	$ 285,608	$ 57,122	$ 163,603	$ (34,273)	$ 2,707,142	$ 1,794,332	0.4253%	$ 7,631	$ 3,000	$ 319,088	79.08%	*$ 176,177*		$ 122,005	$ 197,082	*$ 110,050*	*$ 68,127*	$ 2,243	$ 108,289
Total	$ 251,800,303	$ 2,518,005	$ 463,601	$ 1,318,009	$ (278,160)				$ 64,671	$ 30,000	$ 2,598,115		*$ 1,887,349*	$ 793,000	$ 1,000,000	$ 805,115	*$ 394,291*	*$ 1,483,177*	$ 18,008	$ 900,571
		78%																		

Requesting 793,000 up front to pay for acquisition and reconstruction of Taft, plus extraordinary costs associated with the project
A: Assume $ 23,474,880
B: Assumes 1% of total sales
C: Assumes 20% of sales would be HRST eligible
D: Village/Developer share 60%/40% for 10 years or 1 million, whichever first occurs
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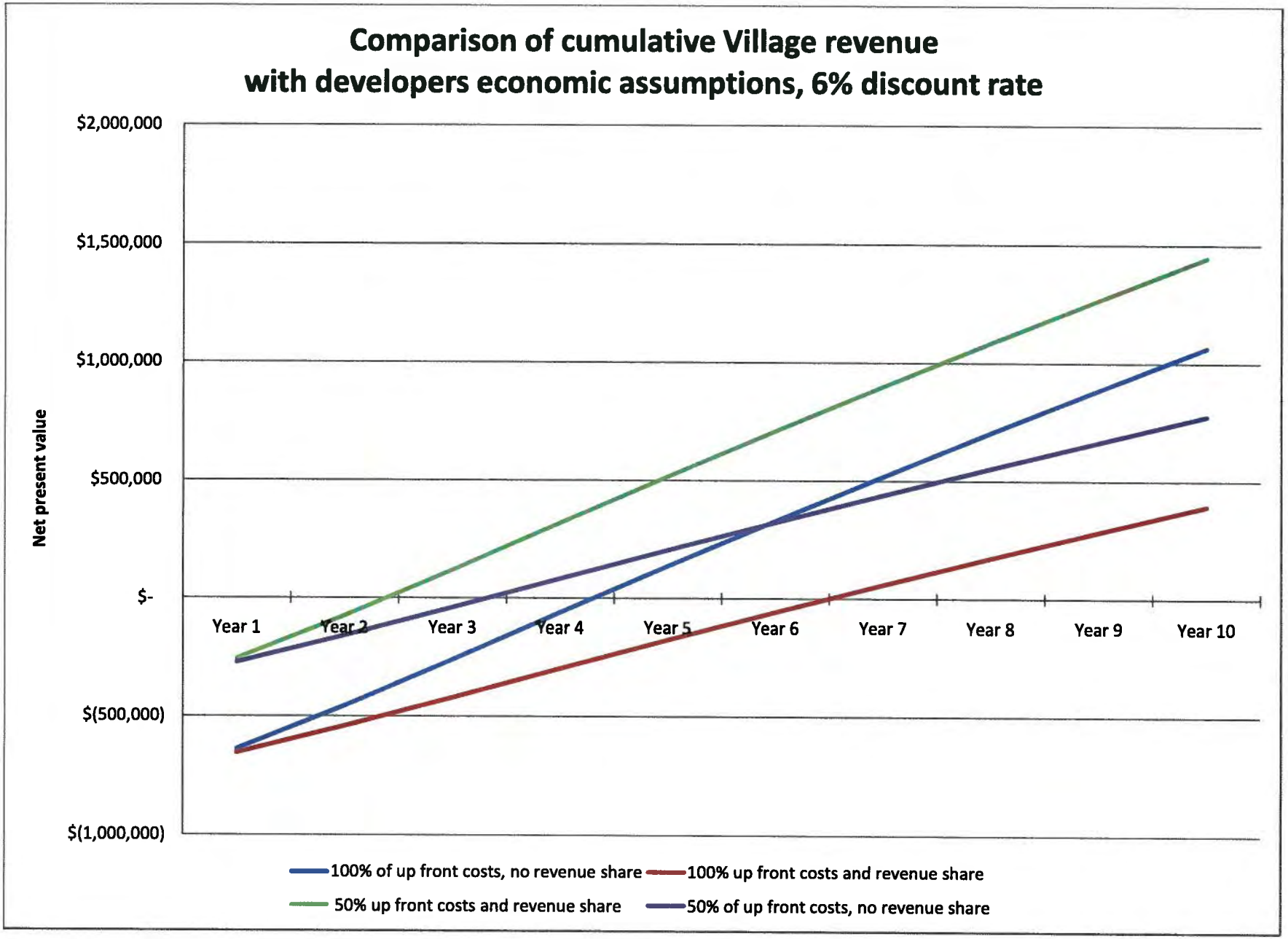
Comparison of cumulative Village revenue
with developers economic assumptions, 6% discount rate
$2,000,000
$1,500,000
$1,000,000
$500,000
$-
$(500,000)
$(1,000,000)
Net present value
Year 1
Year 2
Year 3
Year 4
Year 5
Year 6
Year 7
Year 8
Year 9
Year 10
100% of up front costs, no revenue share
100% up front costs and revenue share
50% up front costs and revenue share
50% of up front costs, no revenue share