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.

Agenda
Village of Glen Ellyn
Village Board Meeting
Monday, June 11, 2012
8:00 p.m. – Galligan Board Room

1. Call to Order

2. Roll Call

3. Pledge of Allegiance to be led by Meghan Higham from Habitat for Humanity.

4. Village Recognition:

   A. A resident called to compliment Public Works Secretary Kathy Horn on how knowledgeable she was when asked about choosing parkway trees.

   B. An email message was received by Chief Norton regarding Officer Mallory Wilkens. Officer Wilkens was pleasant, helpful and friendly, and offered great advice during a call that was being responded to.

   C. Park Place West Condominium Board of Managers wrote a note of thanks to Detective Jim Monson for attending their meeting and providing residents answers to various questions regarding staying safe within their building.

   D. The Glen Ellyn Historical Society wrote a letter of appreciation to Officer Paul Baird for donating his time to provide security and a very professional police presence during their Antiques on the Green antique show held on May 26.

   E. An email was received thanking Officers Andrew Downey and Luke Elmore for going above and beyond when an elderly resident asked for assistance with a flat tire.

   F. A note of gratitude was received for the efforts of Officer Elmore during a resident's medical emergency last August. Officer Elmore performed CPR on a heart attack victim until additional help arrived.

   G. Public Works employees Eric Hendrickson, Greg Garcia, Victor Zarate, Sam Fernald and Jack Marston were recognized by a resident for the timely and professional tree removal services that the resident requested.

   H. The Village accepts the resignation of Timothy F. Loftus from the Historic Preservation Commission and thanks him for his service to the Village.

5. Audience Participation

   A. Proclamation in recognition for the dedication over the years to Janie Patch.

   B. Fourth of July Committee Representative Tom Manak will present information on exciting events planned in Glen Ellyn to celebrate Independence Day this year.

C. 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 Ladesic)*

A. Village Board Meeting Minutes:

1. May 14, 2012 Regular Workshop
2. May 14, 2012 Regular Meeting
3. May 21, 2012 Special Meeting

B. Total Expenditures (Payroll and Vouchers) - $946,267.77

The vouchers have been reviewed by Trustee Ladesic and Trustee Henninger and by Manager Franz prior to this meeting, and are consistent with the Village's purchasing policy.

C. Motion to waive competitive bidding and approve an Agreement for Professional Services with Planning Resources Inc. to provide forestry and tree preservation consulting services to the Public Works and Planning & Development Departments. *(Planning and Development Director Hulseberg)*

D. Ordinance No. 6034, An Ordinance Approving Variations from the Corner Side Yard Setback and Corner Lot Width Requirements of the Zoning Code to Allow the Construction of a New Single Family Residence for Property at 243 Hawthorne Boulevard. *(Planning and Development Director Hulseberg)*

E. Ordinance No. 6035, An Ordinance Repealing and Replacing Ordinance 3800 and Granting Exterior Appearance and Sign Variation Approvals for Haggerty Chevrolet Located at 300 Roosevelt Road. *(Planning and Development Director Hulseberg)*

F. Ordinance No. 6036, An Ordinance Repealing and Replacing Ordinance 3090 and Granting Exterior Appearance and Sign Variation Approvals for Jewel-Osco Located at 599 Roosevelt Road in the Market Plaza Shopping Center. *(Planning and Development Director Hulseberg)*

G. Ordinance No. 6037, An Ordinance Granting Approval of a Special Use Permit to Allow a Music School at 536 Crescent Boulevard. *(Planning and Development Director Hulseberg)*

H. Ordinance No. 6038-VC, An Ordinance to Amend the Liquor Control Code Chapter 19 and Title 3, Section 12 (Restriction on Number of Licenses) to the Village Code. *(Administrative Services Coordinator Underhill)*

I. Motion to approve License Agreements for Santa Fe Restaurant and Cab's Wine Bar Bistro. *(Planning and Development Director Hulseberg)*

J. Resolution 12-07, A Resolution for the expenditure of Motor Fuel Tax funds for the purpose of maintaining streets and highways under the applicable provisions of the Illinois Highway Code in the amount of $675,000 for the time period of January 1, 2011 to December 31, 2011. *(Public Works Director Hansen)*

7. Motion to approve a license agreement between the Village of Glen Ellyn and the Glen Ellyn Chamber of Commerce for the property at 810 N. Main Street in Glen Ellyn and approve reimbursement of up to $75,000 to the Chamber for improvements to 810 N. Main Street to make the property operational. *(Trustee Hartweg)*

   Assistant to the Village Manager Kristen Schrader will present information on the proposed license agreement between the Village and Glen Ellyn Chamber of Commerce for the property at 810 N. Main Street.

8. Assistant to the Village Manager Kristen Schrader will present information on a proposed five-year contract with Republic Services, Inc. for Residential Solid Waste Collection of the Village's approximately 7,200 single-family and duplex households. *(Trustee Henninger)*

   A. Motion to approve a five-year contract for the Village's residential solid waste removal services with Republic Services, Inc. of Elgin, Illinois, from August 1, 2012 through July 31, 2017, to be expensed to the Village's Solid Waste Fund; and

   B. Ordinance No. 6039 -VC, an Ordinance Amending Chapter Six of Title Seven (Solid Waste Collection and Disposal) of the Village Code of Glen Ellyn, Illinois.

9. Motion to approve a contract with the lowest responsible bidder, Stenstrom Petroleum of Rockford, Illinois to replace the UST system and fuel dispensing island and to remove the old UST system in the amount of $419,343 to be expensed to the Equipment Services Capital Equipment Fund. *(Trustee Ladesic)*

   Public Works Director Julius Hansen will present information on the installation of a new underground fuel tank system; a new fuel dispensing island; the removal of the old fuel system; and the testing and remediation of the contaminated soils. The discussion will also include information regarding reimbursement of funds from the Illinois EPA LUST fund.

10. Professional Engineer Bob Minix will present information for actions associated with the pending construction of a northbound, right-turn lane on Lambert Road at Roosevelt Road (IL Route 38). The project will receive federal Surface Transportation Program (STP) funds covering 70% of eligible roadway costs up to a maximum contribution of $286,000. The project appeared on the April 27, 2012 IDOT letting, with the firm of Alliance Contractors submitting the low of three bids in the amount of $429,000, about 5% below the final engineer's estimate. With project construction imminent, various Village actions are required, including allocating funds for the local agency share of construction expenses, hiring an engineering firm for construction oversight, and to fund and approve a final engineering services amendment for additional design costs incurred primarily due to delays in land acquisition. *(Trustee McGinley)*

    A. Motion to approve payments to the Illinois Department of Transportation for Local Agency construction costs associated with the Lambert Road Right-Turn Lane at Roosevelt Road Project in the amount of $165,000 (including a 5% contingency), to be expensed to the FY13 Capital Projects Fund.

    B. Motion to approve a sole-source agreement with Thomas Engineering Group of Oak Park, IL for construction phase engineering services associated with the Lambert Road Right-Turn Lane at Roosevelt Road Project in a not-to-exceed amount of $72,000 (including a 5% contingency), to be expensed to the FY13 Capital Projects Fund.

    C. Motion to increase the appropriation for engineering services associated with the design of Lambert Road Right-Turn Lane at Roosevelt Road Project provided by Hampton, Lenzini and Renwick in the amount of $8,339, for a revised total appropriation of $73,339 to be expensed to the FY13 Capital Projects Fund.

    D. Motion to approve Amendment No. 2 to the engineering services agreement with Hampton, Lenzini and Renwick for the Lambert Road Right-Turn Lane at Roosevelt Road Project for additional design engineering expenses in the amount of $10,812 resulting in a total and final fee of $73,339 for the work.

11. Reminders:

    - The next Regular Village Board Workshop is scheduled for Monday, June 18, 2012 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, June 25, 2012, with the Workshop beginning at 7:00 p.m. and the Regular Board Meeting beginning at 8 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.

12. Other Business?

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

A-4a

Kathleen Pierce

From: Kristen Schrader
Sent: Thursday, May 10, 2012 2:22 PM
To: Carol Allen; Kathleen Pierce
Subject: FW: Compliment

For next agenda

Kristen Schrader
Assistant to the Village Manager
Village of Glen Ellyn
630-547-5205

From: Julius Hansen
Sent: Thursday, May 10, 2012 1:39 PM
To: Kristen Schrader
Subject: Fwd: Compliment

For the board to know.....

Sent from my Samsung Epic™ 4G Touch

-------- Original message --------
Subject: Compliment
From: "Carol A. Olsen" <colsen@glenellyn.org>
To: Kathryn Horn <kathrynh@glenellyn.org>
CC: Dave Buckley <dbuckley@glenellyn.org>,Julius Hansen <jhansen@glenellyn.org>

Mrs. Bartolucci from 201 Forest called to compliment Kathy on how knowledgeable she was when her husband called to discuss choosing a parkway tree. She had several other questions regarding a different tree species and asked to speak to her again. Kudos Kathy! ☺

Carol Olsen
Village of Glen Ellyn
Public Works Department
30 S. Lambert Road
Glen Ellyn, IL 60137
630-469-6756

A-4b

Kathleen Pierce

From: Phil Norton
Sent: Friday, May 25, 2012 1:36 PM
To: Kathleen Pierce
Subject: FW: Officer Compliment

For inclusion on agenda.

From: info@paisleyonmain.com [mailto:paisleyonmain@gmail.com]
Sent: Thursday, May 24, 2012 16:42
To: Phil Norton
Cc: Mark Franz; mpfefferman@glenellyn.org
Subject: Officer Compliment

Dear Chief Norton,
I wanted to take a minute to tell you what a great officer Mallory Wilkens is!
We had an incident here involving minors suspected of shoplifting in my store. Officer Wilkens was the officer who responded to the call. She was so pleasant, helpful, friendly and offered great advice for future situations should they arise. I left her a voicemail and she followed up on her first day back by visiting me at the store again. She explained what resulted with the minors and she had the form I needed to sign in order to get the police report that I need to report my loss.
I have the utmost respect for you and the wonderful Glen Ellyn Police Department, Mallory Wilkens is an absolute pleasure to work with.
My thanks to her and all of you for the outstanding job you do!

Sincerely,
Sue Cleary

Paisley on Main
494 N. Main St.
Glen Ellyn, IL 60137
630-790-2735-p
630-790-2761-f
www.paisleyonmain.com
****Pls. note new email: paisleyonmain@gmail.com****

A-4C

P

GLEN ELLYN POLICE DEPARTMENT
SUPERVISION REPORT

Officer Name/Badge: **Detective J. Monson#50**
Date/Time **March 21, 2012 2000**

- ☐ OBSERVANCE OF WORK HOURS
- ☐ ATTENDANCE
- ☐ SAFETY PRACTICES
- ☐ COMPLIANCE WITH RULES
- ☐ GROOMING/DRESS
- ☒ **PUBLIC CONTACTS**
- ☐ VIOLATOR CONTACTS
- ☐ KNOWLEDGE OF WORK
- ☐ QUALITY OF WORK
- ☐ VOLUME OF WORK
- ☐ ACCEPTS DIRECTION
- ☐ OPERATION /EQUIPMENT CARE
- ☐ WORK COORDINATION
- ☐ INITIATIVE
- ☐ OTHER

In January Detective Jim Monson was assigned to a residential burglary at the condominium complex located at 441 N Park Blvd. As a direct result of that incident the condominium Association requested Jim speak at a board meeting to answer questions about the burglary and address concerns related to security within their building.

On March 21, 2012 I accompanied Jim to this meeting. The meeting was attended by about a dozen residents and Jim was asked various questions about the burglary and how the residents can stay safe within their building. Jim answered their questions and supplied them with information that was comforting and calming. The information provided was well received. The association followed up by sending Jim a thank you letter expressing their appreciation for his "excellent ideas and wise advice". See attached.

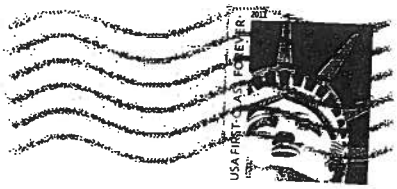
DETECTIVE: _____ 50

SUPERVISOR: _____ 86

Keith E. Manning
441 Park Blvd. #4F
Glen Ellyn, IL 60137

LOMBARD STREAM IL 601

23 MAR 2012 PM 5 L



Mr. Jim Monson, Detective
535 Duane Street
Glen Ellyn, IL 60137

Detective Jim Monson
Glen Ellyn Police Department

March 23, 2012
Dear Detective Monson:

Thank you for attending the P.P.W. Condo board meeting on 3/21/12 with Sergeant Smith.

Many thanks for listening to our concerns and providing excellent ideas and wise advice!

We appreciate your outstanding service in keeping Glen Ellyn a great place to live!

¡BRAVO!

Keith E. Manning

Park Place West Condominium
Board of Managers

A-4d

GLEN ELLYN
HISTORICAL SOCIETY

RECEIVED
MAY 30 2012
VILLAGE OF GLEN ELLYN

May 26, 2012

Village President Mark Pfefferman
Board of Trustees
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, Il 60137

Dear President Pfefferman and Members of the Board:

On behalf of the Glen Ellyn Historical Society I would like to thank Officer Paul Baird of the Glen Ellyn Police Department for donating his time to provide security and a very professional police presence during our Antiques on the Green antique show on May 26.

This event was attended by more than 500 visitors and antique dealers from a four-state area. The presence of a uniformed police officer added another level of professionalism to the event and truly impressed many of our out-of-town visitors. Officer Baird is to be commended for taking personal time from his weekend to support the efforts of the Glen Ellyn Historical Society in this way.

Cordially,

Ruth Wright

Ruth Wright
President

c: Jan Shupert-Arick, Executive Director

P.O. Box 283 • Glen Ellyn, IL 60138 • 630-469-1867 • www.gehs.org

A-4e

Christine Miller

From: Phil Norton
Sent: Friday, May 25, 2012 1:09 PM
To: Christine Miller
Subject: FW: thank you!

Can you figure out who this was?

From: Msmari52@aol.com [mailto:Msmari52@aol.com]
Sent: Thursday, May 24, 2012 19:19
To: pnorton@glenellyninfo.org
Subject: thank you!

Dear Chief Norton,
Today at about 2:00 p.m. I was on my way back from my place of employment when I got a flat tire! I am 59 years young and was with my 84 year old mother. I did not have a lug nut remover to try to change my tire. so I called the 911 was connected to your police station, and a car was dispatched. unfortunately I did not get the officers name,but I remember car #02. I just wanted to say thank you for having great men on your force. he did everything he could to get me on my way. two other policemen helped and I am terribly sorry I did not get their names,but I do want to thank them!! they went above and beyond their way to help us. I am very grateful! just sorry I did not get their names,but I am sure with the time frame you can tell who they were! please thank them for me again. and god bless all of you!!!!!

thank you,
maritza contreras
1993 Toyota

Officers
Andy Downey
Luke Elmore

- A - 4+

5/28/12

Dear Officer Elston,

I'm sorry I'm so late in sending you this thank you note. You were at my house last Au during the middle of the night because my husband Paul had a heart attack. You revived him an performed CPR for quite a long time until he could be taken to the hospital.

I had told you that night tha he had stage 4 cancer. Unfortuna he lost that battle on Jan 5 of this year. I can't say his last months were easy for any of us but Paul had a smile for us every day. Thank you for giving us that precious extra time together.

When he did pass, my daughe & I sadly knew it was his time to go. Thank you again for all your efforts during the early hours of August 22, 2011.

Sincerely,

Sally Adachi

Officer Elmore

A-49

Kathleen Pierce

From: Kristen Schrader
Sent: Thursday, May 31, 2012 8:32 AM
To: Kathleen Pierce
Subject: FW: Good Job

For agenda.

Kristen Schrader
Assistant to the Village Manager
Village of Glen Ellyn
630-547-5205

From: Dave Buckley
Sent: Thursday, May 31, 2012 8:27 AM
To: Kristen Schrader
Cc: Eric Hendrickson; Jennifer Brown; Julius Hansen
Subject: FW: Good Job

Kristen,

For consideration of recognition at a VB meeting. The PW employees on this crew were FT – Eric Hendrickson, Greg Garcia and Victor Zarate and Seasonal – Sam Fernald and Jack Marston.

Thanks,

Dave
David Buckley
Assistant Public Works Director
Village of Glen Ellyn
Direct: 630-547-5513

From: Julius Hansen
Sent: Wednesday, May 23, 2012 8:19 AM
To: Dave Buckley
Subject: Good Job

Forward to Kristen for board recognition.... Eric and crew were complimented by resident at 494 Greenfield for the tree removal that resident requested. Resident said Eric met with him in a timely manner to discuss the tree condition and crew did the work in a professional manner.

Julius Hansen
Director of Public Works
Village of Glen Ellyn

A-4H

June 6, 2012

Mr. Leland Marks, Chairman
Historic Preservation Commission
Village of Glen Ellyn, Illinois
535 Duane Street
Glen Ellyn, Illinois 60137

Dear Chairman Marks,

It is with deep regret that I must offer my resignation as Commissioner on the Village of Glen Ellyn, Historic Preservation Commission, effective June 11, 2012. Changes in job responsibilities will prevent me from continuing to meet the requirements of the position.

I would like to thank former President Greg Mathews for my appointment to the Commission, as well as former President Vicky Hase and current President Mark Pfefferman for reappointing me as a commissioner. I regret not being to be able to be a part of some of the exciting goals the commission has set forth, especially the pursuit of the creation of a National Register of Historic Places District in the downtown business district. I wish the commission good fortunes in making that goal become a reality.

Sincerely,

Timothy F. Loftus

Timothy F. Loftus

Cc: President Mark Pfefferman
Village Board of Trustees

A-5a

VILLAGE OF GLEN ELLYN

Proclamation

WHEREAS, Janie Patch exemplified hard work and dedication over the years to the Economic Development Corporation; and

WHEREAS, Janie led the completion of major projects over the years including Pickwick Place, Baker Hill, Main Street development including the recently renovated Marcel's Culinary Experience; and

WHEREAS, numerous businesses benefited from the grant programs, the dynamic EDC website, various marketing campaigns and the outstanding banner program; and

WHEREAS, this just begins to scratch the surface of all that Janie has done for the Village of Glen Ellyn and these accomplishments and hard work will not be forgotten;

NOW, THEREFORE, I, MARK PFEFFERMAN, President of the Village of Glen Ellyn, Illinois, do hereby convey the sincere thanks and appreciation of the Village Board and the residents of Glen Ellyn for the contributions of the Janie Patch, and express our heartfelt gratitude for her many years of exceptional service, which helped make Glen Ellyn a wonderful community.

_____

Village President

attest:

_____

Deputy Village Clerk

_____

Date

A-6A1

Minutes
Regular Village Board Workshop
Glen Ellyn Village Board of Trustees
May 14, 2012

Time of Meeting: 7:00 p.m.

Present: President Pfefferman; Trustees Hartweg, Ladesic, Cooper, McGinley, Henninger, and Friedberg; Village Clerk Connors. Village Attorney Diamond. Staff present: Village Manager Franz, Assistant to the Village Manager Schrader, Public Works Director Hansen, Deputy Police Chief Norton, Planning and Development Director Hulseberg, Finance Director Wachtel, and Administrative Intern Strong.

1. **Call to Order**

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

2. **Preliminary Year End Financial Report**

Finance Director Wachtel began with an overview of the Village's financial state as of April 30, 2012. He detailed each fund and compared total revenue and expenses for FY2012; FY 2011 with FY 2012; and FY2012 to FY2012 budgeted amounts. The year ended with a positive balance since both revenue and expenses decreased for the year. Enterprise funds also ended with positive balances. The Village's cash reserves increased. He explained that this report is unaudited and the information presented this evening and on the website is as of today.

3. **Municipal Electric Aggregation**

Assistant to the Village Manager-Administration Schrader presented information concerning electric aggregation. She gave a brief background beginning with the definition of terms and explained that municipalities can recommend and contract with electricity suppliers other than ComEd to provide electricity service for residents. Residents can participate or not was they choose. The Environmental Commission recommended Blue Star Energy, but three other companies were found to be acceptable if the Village Board so chose. Staff supports the Environmental Commission's recommendation. The "Plug-In" website provides further information. The DuPage Mayor and Managers organization conducted a survey and their findings are available from the Village's Administration Department.

A discussion followed regarding the terms "Opt-In" and "Opt-Out" and how they apply to resident's choices; other companies and what they are doing; what one member of the audience did after extensive research; and anticipated savings if the Village participates in municipal electric aggregation. Adam Kreuzer of the Environmental Commission answered questions from the Village Board about the research the commission conducted.

The Village Board agreed that further information and discussion was needed before they were prepared with make a final decision.

4. Other Items?

There were no other items brought before the Village Board at this time.

5. Adjournment

At 8:02 p.m., Trustee Ladesic moved and Trustee Henninger seconded the motion to adjourn to the regular Village Board Meeting in the Galligan Board Room. All voted "Aye." Meeting adjourned.

Respectfully Submitted,

Suzanne R. Connors,
Village Clerk

A-6A2

Minutes
Regular Meeting
Glen Ellyn Village Board of Trustees
Monday, May 14, 2012

Call to Order

Village President Pfefferman called the meeting to order at 8:03 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." President Pfefferman congratulated those Trustees celebrating their various annual anniversaries and thanked them for their service to the Village.

Pledge of Allegiance

Pledge of Allegiance was led by President Pfefferman.

Proclamations:

A. Proclamation in recognition of **National Public Works Week** was presented to Public Works Director Julius Hansen.

B. Proclamation in recognition of **Rotary Day in Glen Ellyn** was accepted by Police Chief Norton on behalf of the Glen Ellyn Rotary.

Village Recognition:

A. Police Officer Kevin Riggle received a note of thanks from a resident for his assistance during a medical complication.

B. Police Chief Norton received a letter of thanks from the Superintendant of Schools for his role and support of District 89 schools.

C. Administrative Clerks Jackie Chernesky and Debbie Clewlow received a note of appreciation from the Wheaton - Glen Ellyn AAUW for their care setting up the Clayton Room for their needs.

D. Police Chief Norton received a thank you note for his assistance in helping St. James with traffic control on Easter Sunday. A special mention was made to Sergeant Brian Beck for being extremely helpful by setting up the event.

E. The Glen Ellyn Woman's Club sent a letter of thanks to the Village and Facilities Supervisor Harold Kolze for the use and set-up of the Civic Center for their monthly meetings.

F. Police Chief Norton received a letter of appreciation from the City of Elmhurst Police Department for Glen Ellyn's assistance that led to the arrest of two offenders tied to several residential burglaries.

G. An email was received extending a public thank you to everyone for their contribution to the Earth Day Extravaganza making the event a wonderful success.

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

Reed Chandler	Public Works	10 years
Joseph Rein	Public Works	30 years

Audience Participation

A. Mr. Kevin Micklo read a **letter of appreciation** thanking the Police, Fire, Public Works, and Planning and Development Departments as well as Bill Miller, Bob Greenberg, and Joe Kvapil for their help after fire destroyed their home.

B. Police Chief Phil Norton and the Madden family presented the **Madden Scholarship winners**. This scholarship was established in memory of Robert "Bob" Madden, a Glen Ellyn Police Sergeant who enjoyed a 28-year career with the Police Department before succumbing to ALS on May 22, 2007. Two scholarships were awarded – one from Glenbard South and one from Glenbard West.

C. Historic Preservation Commission Staff Liaison Michael Strong presented the **2011 Historic Preservation Awards**. The Renovation of the Year Award was presented to Mr. and Mrs. Stephan, 592 N. Main and the Architectural Details Award was presented to Mr. and Mrs. Marcheski, 583 N. Main.

D. The Glen Ellyn Chamber of Commerce Co-Director Mike Formento presented the **Citizen of the Year Award** to Randy Parker for his outstanding service to the Village.

E. **Alliance of Downtown Glen Ellyn** Executive Director Carol White presented information on the Alliance's branding program-a downtown to treasure. She displayed the proposed monogram, color and seasonal varieties of banners that will be used. Destination cards that will show places to shop and eat in Glen Ellyn are planned. Many people have asked about purchasing the old banners; they will be available in the future through an auction process. She also thanked the Police and Fire Departments for their assistance during their last event.

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. April 9, 2012 Regular Meeting
2. April 9, 2012 Special Meeting
3. April 16, 2012 Regular Workshop
4. April 23, 2012 Regular Workshop
5. April 23, 2012 Regular Meeting

B. Total **Expenditures** (Payroll and Vouchers) - $2,651,012.98.

The vouchers have been reviewed by Trustee Hartweg and by Manager Franz prior to this meeting, and are consistent with the Village's purchasing policy.

C. Approve a license agreement between the Village and **Verizon Wireless** for the purpose of maintaining **cellular transmission equipment** at the Glen Ellyn Civic Center for an annual rent at $26,000 and increasing 4% each year.

D. **Ordinance No. 6027**, an Ordinance Designating the Property at **566 Hillside Avenue**, Glen Ellyn, Illinois as a Glen Ellyn Local Landmark. Intern Mike Strong presented information concerning the property owned by Mr. and Mrs. Bode and located on the north side of Hillside between Forest and Park. The Historic Preservation commission held a public hearing on April 26. By a vote of 8-0, the commission recommended approval.

E. Approve license agreements to allow tables and chairs in the public right-of-way for **Tap House Grill at 411 N. Main Street, Shannon's Irish Pub at 428 N. Main Street, and Flour + Wine at 433 N. Main Street**.

F. **Ordinance No. 6028-VC**, an Ordinance to Amend the **Liquor Control Code** Chapter 19 of Title 3, Section 12 (Restriction on Number of Licenses) of the Village Code of Glen Ellyn, Illinois, to Increase the Number of Permitted Class B-5 Public Sidewalk Liquor Licenses.

G. **Ordinance No. 6029-VC**, an Ordinance to Amend the **Liquor Control Code** Chapter 19 of Title 3, Section 11 (Classification of Licenses) of the Village Code of Glen Ellyn, Illinois, by Creating a Class B-7 Liquor License Classification and to Amend Chapter 19 of Title 3, Section 3-19-3(W), Section 3-19-11, Section 3-19-12, and Section 3-19-13.

H. **Ordinance No. 6030-VC,** an Ordinance Amending Chapter 2 (Electrical Code) of Title 4 (Building Regulations) of the **Village Code** of the Village of Glen Ellyn, Illinois, to **Adopt the 2011 National Electrical Code with Local Amendments**.

I. **Ordinance No. 6031**, an Ordinance Amending Ordinance No. 4981 and Granting Approval of an Amended Special Use Permit and Amended Sign Variations for the **McDonald's Restaurant Located at 445 Roosevelt Road**. The Village Board asked if any owners were in the audience to answer questions. No one was. It was agreed McDonald's should not assume automatic passage of their request.

J. Approve a **Façade Improvement Grant** for Katy Balabinis, owner of **Katy's Boutique, located at 427 N. Main Street**. This item was removed from the Consent Agenda to be considered separately later in the meeting.

K. Approve a **Downtown Interior Improvement Grant** for Lesley Vesevick, owner of **Papier Girl, located at 413 N. Main Street**. Planning and Development Director Hulseberg presented information concerning the request for a grant from a business that wishes to move from its Naperville location to Glen Ellyn. They are eligible for assistance up to $14,500.

L. Approve a **Downtown Interior Improvement Grant** for Sandra Moore, owner of **AliKat, located at 499 Pennsylvania Avenue**. Planning and Development Director Hulseberg presented information concerning the grant request for use for expansion of an existing business. Because the application was made under the provision of an old grant program, they are eligible for a grant of $15,000.

M. **Resolution No. 12-05**, a Resolution Concerning the Determination of the Glen Ellyn Village Board that Change Order No. 1 - Final with Martam Construction, Inc. for a Decrease in the Contract Price of $673,798 is required for the Bryant Avenue – Thain's Addition Improvements Project, for a Revised and Final Contract Cost of $5,036,121 and a Time Extension of 21 Days.

N. Waive competitive bidding and to enter into an engineering services agreement with **RJN Group, of Wheaton for the Central Basin Analysis Project**, in a not-to-exceed amount of $85,000 (including a 14% contingency), to be expensed to the FY13 Sanitary Sewer Fund. Village Engineer Minix explained that the larger contingency was added because flow monitoring may require additional time in this case.

Trustee Hartweg moved and Trustee McGinley seconded the motion that Items A to I and K to N be considered routine business by the Village Board and be approved in a single vote.

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

Commercial Facade Grant – 427 N. Main Street – Item J from the Consent Agenda

Planning and Development Director Staci Hulseberg presented information concerning a request from Katy Balabinis, Katy's Boutique, for the installation of a new awning at 427 N. Main. The Village Board discussed the advisability of approving a grant for just an awning when the name of a business will appear on the awning. This request was made prior to changes in the grant guidelines. The request is for an amount of $3,480.

Trustee Hartweg moved and Trustee Henninger seconded the motion to approve a Facade Improvement Grant for Katy Balabinis, owner of Katy's Boutique, in the amount of $3,480 be approved.

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

Ordinance No. 6032 – 200 Montclair Avenue – Variation of the Foundation Requirements of the Zoning Code

Planning and Development Director Staci Hulseberg presented information concerning a request by Matthew Rooney, representing 200 Montclair LLC, the property owner, for a construction necessitated variation from the Glen Ellyn Zoning Code, Section 10-4-1(N), to allow the reconstruction of an existing attached screened porch, within the required side yard setback, that is not constructed on a code compliant foundation in lieu of a required code compliant foundation. The Zoning Board of Appeals voted 6-0 to recommend approval of the variation.

Trustee Cooper moved and Trustee Hartweg seconded the motion that Ordinance No. 6032 be passed, an Ordinance Approving a Construction Necessitated Variation from the Foundation Requirements of the Zoning Code to Allow the Reconstruction of a Screened Porch for Property at 200 Montclair Avenue.

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

Ordinance No. 6033 – 232 Hill Avenue – Construction Variation

Planning and Development Director Staci Hulseberg presented information about the request of James Rudolph, owner of property located at 232 Hill Avenue, for a construction necessitated variation to allow the construction of a deck in a floodplain. The property is located on the north side of Lorraine. A Stop Work Order has been issued. The proposed deck would be 250 square feet. The Plan Commission voted 7-1 to approve the variation request.

Trustee Friedberg moved and Trustee Ladesic seconded the motion that Ordinance No. 6033 be passed, an Ordinance Approving a Construction Necessitated Variation for the Construction of a Deck in a Floodplain at 232 Hill Avenue.

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

Ordinance 5995-VC – Adopt of 2009 International Residential Code with Local Amendments

On January 30, Trustee Ladesic moved and Trustee Cooper seconded the motion to table this item and consider it at another meeting. Upon roll call, Trustees Ladesic, Cooper, Friedberg, Hartweg, Henninger and McGinley voted "Aye." The motion carried and the ordinance was tabled for consideration at a later time.

Trustee Hartweg moved and Trustee Henninger seconded the motion to take Ordinance 5995-VC off the table and bring it back for consideration at this time. All voted "Aye."

Building and Zoning Official Joe Kvapil presented information on the 2009 ICC International Residential Code. The Code contains provisions that govern the design and construction of new, and the alteration of existing, one- and two-family dwellings and townhouses.

In response to previous Village Board concerns, changes have been addressed including the elimination of the need for fire sprinklers in unfinished habitable additions and the exception to the fixed stairway requirement to unfinished habitable spaces provided the space meets certain height and square footage requirements. A chart was displayed showing that the Village of Glen Ellyn has some of the most up-dated building codes.

Trustee Henninger moved and Trustee Friedberg seconded the motion that Ordinance No. 5995-VC be passed, an Ordinance Amending Chapter 1 (Building Code) of Title 4 (Building Regulations) of the Village Code of Glen Ellyn, Illinois to Adopt the 2009 International Residential Code with Local Amendments.

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

Resolution No. 12-06 – Sunset – Turner Improvement Project

Professional Engineer Bob Minix presented information regarding the completion of the 2011 Sunset-Turner Improvements Project, which are included on Change Order No. 1. This is the final payment to Dunteman that covers the balancing of quantities for the existing contract and twenty-one new work items that needed to be done which resulted in an increase in the original contract cost of approximately $120,000. The resulting final contract cost was slightly more than 5% above the bid price of about $2,240,000, but within the authorized original funding levels.

Trustee Friedberg moved and Trustee Henninger seconded the motion that Resolution No. 12-06, a Resolution Concerning the Determination of the Glen Ellyn Village Board that Change Order No. 1 - Final with R. W. Dunteman Company for an Increase in the Contract Price of $119,943 is required for the Sunset – Turner Improvements Project, for a Revised and Final Contract Cost of $2,359,518 and a Time Extension of 26 Days be passed.

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

Engineering Services Agreement-Crescent Boulevard

Professional Engineer Bob Minix presented information regarding a proposed engineering services agreement for the Crescent Boulevard Reconstruction Project. The project would

rehabilitate and upgrade about a 1,700 ft. (1/3 mile) section of roadway between Park Boulevard and Lake Road. Burns and McDonnell Engineers is recommended for the project's Phase I engineering services, which involves preliminary work leading to the approval of the project design report by IDOT. Federal funding should be available to assist with the cost, but certain requirements must be met. The engineering will take about one year to complete.

Trustee Hartweg moved and Trustee Henninger seconded a Motion to waive competitive bidding and enter into an engineering services agreement with Burns & McDonnell of Downers Grove for Phase I Engineering Services for the Crescent Boulevard Reconstruction Project, in a not-to-exceed amount of $130,000 (including a 7% contingency), to be expensed to the FY13 Capital Projects Fund.

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

Engineering Services Agreement-Park Boulevard

Professional Engineer Bob Minix presented information on a proposed project to reconstruct the 1,900 ft. portion of Park Boulevard between Roosevelt Road and Fairview and resurface the remaining 4,600 ft. section north to the Union Pacific Railroad tracks. EEI is recommended for the assignment based on the firm's qualifications and their previous involvement with project funding application requests. The scope of the proposed engineering agreement includes Phase I engineering only, involving preliminary design studies and analyses leading to the approval of the project design report by IDOT.

Trustee Henninger moved and Trustee McGinley seconded a Motion to waive competitive bidding and to enter into an engineering services agreement with Engineering Enterprises, Inc. of Sugar Grove for Phase I Engineering Services for the Park Boulevard Rehabilitation STP Project, in a not-to-exceed amount of $125,000 (including an 8% contingency), to be expensed to the FY13 Water, Sanitary Sewer and Capital Projects Fund.

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

Reminders:

- A Special Village Board Meeting is scheduled for Monday, May 21, 2012 at 7 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.
- The next Regular Village Board Meeting and Workshop scheduled for Monday, May 28, 2012 have been cancelled in observance of the Memorial Day Holiday.

Other Business?

- This is National Law Enforcement Week. It is an excellent time to thank our police force for the outstanding job they do.

- The Taste of Glen Ellyn begins Thursday, May 17 and runs through Sunday, May 20.

Adjournment

At 10:23 p.m. Trustee Ladesic moved and Trustee Cooper seconded the Motion to adjourn to Executive Session for the purpose of discussing pending litigation, the sale or purchase of property, and the review of Executive Session minutes, adjourning thereafter without returning to open session.

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

Respectfully submitted,

Suzanne R. Connors,
Village Clerk

A-6A3

Minutes
Special Village Board Meeting
Glen Ellyn Village Board of Trustees
Monday, May 21, 2012

Call to Order

Village President Pfefferman called the meeting to order at 7:00 p.m.

Roll Call

Upon roll call by Village Clerk Connors, Village President Pfefferman and Trustees Cooper, Friedberg, Hartweg, and Henninger answered, "Present." Trustee McGinley arrived at 7:05 p.m. Trustee Ladesic arrived at 8:25 p.m.

Hawthorne Corridor Sidewalk Issues

Village Engineer Bob Minix gave a short background and update on the Hawthorne Corridor Project. They are working in the center of the project now until school ends for the summer. He mentioned that a number of Capital Improvements Commission members were expected to attend tonight's meeting and introduced Craig Pryde.

Mr. Pryde gave the details of the current locations and the proposed locations of sidewalks along the Hawthorne corridor. He explained that District 87 supported most of the proposed sidewalks, but in some areas were concerned about a possible loss of parking spaces. He described each of the commission's recommendations including the 3-way stop at Ellyn and Crescent. Mr. Pryde and Capital Improvements Commission Chairman Mike Colliander stressed that the commission was looking to alleviate current and future problems.

In response to questions, Police Chief Norton explained that a Federal manual that is adopted by the State and Village dictates placement of traffic control signs. Engineer Minix explained that typical Village sidewalks are five feet wide, but some are four feet. Widening to seven feet was considered, but was rejected at this time.

Mr. Joqua, 609 Hawthorne, asked about the width of the right-of-way.
John Huston, 588 N. Ellyn, spoke against a sidewalk in his block; showed a video of traffic in front of his home which is across from Glenbard West.
Mrs. Roberts, 585 Hawthorne, spoke against a sidewalk in front of her home.
Mr. Ellis, 593 Hawthorne, spoke in favor of a sidewalk from a point of safety, but not in the way it is proposed.
Mrs. Kenner, 605 Hawthorne, spoke against a sidewalk in front of her home.

Each Village Board member discussed each of the Capital Improvements Commission's recommendations individually. General discussion indicated strong support for the commission's recommendations.

Downtown Streetscape and Parking Study

Village Planner Michelle Stegall presented information concerning downtown proposals that were reviewed by the Police Department, Public Works Department and Planning and Development Department. The Village received a $50,000 grant which was used to pay for the study. The Village has worked with Houseal Lavigne previously and were happy with the results.

Trustee McGinley moved and Trustee Henninger seconded the motion to waive competitive bidding and enter into an agreement with Houseal Lavigne Associates, Gary Weber Associates, Walker Parking Consultants and Engineering Resource Associates in the amount of $50,000 for a downtown streetscape and parking study to be expensed in FY13 subject to final approval by the Village Attorney.

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

Village Links Improvements Project Update

Recreation Director Matt Pekarek introduced Craig Pryde. Mr. Pryde explained that dirt at the Links needs to be moved, but kept on site, in order to expand since golf course land is primarily for storm water retention. Adjustments have to be made to retain at least the same amount of storm water as the Links does now. He displayed many renderings of the proposed exterior facade of the clubhouse, detailed the relocation of the putting greens, parking, cart storage and other areas. The preliminary plan is to expand to accommodate a bar, dining room, separate banquet room, a pro shop, and covered patio. Code variations would be needed for exterior ground lighting and accent lighting. Village Board members asked questions concerning proposed capacity, kitchen plans and the floodplain.

Director Pekarek continued that there is a storm water detention meeting scheduled for Wednesday morning to investigate the specifics of what would needed to be done. The cost of construction has increased to $6,300,000 since his last update. By eliminating some items and doing some work in-house, the cost could be reduced about $1,867,000. Projected additional income during construction and after construction was presented. The length of service and the results-oriented attitude of staff was stressed.

Each Village Board member asked questions of Director Pekarek followed by comments by the Village Board. Director Pekarek anticipates that existing staff would do the marketing of the restaurant. He explained that no action is requested now, but this project would come back to the Village Board for approval for variations and approval of contracts that have gone out for bid.

Discussion ensued concerning the need for a business/marketing plan; the desire to see a more detailed interior plan; and funding information i.e. how the project will be paid for/can the project be changed to make it more affordable. Director Pekarek will continue to provide updates.

Adjournment

At 10:50 p.m. Trustee Cooper moved and Trustee Ladesic seconded the Motion to adjourn to Executive Session for the purpose of discussing pending litigation, adjourning thereafter without returning to open session.

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

Respectfully submitted,

Suzanne R. Connors,
Village Clerk

A-LeC

MEMORANDUM

TO: Mark Franz, Village Manager

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

DATE: June 4, 2012

RE: Recommendation to Award a Forestry and Tree Preservation Consulting Services Contract and Approve an Exception to Competitive Bidding for Professional Services.

Background

Recent reorganization within the Public Works Department and elimination of the Village Forester position has led to re-examination of forestry and tree preservation services for the Public Works and Planning & Development Departments. The Village's current forestry consultant, Osage Inc., has a contract that will expire on July 2, 2012. Our current forestry and tree preservation service requirements were identified and included within a Request for Proposal. The RFP was advertised on the Village website, three industry websites, and mailed directly to 20 local certified arborists and landscape firms. The proposals from four candidates were reviewed by Village staff for the scope of services provided, prior experience, personnel qualifications, responsiveness, and fees.

Issues

The value of this contract is estimated to range from $20,000 to $30,000 per year based upon fixed unit cost and hourly rate fees. All of the consultants' fees exceeded the fees proposed by our current consultant, Osage Inc. represented by a single individual, Dave Coulter. However, the recommended consultant, Planning Resources Inc., can provide anticipated architectural landscape design services not available from Osage Inc. Planning Resources Inc. also includes staff personnel with a broader level of experience and certification and is conveniently located nearby in Wheaton for frequent and prompt response time. In addition, Planning Resources Inc. currently provides special storm water management and engineering services to the Village and we have found them to be highly responsible and professional with an excellent working relationship with our customers and Village staff. Planning Resources Inc. meets all criteria for consideration as the lowest responsible bidder and their fees do not exceed the fees submitted by any other bidder except Osage Inc.

The tree preservation plan review and inspection fees charged to permit applicants and developers may be increased to compensate for the increased consultant fees. Adjustments to the Village Code Building Permit Fee Schedule will be evaluated and recommendations will follow.

Recommendation

Award a contract to provide forestry and tree preservation consulting services for the Public Works and Planning & Development Departments to the lowest responsible bidder, Planning Resources Inc., in accordance with their proposal dated April 19, 2012, as amended on May 17, 2012, and as specified in the Agreement for Professional Services pending legal review.

Action Requested

Motion to waive competitive bidding and approve an Agreement for Professional Services from Planning Resources Inc. to provide forestry and tree preservation consulting services to the Village of Glen Ellyn subject to the review and approval of the Village Attorney.

Attachments

Planning Resources Inc. Proposal
Planning Resources Inc. Agreement for Professional Services

Request for Proposal

Tree Preservation and Landscape Consulting Services

Village of Glen Ellyn

April 19, 2012

Submitted By:

Planning Resources Inc.

Wheaton, Illinois

PLANNERS
LANDSCAPE ARCHITECTS
ECOLOGISTS

RECEIVED
APR 2 0 2012
PLANNING DEPARTMENT
VILLAGE OF GLEN ELLYN

PLANNING
RESOURCES INC.

402 West Liberty Drive
Wheaton, Illinois 60187
Web: www.planres.com
P: 630.668.3788
F: 630.668.4125

April 19, 2012

Ms. Staci Hulseberg, Director
Planning & Development Department
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, Illinois

Dear Ms. Hulseberg:

We are pleased to respond to your request for proposal to provide Tree Preservation and Landscape Consulting Services for the Village of Glen Ellyn. Planning Resources Inc. (PRI,) as you know, is located adjacent to Glen Ellyn in Wheaton, and is very familiar with the Village and the goals of the Planning Department. PRI employees 12 professionals representing the expertise of environmental resource management and landscape architecture. PRI has two certified arborists and five licensed landscape architects in the State of Illinois. Additionally, our staff have completed training in "Building with Trees," a course developed by The National Arbor Day Foundation focused on tree preservation during construction and land development.

We have carefully read the Request for Proposal for the **Tree Preservation and Landscape Consulting Services** issued by the Village of Glen Ellyn. We fully understand the request and the requirements and accept the requirements as outlined. As requested, we have provided proposed billing rates for the outlined services. PRI has additional individuals that can assist the Village with tree preservation activities and landscape design and planning services. Therefore, we have provided additional billing rates for our staff consistent with billing rates currently offered to the Village as a preferred client. ?

The Team – Our approach to these services will be to assign a Project Director, Services Manager, and assistant in technical expertise. These individuals are landscape architects and arborists familiar with the Village and applicable codes of the Village. All individuals assigned to assist the Village have extensive municipal review experience and actual field operations experience. The team will be led by Keven Graham, ASLA, RLA. Keven is a Principal with PRI and has over 20 years experience providing plan review and landscape architectural services for communities including services for Glen Ellyn since 1993. Pat Hickey, certified arborist, will lead the team's effort in providing guidance and tree preservation services. Pat will be PRI's Service Manager responsible for ensuring the Village receives timely and thorough services. Pat will be assisted by Brent Lewis, ASLA, RLA, and a certified arborist with over 12 years of experience providing landscape design and review services for PRI clients.

If you have any questions or need additional information, please do not hesitate to call me. We hope to have the opportunity to meet with you and your staff, to discuss our qualifications in more detail.

Sincerely,

Keven Graham, ASLA, RLA
Principal/Landscape Architect

PLANNERS
ECOLOGISTS
LANDSCAPE
ARCHITECTS

PROPOSAL

Firm Profile

Brief History of Firm
Services Offered

Firm History and Overview

Planning Resources Inc. (PRI) has been in business for 30 years and provides diversified expertise in three primary areas: Landscape Architecture, Environmental Planning, and Community Planning. Our team of licensed professionals is experienced in providing tree preservation and landscape consulting services that will guide the Village of Glen Ellyn Park District with a clear vision for the future of the community.

PRI has grown to employ 12 personnel who provide expertise in a comprehensive range of service areas. Our team includes: Landscape Architects, Park Planners, Wetlands Scientists, Ecologists, Arborists and Land Planners that specialize in:

Master planning services
Park & Recreation Planning
Creative Play Area Design
Sport Facility Design
Site Planning & Design
Construction Administration
Community Enhancement
Urban Design
Public Involvement

Streetscape Design
Landscape Design
LEED Site Work
Healthcare Design
Golf Course Design
Arboriculture Environmental Design
Funding and Grant Application
In addition to environmental and planning services

Given our 30 years of experience, our team has learned that planning and design requires innovative and practical solutions that stand the test of time. PRI professional's help clients make cost-effective decisions based on our proven judgment and experience. With a very stable staff, we are committed to providing leadership, reasoned judgment, and personalized service on every project we deliver.

Planning Resources' Story

The formal PRI presence was established in the Chicago market in 1981. The office in Wheaton is well-situated to serve our growing public sector client base. We have since continued increasing staff expertise in the areas of landscape architecture, park & recreation, wetlands management, and planning, bringing our local staff to 12 individuals.

We support clients in DuPage, Cook, Kane, Lake, and McHenry Counties, and we offer an outstanding Landscape Architecture, Environmental and Planning practice. Some of our current clients include:
Plan Review Consultation Landscape Architecture Design Services

Village of Glen Ellyn
Village of Montgomery
Village of Lisle
Village of Orland Park
Village of Manhattan
Village of Tinley Park
Village of Lake in the Hills
Village of Homewood
Village of Summit
Addison Park District
Wheaton Park District
Canadian National Railway
Illinois Toll Highway Authority
City of Bloomington

Municipal Review Consulting

Planning Resources was built on the service model of consulting services to extend the expertise and knowledge of municipalities. Through our experience we understand how to interpret and manage municipal ordinances and codes to achieve the defined goals of individual communities. We practice reasonable and defendable review policies aimed at protecting the community and the environmental resources while assisting the public in efficient processing of applications. Our staff understands the nature of development and construction as well as the potential impacts to existing trees and proposed landscapes. Our goal is to assist the Village of Glen Ellyn in the promotion of the sustainable standards to promote long term viability of the planned landscape.

PRI's Service Philosophy

Always Communicate – Our team is dedicated to shortening our response time to all requests, phone calls, and e-mails.
Be Responsive - We will give you an answer within hours of your requests or questions.
Work Within a Defined Scope of Services – We will work closely with the Village to ensure you receive the services you expect.
Establish a Realistic Project Schedule – Before beginning work on a project, our team develops a schedule of work and a listing of deliverables.

PRI's Design Philosophy

Design drives everything that we do in landscape architecture, planning, and environmental consulting. At PRI, we believe that design fulfills and propels each client's goals and aspirations; that design articulates spaces to new levels of effectiveness; that design engages, inspires and fulfills; and that design elevates the human experience.

We begin each project by listening to our client. We listen to understand a client's vision, goals and objectives. We design each project in a synthesis of everything that we hear from a client and our own professional expertise---working collaboratively and uniting all professional disciplines in the process to create truly integrated design solutions. We deliver each project with responsive service and technical excellence to the complete satisfaction of our client, which is the ultimate measure of our success.

Natural Resources Capabilities

Planning Resources is one of the foremost full-service natural resource planning and management firms in the Midwest. Our projects have ranged from county-wide natural resource inventories and city-wide natural resource management planning, to helping individual private landowners plan for and restore natural areas. Our staff members are deeply committed to their work, something reflected by the continued confidence our clients express for the natural resources services we provide.

Staff Experience and Certification

OUR TEAM BRINGS PROFESSIONALS WITH MANY OF EXPERIENCE MANAGING LANDSCAPES, ENVIRONMENTAL RESOURCES AND TREE PRESERVATION.

Keven Graham
Planner

Keven is the Director of Operations with Planning Resources and a licensed landscape architect with over 20 years of experience. Keven will direct Planning Resource's consulting work with the Village.

Patrick Hickey
Arborist

Pat has more than 14 years of experience in providing arboriculture services to clients in Northern Illinois. A certified Arborist, Pat is also a licensed pesticide applicator in Illinois. His extensive experience in providing field construction services will provide a complete knowledge and ability to direct projects. Pat will serve Glen Ellyn as the primary contact and arborist for review services.

Brent Lewis
Landscape Arch.

Brent will serve as assistant to Pat in the management of review services. Brent has provided review and inspection services for several communities including Orland Park and Lake in the Hills. Brent is a Licensed Landscape Architect and a certified arborist in Illinois.

Darrell Garrison
Landscape Arch.

Darrell brings an extensive knowledge of landscape architecture. As a licensed landscape architect, Darrell directs design through implementation of landscape improvements. Darrell is also the Chairman of the Illinois Landscape Architectural Licensing Board.

Juli Crane
Dir. of Ecology

Juli has been with Planning Resources as Director of Ecology for 22 years and is very familiar with the Village of Glen Ellyn, where she directs the firm's on-going wetland and environmental review services. Juli will provide back up to Pat should additional. environmental review be required or coordination with Village policies

Steve Halberg
Landscape Arch.

Steve brings over 30 years of experience in the management and oversight as well as design of landscapes. Steve served in the management role for Elk Grove Park District and the DuPage Forest Preserve prior to transitioning to the private consulting business. Steve has extensive field operations experience. In addition to being a licensed landscape architect, he also holds an Illinois pesticide applicators license.

Lori Vierow
Landscape Arch.

Lori is a licensed landscape architect and is certified as LEED AP BD +C; she provided on-going landscape review and inspection in Orland Park along with Brent. Lori is the Assistant Director of Landscape Architecture at Planning Resources and manages landscape design projects for commercial, institutional and street scape projects.

Ryan Alexander
Landscape
Design

Ryan is a landscape designer and will assist with occasional field support and inventory assessment as needed. Ryan manages Planning Resources GIS system and will support the review team with necessary cataloging of data.

Team Responsibility, Licensure, and Certifications

Project Director:	Keven Graham, ASLA, RLA	Illinois Landscape Architect # 157.000150
Project Manager:	Patrick Hickey, ISA	Certified Arborist IL – 1385
		Applicators License CA 04347162
Asst. Project Manager:	Brent Lewis, ASLA, RLA, ISA	Illinois Landscape Architect # 157.001325
		ISA Certified Arborist Registration # 248013336
Support:	Darrell Garrison, ASLA, RLA, CPSI	Illinois Landscape Architect 157.000155
	Lori Vierow, ASLA, RLA, LEED AP	Illinois Landscape Architect 157.001163
	Steven Halberg, ASLA, RLA	Illinois Landscape Architect 157.000857
		Applicators License CA 04341109
	Juli Crane, PWS, LEED AP	
	Ryan Alexander, Associate ASLA	

Keven L. Graham, ASLA, RLA
Managing Principal/Landscape Architect

Education
Bachelor of Landscape Architecture, 1989 Iowa State University
Illinois Central College, A.S. Architectural Construction Technology, 1985

Registration
Registered Landscape Architect, State of Illinois #157-000150
Registered Landscape Architect, State of Iowa, #316 by Registration Exam
Crime Prevention through Environmental Design (CPTED)

Introduction
Keven is the Managing Principal of Planning Resources and a licensed landscape architect. Keven has over twenty years of experience in the enhancement and revitalization of business districts and transportation corridors, including the preparation of final design and construction documents for streetscape improvements, roadway lighting, paving, median and right of way landscaping and the enhancement of public spaces. He is a past president and current Trustee of the Illinois Chapter of the American Society of Landscape Architects and actively involved in the creation of environmentally sustainable design solutions for land development.

Representative Projects

Consulting Landscape Architect, Manhattan, Illinois — Oversees and directs all landscape review and ordinance updates for the Village landscape codes. Reviews landscape recommendations, stormwater basin review for Best Management Practice and compliance with local codes and guidelines.

Consulting Landscape Architect, Frankfort, Illinois — Manages the Village's review for landscape improvements, stormwater basin design and ordinance review. Coordinates landscape inspections and bond release estimates.

Landscape Architect and Village Planner, Bloomingdale Illinois — Prepared landscape/site plan review and developer coordination for commercial, industrial and residential developments in the Village. Conducted inspections of completed landscape improvements for compliance with the approved landscape plans. Assisted the Village with design of specialty projects.

Landscape Architect Consultant, Tinley Park, Illinois — Directs PRI landscape review services for the Village. These services include initial review and recommendations for compliance with the Village Landscape Ordinance. Conducts landscape audits for completed projects and has assisted with site plan review of key developments including several mixed-use projects.

Consulting Landscape Architect, Orland Park, Illinois — Oversees and directs all landscape review and ordinance updates for the Village landscape codes. Reviews landscape recommendations and stormwater basin review for Best Management Practice.

Affiliations

American Society of Landscape Architects

Illinois Chapter American Society of Landscape Architects Past President

United States Green Building Council (USGBC)

Honorary Society of Tau Sigma Delta

Illinois Parks and Recreation Association - Affiliate Member

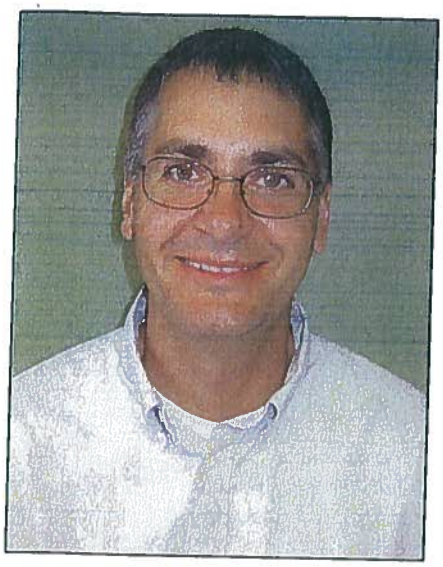
Special Assignments
Guest Lecturer, University of Illinois, Spring 1997

Guest Speaker, Harper College, Spring 1997

Speaker/Moderator, Integrating Natural Resource into Site Planning

ASLA advisory committee on LEED

Speaker at USGBC International Conference 2002 & 2003



Patrick T. Hickey
Senior Ecologist

Education
B.S. Natural Resource Management 1990, University of WI-Stevens Point

Registration
Certified Arborist (IL-1385A)
Kane County Wetland Review Specialist (#W-023)
Lake County Certified Wetland Specialist (#C-009)
Lake County Designated Erosion Control Specialist
Certified Prescribed Burn Manager (IDNR#10-056)
Licensed Pesticide Applicator (#CA04347162)

Introduction
Pat has been a certified arborist since 1998 and has performed over 50 tree inventories and assessments in northern Illinois. Other services include wetland delineations, plant community monitoring, native landscape design, wetland permitting, mitigation design, natural area assessments, wetland permit reviews, creek assessments, preparation of natural area restoration plans, sediment and erosion control inspections, threatened and endangered species surveys and installation and management of native vegetation.

Past Work Experience:

ENCAP, Inc.

Peace Corps

Kane-DuPage Soil and Water Conservation District

U.S. Fish and Wildlife Service

Representative Arboricultural Services

Batavia Park District, Batavia, Illinois –
Evaluated trees within a woodlot and prepared a long term woodland improvement plan.

Faganal Buliders, Batavia, Illinois –
Inventoried trees within a proposed residential subdivision and estimated potential impacts by underground utilities.

Private Landowner, DeKalb, Illinois –
Assessed replacement costs for trees impacted by overhead utility work.

Royal Fox Golf Club, St. Charles, Illinois –
Assessment and prognosis of tree injured by heavy machinery.

Wyndham Deerpoint, West Chicago, Illinois –
Inspected condition of planted trees within a residential subdivision and made recommendations for replacement.

Lake County Forest Preserve, Illinois –
Performed woody brush removal within sensitive natural areas.

Affiliations
American Society of Landscape Architects

International Society of Arboriculture

Brent C. Lewis, PLA, CA, ASLA
Senior Landscape Architect

Education
Bachelor of Science in Agriculture, emphasis in Ornamental Horticulture, 1997, Kansas State University

Master of Landscape Architecture, 2003, Kansas State University

Registration
Registered Landscape Architect: State of Illinois #157.001325
ISA Certified Arborist (Reg. #248013336)

Introduction
Brent provides experience as a Landscape Architect, Certified Arborist and Horticulturist, consulting with municipalities in their development processes and preparing landscape designs and construction documents. His experience covers a wide range of projects from residential and commercial developments to zoos, public parks and municipal projects.

Representative Projects

Landscape Plan Reviews and Landscape Inspections, Village of Orland Park, Illinois –
Serve as consulting landscape architect, providing ongoing landscape review/inspection and arborist inspection/review.

Landscape Plan Reviews and Landscape Inspections –
Serve as consulting landscape architect, providing ongoing landscape review/inspection.

Canadian National Railroad (CN) — Conducted tree survey and prepared preservation plan.

Consulting Landscape Architect, Manhattan, Illinois — Evaluated street tree replacement selections and locations based on need due to Emerald Ash borer impact.

Heritage Woodland Sanctuary Park, Lemont Township, Illinois –
Conducted tree survey in portions of 58 acre site and assisted with master plan creating context sensitive planting plans

Home Depot, Normal Illinois —
Conducted tree survey and prepared preservation plan.

PrairieWalk Pond, Lisle, Illinois –
Prepared landscape planting plan and implementation oversight for public park improvements.

Landscape Plan Reviews and Landscape Inspections, City of Hickory Hills, Illinois –
Serve as consulting landscape architect providing landscape development review work and providing design services as necessary.

Darrell E. Garrison, ASLA, RLA, CPSI
Principal/Director of Landscape Architecture

Education
Bachelor of Landscape Architecture, 1988, Ball State University
Bachelor of Environmental Design, 1988, Ball State University

Registration
Registered Landscape Architect: State of Illinois #157-000155
Certified Playground Safety Inspector, #3070-0507

Introduction
Darrell brings both an extensive knowledge of Landscape Architecture and an in depth understanding of public spaces; and how the people and children manipulate these spaces. Darrell has over 20 years of professional experience in park and recreation planning, urban design, site and physical planning and Landscape Architecture. He initiates design and planning concepts as well as oversees the implementation of all design related issues. He coordinates the efforts of the project team from the initial site analysis and programming through project completion. He has participated in a wide range of management and technical roles in site planning, landscape architectural design, streetscape enhancements, and park and recreation planning projects. His skills and interests lie in the development, coordination and implementation of inter-disciplinary projects from schematic design to the "built" project.

Representative Projects

General Landscape/Site Development Projects:

Better Boys Foundation (Kellman Recreation Center) Chicago, Illinois
Prepared master plan/design and construction documents

Clock Tower Plaza, Elk Grove Village, Illinois
Prepared design master plan and construction documents/specifications for a public plaza as part of the Village's Municipal Campus Complex

Floral Park, Northbrook, Illinois
Developed conceptual designs for a new park site and facilitated public involvement process. Conceptual plans followed the Sustainable Sites Initiative

Immersion learning Center, Brookfield Zoo, Brookfield, Illinois
Prepared conceptual designs for a new education center recreation site. Design concepts are based on sustainable design, LEED standards. Research included the understanding of cognitive play, imaginative play spaces and biomimicry

Bolingbrook High School, Bolingbrook, Illinois
Prepared master plan/design and coordinated construction documents for a new school site

Affiliations
Illinois Landscape Architect Registration Board – Member

American Society of Landscape Architects – Member

Illinois Chapter American Society of Landscape Architects – Public Service Chair

National Organization for Minority Architects-Affiliate Member

Illinois Chapter National Organization for Minority Architects – Affiliate Member

Illinois Parks and Recreation Association - Affiliate Member
Friends of Illinois Parks - Member

Special Assignments
Guest Lecturer, Township Officials of Illinois, November 2005, "The OSLAD Grant Process" Guest Lecturer

College of DuPage, 2003-2010, "Landscape Design & Presentation Graphics, Guest speaker

Juli E. Crane, PWS, LEED AP

Director of Environmental Studies

Education

M.S. Fisheries & Wildlife, Wetland Ecology emphasis, 1997, Utah State University
B.S. Wildlife & Range Resources 1987, Brigham Young University

Registration

Society of Wetland Scientists – Professional Wetland Scientist (#000917)
Kane County Wetland Review Specialist (#W-027)
Lake County Certified Wetland Specialist (#C-013)
LEED AP

Affiliations

The Nature Conservancy

Assoc. of State Wetland Managers

Illinois Native Plant Society

Society of Wetland Scientists

Society for Ecological Restoration

Arbor Day Foundation

Illinois Assoc. of Environmental Professionals

The Morton Arboretum

Chicago Botanic Garden

The Conservation Foundation

Pertinent Skills

Plan reviews relative to local ordinances for special management areas

Environmental submittal review/ permitting/wetland and natural area impact mitigation, restoration, and enhancement planning and design as well as compliance monitoring

Technical reviews

Introduction

Juli directs the environmental studies group for Planning Resources. With over 22 years of experience, she brings expertise in stormwater ordinance and technical manual development related to water quality and natural resources (e.g., wetlands, riparian areas, buffers, etc.). She offers special expertise in agency coordination and regulatory compliance for natural resources permitting and project implementation. As a member of various Village Planner interdisciplinary teams, she seeks to promote ecologically sound development in compliance with county- and village-adopted ordinances governing stormwater and corollary natural resources.

Representative Projects

Village of Montgomery, Montgomery, Illinois –
Plan review services for development submittals to ensure compliance

Montgomery Stormwater Basin Design Guidelines, Montgomery, Illinois –
Assisted with update of stormwater basin native landscape design guidelines

Village of Glen Ellyn General Assistance, Glen Ellyn, Illinois –
Attend pre- application meetings, verify and preformed wetland delineations and determinations and review site development plans to ensure compliance with codes

Plan Reviews, Various Communities, Illinois –
Reviewed site development plans pursuant to the Villages of Killdeer's Natural Area ordinance; reviewed landscape plans for compliance with wetland section of the Village of Orland Park's Landscape Development Code and more

DuPage County Stormwater Ordinance Compliance Reviews -
Reviewed development proposals for compliance relative to special management areas; tasks included participating in pre-application meetings, wetland verification, determination and delineation and reviews site development plans, and plan improvements

Steven M. Halberg, ASLA, RLA, CLARB
Senior Consultant

Education
Bachelor of Landscape Architecture, University of Illinois
Illinois Benedictine College, Masters of Business Administration
Finance Concentration
National Golf Foundation, Golf Management School 2-years
National Recreation and Park Association, Park Maintenance Management School 2-Years

Registration
Council of Landscape Architects Registration Board (CLARB)
Registered Landscape Architect: State of Illinois #157-000857
Registered Landscape Architect: State of Wisconsin #629-014

Introduction
Steve has more than 34 years of experience in the landscape architecture field; including 16 in park and recreation master planning, 7 in golf course management, and 15 years in the golf course architectural design field as principal designer and owner of David Gill/Steven Halberg Limited Golf Course Architects. He is a senior consultant of PRI in Wheaton. In addition to his design and management experience, Steve has served as an expert witness on multiple occasions in the evaluation of existing golf courses for the Forest Preserve District of DuPage County and brings much strength to project management.

Representative Projects
Oak Grove Golf Course, Harvard, Illinois
Principal designer and golf course architect for the design of the 18-hole Oak Grove Golf Course. Developed the routing plan to preserve significant Oak trees including developing the pre and post construction tree preservation and protection strategies

DuPage River Park Trail Project, Naperville, Illinois
Principal designer and landscape architect for the design and routing of the ¾ - mile multi-purpose trail from Washington Street to Waylon Lake Forest Preserve

Maple Meadows Golf Course Woodridge, Illinois
Principal designer and golf course architect for the design of the 18-hole Maple Meadows Golf Course. The course traversed a former tree nursery site

Forest Preserve District of DuPage County DuPage County, Illinois
Principal designer and landscape architect on numerous development projects, all of which included tree inventories and development of tree preservation

Affiliations
American Society of Landscape Architects (ASLA)

Illinois Chapter American Society of Landscape Architects – President-Elect 2010-2011

Illinois Chapter American Society of Landscape Architects – Past President 1995-1997

Illinois Chapter American Society of Landscape Architects- President Elect 1991-1993

Illinois Chapter American Society of Landscape Architects- Awards Committee 1991-1993

Illinois Chapter American Society of Landscape Architects- Treasurer 1988-1989

Midwest Institute of Park Executives

National Recreation and Park Association

Lori M. Vierow, RLA, ASLA, LEED AP BD+C
Assistant Director of Landscape Architecture

Education
Bachelor of Landscape Architecture, Iowa State University, 1992

Registration
Registered Landscape Architect: State of Illinois #157-001163
LEED AP BD + C #10318178

Introduction
As Assistant Director of Landscape Architecture, Lori provides nineteen years of experience in the landscape review for compliance with Village codes and the coordination of project teams from the initial site analysis through project completion, including construction observation and contract administration. She also directs the preparation of construction documents and coordinates interdisciplinary teams on a variety of projects. Her experience includes landscape design and construction documents for projects ranging from public parks, and urban streetscapes, to residential, commercial, and healthcare developments.

Lori currently serves as Secretary for the USGBC West Suburban Branch and is actively involved with Habitat for Humanity.

Representative Projects

Orland Park, Orland Park, Illinois -
Developed landscape ordinance update and reviews proposed landscape plans for compliance with Village codes

Tinley Park, Tinley Park, Illinois -
Prepared landscape reviews for compliance and conducted landscape inspections/audits

Tinley Park Metra Station, Tinley Park, Illinois -
Developed landscape planting plan and provided construction oversight of public plazas and landscape improvements

Elk Grove Entry Way Fountain, Elk Grove Village, Illinois –
Developed plans for a public fountain and landscape as part of the community's entry way

Algonquin Streetscape, Algonquin, Illinois –
Planned and designed public improvements and landscape plans for Harrison Street

Affiliations
American Society of Landscape Architects

United States Green Building Council: West Suburban Steering Committee

Morton Arboretum

Special Assignments
Guest Speaker, 2010 Mid-Am Trade Show, Sustainable SITES

Horticulture Instructor, College of DuPage, 1996-2010

Midewin Charrette Participant: A Burnham Centennial Activity, 2009

Guest Speaker, Illinois Park and Recreation Conference, 1997

References

PRI's repeat client base is a testament to our ability to provide accurate, cost-effective solutions to complex problems. Please feel free to contact the following references to learn more about our performance.

Client: Village of Montgomery
Contact: Jarad Chipman, AICP Planner
Services Provided: Landscape Plan Review and Inspection, Tree Preservation, Environmental Review
Telephone Number: (630)896-8080-1224

Client: Village of Orland Park
Contact: Kimberly Floam, Landscape Architect
Services Provided: Landscape Plan Review and Inspection, Tree Preservation, Wetland and Enviromental Review, Landsacpe Design, Grant Support
Telephone Number: (708) 403-6115

Client: Lake in the Hills
Contact: Dan Olson, AICP, Dir. Community Development
Services Provided: Landscape Plan Review and Inspection, landscape and site plan development
Telephone Number: (847) 960-7440

Client: Village of Summit
Contact: Chet Strzelczyk, Villlage Administrator
Services Provided: Streetscape Design Services
Telephone Number: (708)563-4814

Client: Village of Homewood
Contact: Maximilian Massi , P.E., Engineer
Services Provided: Landscape Design and Project Management
Telephone Number: (708) 206-2909

Client: City of Hickory Hills
Contact: Mike Howley, Mayor
Services Provided: Landscape Plan Review and Inspection, Streetscape Design
Telephone Number: (630) 560-1009 (work number)

Municipal Plan Review Process:

Plan Review and Audit – We have developed an easy-to-read format for relaying information related to tree preservation and landscape reviews. While we have provided these reviews for the Village in the past we are happy to provide additional samples of our work upon request. Our reviews relate to applicable zoning, subdivision, and control ordinances and codes established by the Village of Glen Ellyn. Our reviews follow proper and accepted arboriculture and horticulture standards for Northern Illinois and are respectful of the character of the established area. We pay special attention to the vision and desire of the community leaders and feel it is our responsibility to represent the Village in achieving this vision through consistent and defendable review.

Landscape Design Services – Our team of Professional Landscape Architects will provide design based on attention to detail and consideration of long term management and maintenance. Planning Resource's landscape architects follow a landscape principle based on sustainability and achieving long term results by selecting the right plant for the right place. This planning approach results in the establishment of landscapes that are environmentally diverse and landscapes that are fiscally responsible for the community.

Availability for Inspection – We understand that tree preservation and landscape inspections are often tied to the construction scheduling and receipt of occupancy permits. Therefore, we will respond to requests for site inspections and consultation within 48 hours of the request. We have five licensed landscape architects and two certified arborists within three- miles of the Village's offices. We feel this level of coverage allows our team to represent the Village in a timely and responsible manner.

Timeliness – All of our municipal clients have deadlines and timelines for submitting project reviews. We would commit to providing reviews within one week of receipt of plans and drawings for consideration of the Village. We also understand that, from time to time, there is a need for more expedited timeframes, and we will commit to assisting the Village to the best of our availability regarding rush projects. Given our depth and qualified staff we will work with the Village to cover all requests.

Progress Reports/Billings and Hourly Rates – Our work as consultant planners has enabled us to develop a billing system that includes progress reports for work that has been carried out on individual and specific projects in a given month. We provide this break out as support documentation for use in pass through billing by the Village. We have included a billing schedule in addition to the Village's outlined CONSULTING SERVICES FEE SCHEDULE. We are providing this for additional services the Village may from time to time request. Our staff of qualified professionals conducts reviews and inspections in a time efficient manner, without incurring unreasonable costs to either the Village or the petitioner. Most of our municipal clients enter into agreements with developers that require the developer, rather than the Village to pay for the cost of our services. If requested, we can provide an estimate of costs for our services that can be presented to the developer in advance.

c. property damage $10,000
d. worker's compensation as required by law

CONSULTING SERVICES FEE SCHEDULE

TPL consulting service fees are established by a combination of a fixed unit fee and/or an hourly rate. The fixed fee includes an unlimited number plan reviews, inspections and applicant contacts to obtain compliance with tree preservation requirements and completion of the work. Please complete the following fee schedule for your services and include this information in your proposal:

A. Fixed fee for Building Division tree preservation consulting services for single family lots:
   1. new single family home with demolition or on vacant parcel $ 400.00 each
   2. home addition or accessory structure over 300 square feet $ 250.00 each
   3. site improvements/grading/landscaping over 1,500 square feet $ 300.00 each

B. Hourly rate for Building or Planning Division tree preservation consulting services to investigate problems and complaints, propose suggestions and alternatives to resolve conflicts, and document violations to support enforcement actions:
   1. all new developments and existing properties upon request $ 100.00 per hour

C. Hourly rate for Planning Division commission project consulting services for subdivisions, special use projects, planned unit developments or any other commercial or multi-family development project except single family lots:
   1. commercial and multi-family developments $ 100.00 per hour

D. Hourly rate for Planning Division landscape design consulting services:
   1. plan, design and prepare bidding, permit, and construction documents for landscape improvement projects for the Village of Glen Ellyn $ 85-100.00 per hour

E. Hourly rate for Public Works Department tree preservation consulting services:
   1. projects on public property in the right of way $ 94.00 per hour

CONSULTANT SERVICES TERMS AND CONDITIONS

1. Applicants are expected to notify the Village of any discovered ambiguity, error, conflict, discrepancy, omission or other deficiencies in this RFP and request modifications or clarifications.

2. The TPL consultant must maintain a business in good standing and utilize staff with current and required certifications.

PLANNING RESOURCES INC.

Planning Resources Inc. offers unparalleled professional expertise combined with individualized service. We understand the importance of technical and regulatory requirements, and value the integrity of sensitive planning, community outreach and economic competitiveness.

LANDSCAPE ARCHITECTURE

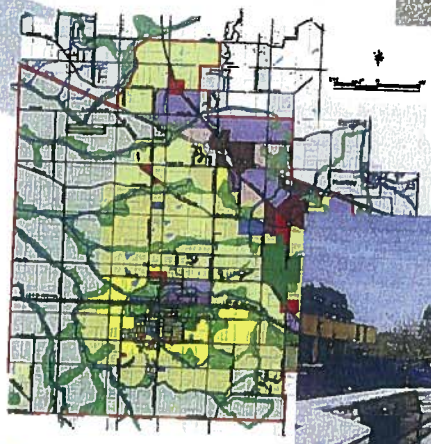
PRI's site design and planning enhances built and natural environments, respects the integrity of the ecological systems and provides creative spaces where people can enjoy their communities.

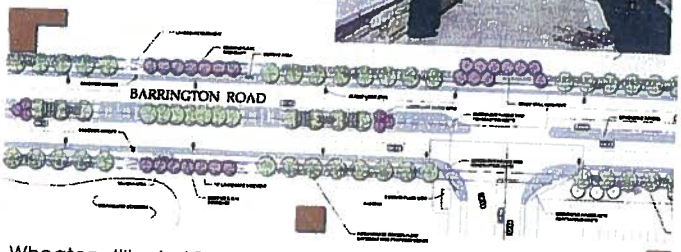
- *Site Planning & Design*
- *Community Enhancement*
- *Park & Recreation Planning*
- *Sports Facility Design*
- *Creative Play Area Design*
- *Construction Administration*
- *Urban Design*
- *Streetscape Design*
- *Landscape Design*
- *LEED Site Work*
- *Grant Support*
- *Healthcare Design*

COMMUNITY PLANNING

PRI's land use and redevelopment plans provide a vision for the future based on an understanding of the past, providing a framework from which communities can realize their social and economic goals, develop linkages to allow them to interact and create images to express who they are.

- *Comprehensive Land Use Plans*
- *Consulting Municipal Planning*
- *Site Plan Review*
- *Zoning Ordinances & Updates*
- *Public / Community Workshops*
- *Downtown Planning / Town Centers*
- *Transit-Oriented Design*
- *Redevelopment / Adaptive Re-Use*
- *Industrial Revitalization*
- *Sustainable / Green Planning*
- *Open Space Master Planning*
- *Public Surveys*





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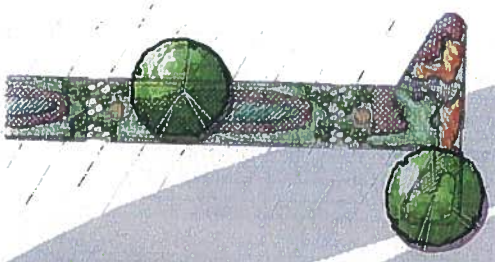
PLANNING RESOURCES INC.

Planning Resources Inc. specializes in community planning, landscape architecture, transportation planning and natural resources protection and management. Since its founding in 1982, Planning Resources has offered an interdisciplinary approach to projects, focusing on creating and maintaining livable communities.

NATURAL RESOURCES

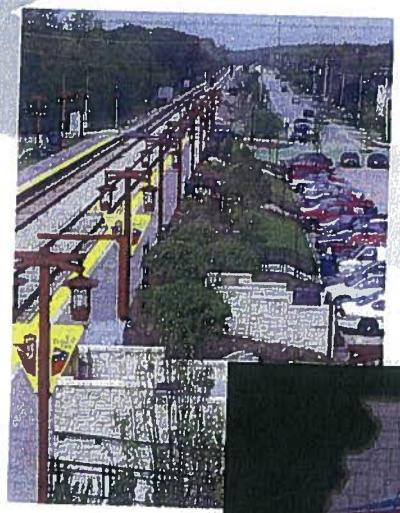


PRI approaches environmental analysis and planning as an opportunity to create a balance where human activities respect and co-exist with our natural surroundings in a functionally effective, ecologically sound and economically viable manner.

- *Streambank Stabilization Plans*
- *Threatened & Endangered Species*
- *Monitoring & Management Plans*
- *Wetland Delineation & Analysis*
- *Best Management Practices*
- *Native Landscape Design*
- *Regulatory Services*
- *Wildlife Habitat Analysis*
- *Wetland Mitigation*
- *Tree Surveys*

TRANSPORTATION PLANNING

PRI, an IDOT pre-qualified firm, applies an interdisciplinary approach to highway and rail projects, including the expansion of existing facilities and new facilities, in developing alternatives, public and agency involvement programs and regulatory agency documentation for transportation projects.



- *NEPA Documentation*
- *Environmental Assessment*
- *Alternatives Analysis*
- *Agricultural Impact Analysis*
- *Air, Noise & Water Quality Analysis*
- *Corridor & Feasibility Studies*
- *Land Use & Socio-Economic Analysis*
- *Corridor Enhancements*
- *Section 4(f), 6(f) and 106 Reports*

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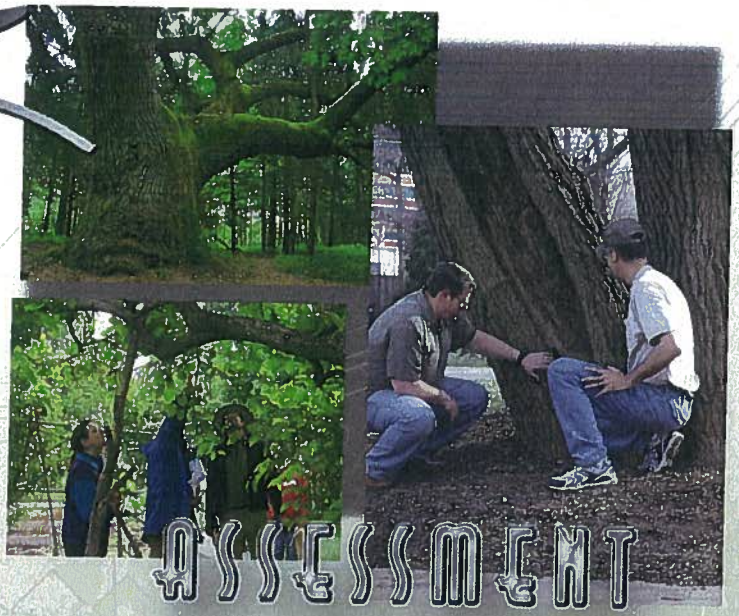
ARBORICULTURAL SERVICES

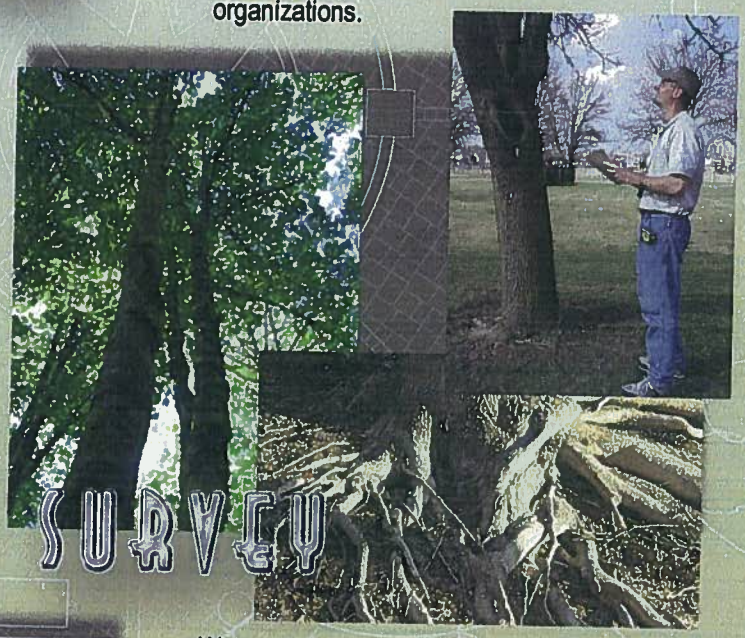


Our staff of Certified Arborists is dedicated to providing the highest quality tree and plant health care management services available. We specialize in all aspects of arboriculture in addition to a wide range of ecological services. As professional arborists, our goal remains the protection and beautification of a project site while maximizing aesthetic balance and enhancing environmental quality.

Planning Resources Inc. provides consulting services for both private clients and professionals in particular Surveyors, Architects, Landscape Architects, Municipal Planners, developers and land owners. We also provide a service for local authorities, statutory bodies and other organizations.

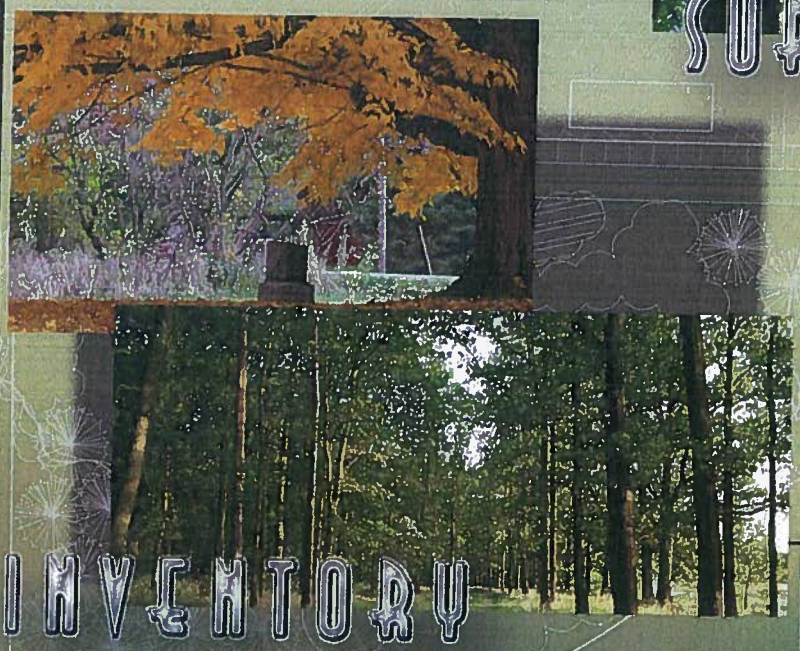
Providing Services in:

- Tree Inventory & Condition Assessment (Risk Assessment)
- Tree Preservation/Protection Plans (TPP)
- Woodland Surveys & Management Plans
- Arboricultural Tree Constraints Assessment (ATCS)
- Arboricultural Implication Assessment (AIA)
- Damage Assessment & Remediation Recommendations
- Selection of species and planting locations for trees
- Site Supervision of tree pruning, planting, transplanting and removals



We are strictly a consulting practice that provides a wide range of tree surveying and inspections that are tailored to suit the Client's requirements and range from single trees to large scale woodlands and urban forests.

We are a progressive professional practice with a dedicated, motivated and friendly staff who provide sympathetic and pragmatic solutions to tree and ecological management in both the urban and wider environment.



PRI PLANNING RESOURCES INC.
PLANNERS LANDSCAPE ARCHITECTS ECOLOGISTS

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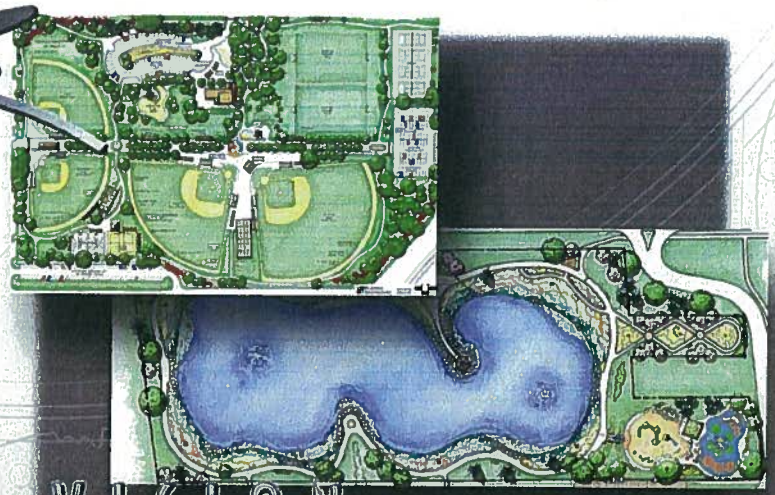
LANDSCAPE ARCHITECTURE



VISION

At Planning Resources we craft landscapes for public and private clients. Our designs blend art and science together in order to ensure environmentally sound plans and notably 'green' environments. Our landscape architects and designers are committed to providing sustainable design solutions as core principles of our practice. Implementation of the U.S. Green Building Council's LEED rating system into larger integrated projects in order to develop sustainable landscape solutions is imperative to our operation. Planning Resources Inc. strives to ensure environmentally sound designs.

Providing Services in:

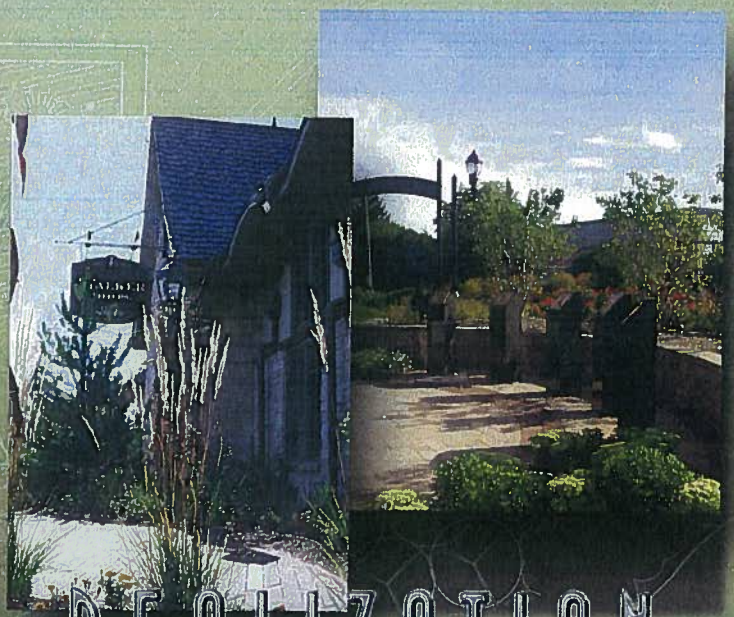
- Conceptual Design Development
- Preliminary and Final Design
- Construction Administration
- Maintenance Review
- Graphic Illustration
- Cost Analysis/Feasibility

Affiliations:

- American Society of Landscape Architects (ASLA)
- Illinois Park and Recreation Assoc. (IPRA)
- American Planning Association (APA)
- United States Green Bldg. Council (USGBC)

CREATIVITY

Our drawing process begins with considering and understanding the site along with the project program which culminate in unique and creative design solutions. Along that same line, our principles are rooted in stewardship, creativity, communication and collaboration. Our focus on attention to detail ensures successful projects through all phases of design from schematic to final implementation. Planning Resource's staff of landscape architects, planners and ecologists work together to provide an integrated team approach which ultimately develops sustainable designs. Through communication and collaboration we often work with architects, engineers and artisans to achieve notable projects. Our firm's creativity, technical competence and ability to translate design theory into successfully built environments enable us to undertake the most challenging of projects.



REALIZATION

PR PLANNING RESOURCES INC.
PLANNERS LANDSCAPE ARCHITECTS ECOLOGISTS

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ENVIRONMENTAL SERVICES

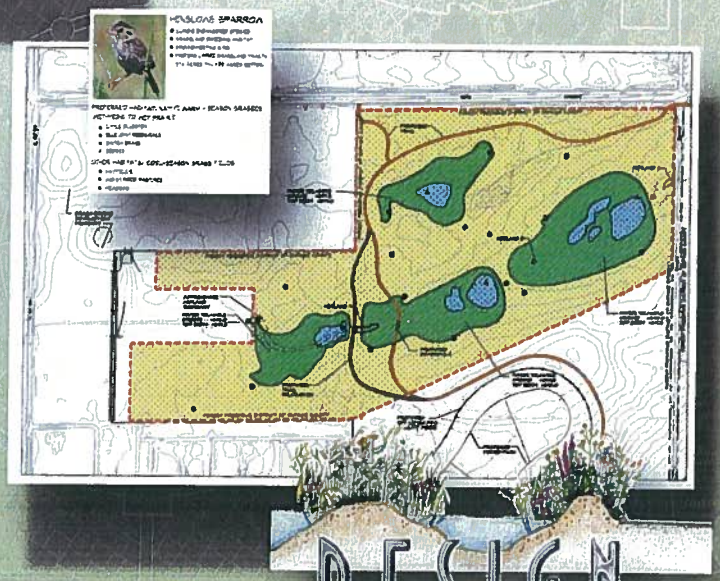
Planning Resources' interdisciplinary approach to natural resources issues focuses on ways to create livable communities that respect community heritage and meet today's needs for growth and development, while protecting and enhancing natural systems and resources for the benefit and health of future generations.

Planning Resources believes that the key to successful environmental planning is the culmination of thorough analysis, design integration and attention to detail in the implementation of development activities.

ANALYSIS

Providing Services in:

- Wetland Delineation/Planning
- Mitigation Design
- Natural Area Assessment
- Environmental Impact Assessment
- Naturalized Stormwater Basins
- Streambank Stabilization
- Threatened/Endangered Species Surveys
- Wildlife Habitat Analysis
- Water Quality Assessment
- Interpretive Signage



DESIGN

Our experienced staff of environmental scientists brings an understanding of both terrestrial and aquatic natural systems to the planning process. We work to achieve environmentally sound and legally defensible solutions. PRI personnel have years of regulatory experience, enabling us to assist with evironmental permitting and serve as technical representatives for local, state, and federal regulatory agencies in a cost effective manner.

IMPLEMENTATION

PRI PLANNING RESOURCES INC.
PLANNERS LANDSCAPE ARCHITECTS ECOLOGISTS

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ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 02/27/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER

Langan Haeger Vincent & Born
290 S. County Farm Rd, Suite T
Wheaton, IL 60187

CONTACT NAME:
PHONE (A/C, No, Ext): 630.668.6644 FAX (A/C, No): 630.668.4383
E-MAIL ADDRESS:
PRODUCER CUSTOMER ID #: 00002363

INSURED

Planning Resources Inc.
402 W. Liberty Drive
Wheaton, IL 60187

INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A:	Westfield Insurance Company	24112
INSURER B:	CNA Insurance Company	
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

COVERAGES **CERTIFICATE NUMBER: 2011/2012** **REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC			CWP3981650	06/27/2011	06/27/2012	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
							PRODUCTS - COMP/OP AGG	$ 2,000,000
								$
A	AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS X HIRED AUTOS X NON-OWNED AUTOS			CWP3981650	06/27/2011	06/27/2012	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
								$
A	X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DEDUCTIBLE RETENTION $			CWP3981650	06/27/2011	06/27/2012	EACH OCCURRENCE	$ 4,000,000
							AGGREGATE	$ 4,000,000
								$
								$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		WCP5074365	07/01/2011	07/01/2012	X WC STATU-TORY LIMITS OTH-ER	
							E.L. EACH ACCIDENT	$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000
B	Professional Liability			AEH-113815063	05/10/2011	05/10/2012	$2,000,000 Each Occr & Aggr $15,000 Self Insured Retention	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

FOR BIDDING PURPOSES ONLY

CERTIFICATE HOLDER

FOR BIDDING PURPOSES ONLY

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Michael J Reilly

Michael Reilly/KATHY

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Agreement for Professional Services
Between Planning Resources Inc.
and
Village of Glen Ellyn

May __, 2012

This AGREEMENT made and entered into this ____ day of May, 2012 by and between PLANNING RESOURCES INC., 402 WEST LIBERTY DRIVE, WHEATON, ILLINOIS 60187 (hereinafter referred to as the "CONSULTANT"), and the VILLAGE OF GLEN ELLYN, 535 DUANE STREET, GLEN ELYN, IL 60137 (hereinafter referred to as the "CLIENT"),

WITNESSETH THAT:

WHEREAS, the CLIENT desires to engage the services of the CONSULTANT to furnish ongoing consulting services and professional assistance services for the Village of Glen Ellyn, Illinois (hereinafter referred to as the "PROJECT"), and the CONSULTANT has signified their willingness to furnish technical and professional services to the CLIENT.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

A. Scope of Consultant's Services:

The CONSULTANT agrees to perform in a good and professional manner those services described in Attachment A, a copy of which is attached thereto and incorporated in this AGREEMENT.

B. Services to be provided by the Client:

The CLIENT shall provide one copy of applicable Village Ordinances, plans and policies. In the event that any information, data, reports, records and maps are existing and available to CLIENT and are useful for carrying out the work on this PROJECT, as determined by the sole discretion of the CLIENT, this information shall be promptly furnished to the CONSULTANT. Examples could include base maps, utility atlas, aerial photography, boundary survey, etc.

If, by reason of any fault of CLIENT, materials or services to be provided by the CLIENT are not made available to the CONSULTANT in a timely manner, the CONSULTANT may, at its option, notify CLIENT in writing, and stop work on the PROJECT until such materials or services are provided.

C. Changes:

The CLIENT may from time to time, require or request changes in the scope of services of the CONSULTANT to be performed hereunder. Such changes, including any appropriate increase or decrease in the amount of compensation, which are mutually agreed upon by and between the CLIENT and the CONSULTANT, shall be incorporated in written amendments to the AGREEMENT.

D. Consultant's Compensation:

The CONSULTANT shall be compensated for services rendered under the terms of Section E of this AGREEMENT. Services will be billed, monthly, according to the Consulting Services Fee Schedule attached. Time will be billed, by project, on a monthly basis.

E. Method of Payment:

The CONSULTANT shall submit invoices to the CLIENT not more often than once per month during the course of the work, for partial payment on account, for work completed to date. Such invoices shall represent the value of the partially completed work and shall be accompanied by a one to two-page progress report documenting the work accomplished at the end of the billing period. Invoices shall be due and payable within thirty (30) days of receipt by the CLIENT.

F. Time of Performance:

The services of the CONSULTANT will begin upon execution of this AGREEMENT by both parties. Absent causes beyond the control of the CONSULTANT, the CONSULTANT shall complete the work covered by this AGREEMENT within six (6) months from the date of notice-to-proceed. This AGREEMENT shall expire two (2) months after the scheduled completion date specified herein, unless the time is extended by mutual agreement of the CLIENT and CONSULTANT, as evidenced by an amendment to this AGREEMENT.

G. Hold Harmless:

Client and Consultant each agree to indemnify and hold the other harmless, and their respective officers, employees, agents, and representatives from and against liability for all claims, losses, damages, and expenses, including reasonable attorney's fees, to the extent such claims, losses, damages, or expenses are caused by the indemnifying party's negligent acts, errors, or omissions. In the event claims, losses, damages, or expenses are caused by the joint or concurrent negligence of the Client and Consultant, they shall be borne by each party in proportion to its negligence.

H. Termination:

This AGREEMENT may be terminated by either party upon seven (7) days written notice should the other party fail substantially to perform in accordance with its terms through no fault of the party initiating the termination. This AGREEMENT may be terminated by the CLIENT

upon at least seven (7) days' written notice to the CONSULTANT in the event that the PROJECT is abandoned by the CLIENT.

In such event, all finished and unfinished documents and work papers prepared by the CONSULTANT under the AGREEMENT shall become the property of the CLIENT and the CONSULTANT shall receive the compensation to which it is entitled based upon hours of work performed and expenses incurred in accordance with Sections D and E.

I. Nondiscrimination:

The CONSULTANT agrees not to discriminate by reason of age, race, religion, color, sex, national origin, or handicap unrelated to the duties of a position, of applicants for employment, promotion, demotion or transfer, recruitment, layoff or termination, compensation, selection for training, or participation in recreational and educational activities. This contract is subject to and governed by the rules and regulations of the Illinois Fair Employment Practices Act.

J. Contract Documents:

The contract documents that constitute the entire AGREEMENT between the CLIENT and the CONSULTANT shall include the following component parts, all of which are attached hereto and shall be deemed to be a part hereof just as though set forth in full in this AGREEMENT.

Attachment A – Consulting Services Fee Schedule

K. Excusable Delays:

The CONSULTANT shall not be in default by reason of any failure in performance of this AGREEMENT in accordance with its terms (including any failure by the CONSULTANT to make progress in the prosecution of the work hereunder which endangers such performance) if such failure arises out of causes beyond the control and without the fault or negligence of the CONSULTANT. Such causes may include, but are not restricted or limited to, acts of God or of the public enemy, acts of government in either the sovereign or contractual capacity, fires or floods, but in every case, if the failure to perform is beyond the control and without the fault or negligence of the CONSULTANT, the CONSULTANT shall not be deemed to be in default.

L. Extra Work:

No extra work will be undertaken without written authorization. If requested and authorized in writing by the CLIENT, the CONSULTANT will be available to furnish, or obtain from others, extra work of the following types:

1. Extra work due to changes in the general scope of the study including, but not limited to, changes in size, complexity or character of the work items.

2. Additional or extended services due to: (a) the prolongation of the AGREEMENT time through no fault of the CONSULTANT, (b) the acceleration of the work schedule involving services beyond normal working hours, or (c) non-delivery of any materials,

data or other information to be furnished by the CLIENT or others not within the control of the CONSULTANT.

3. Other additional services requested and authorized by the CLIENT that are not otherwise provided for under this AGREEMENT.

4. Attendance at additional meetings beyond those made part of this AGREEMENT and described in Attachment A.

The costs and schedule for completing extra work authorized by the CLIENT shall be subject to negotiation between the CLIENT and the CONSULTANT in accordance with the provision of Paragraph C (Changes) and Paragraph E (Method of Payment) of this AGREEMENT.

M. Validation of Agreement:

The terms of this AGREEMENT will become valid upon execution by both parties:

IN WITNESS WHEREOF, the CLIENT and the CONSULTANT have executed this AGREEMENT on the date and year first above written.

CONSULTANT:	CLIENT:
PLANNING RESOURCES INC.	VILLAGE OF GLEN ELLYN
By: _____ Name	By: _____ Name
Title: Principal	Title: _____
Date: 5/25/12	Date: _____

Attachment A

CONSULTING SERVICES FEE SCHEDULE

TPL consulting service fees are established by a combination of a fixed unit fee and/or an hourly rate. The fixed fee includes an unlimited number plan reviews, inspections and applicant contacts to obtain compliance with tree preservation requirements and completion of the work. Please complete the following fee schedule for your services and include this information in your proposal:

A. Fixed fee for Building Division tree preservation consulting services for single family lots:

1. New single family home with demolition or on vacant parcel — $ 190.00 each

A-1. New single family home with demolition or on vacant parcel

- Review plan and application to provide comment
- Conduct site inspection to review species/protective measures
- Conduct final review and document for village records

Additional site meeting in excess of five will result in time and materials fee assessment for consulting visits

2. Home addition or accessory structure over 300 square feet — $ 150.00 each

A-2. Home addition or accessory structure over 300 S.F.

- Conduct on site meeting to examine extent of impact and review proposed measures
- Conduct one follow up site inspection to verify compliance
- Record and file necessary documentation

3. Site improvements/grading/landscaping over 1,500 square feet — $ 200.00 each

A-3. Site improvement/grading/~~landscaping over~~ 1500 S.F.

- Review proposed site improvement plan to determine impact potential
- Conduct on-site inspection to evaluate proposed action
- Verify protective measures of tree preservation plans are in place prior to operations
- Record and file necessary documentation

B. Hourly rate for Building or Planning Division tree preservation consulting services to investigate problems and complaints, propose suggestions and alternatives to resolve conflicts, and document violations to support enforcement actions:

1. All new developments and existing properties upon request — $100.00 hr

C. Hourly rate for Planning Division commission project consulting services for subdivisions, special use projects, planned unit developments or any other commercial or multi-family development project except single family lots:

1. Commercial and multi-family developments — $100.00 hr

D. Hourly rate for Planning Division landscape design consulting services:

1. Plan, design and prepare bidding, permit, and construction documents for landscape improvement projects for the Village of Glen Ellyn — $ 85-100.00 hr

E. Hourly rate for Public Works Department tree preservation consulting services:

1. Projects on public property in the right of way — $ 94.00 hr

CONSULTANT SERVICES TERMS AND CONDITIONS

1. Applicants are expected to notify the Village of any discovered ambiguity, error, conflict, discrepancy, omission or other deficiencies in this RFP and request modifications or clarifications.
2. The TPL consultant must maintain a business in good standing and utilize staff with current and required certifications.

Respectively Submitted as modification to our Proposal of April 19, 2012

5/17/12

Keven Graham, ASLA, RLA
Principal/COO
Planning Resources Inc.

A-6D

MEMORANDUM

TO: Mark Franz, Village Manager

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

DATE: June 4, 2012

RE: June 11, 2012 Village Board Meeting
Zoning Variations Request for 243 Hawthorne Boulevard

Background

The property owners, Yibing (Brian) Xue and Wei Song, are requesting approval of two variations from the Glen Ellyn Zoning Code to allow interior lot zoning regulations to apply to this corner lot. The zoning variations that would be required between an interior lot and corner lot are as follows:

1. Section 10-4-8(D)4 to allow the minimum interior side yard setback of 8.3 feet in lieu of the minimum required corner side yard setback of 30 feet and;
2. Section 10-4-8(D)8 to allow the minimum interior lot width of 66 feet in lieu of the minimum required corner lot width of 80 feet.

The subject property is a corner lot located on the southeast corner of the intersection of Hawthorne Boulevard and Limits Street in the R2 Residential District. The property owners purchased this property in 2011 and demolished the existing home in anticipation of constructing a new home on the property. They have come to realize that the property is a corner lot and not an interior lot. This is not an obvious corner lot since Limits Street is an unimproved dead end and appears to be a vacant interior lot 66 feet wide on Hawthorne Boulevard. The plans they submitted for the proposed new home on the property cannot be accommodated on this corner lot without a side yard setback variation. While the requested variation for a minimum lot width of 66 feet has no immediate impact on their development plans, it could be beneficial should the applicant consider the purchase and development of the possible vacated Limits Street parcel in the future.

Notice of the public hearing was published in the Daily Herald on April 20, 2012. The Zoning Board of Appeals conducted a public hearing on the requested variations on Tuesday, May 8, 2012. At the meeting, no persons spoke in favor of or in opposition to the variations requested.

Issues

The Zoning Board of Appeals was in favor of the variations because they felt that there are practical difficulties or particular hardships in the application of the Zoning Code regulations to this corner lot. Compliance with the zoning code would require a significant 30-foot corner side yard setback along Limits Street. It is unlikely that Limits Street will ever be improved and the

right-of-way may be vacated or made available for sale to the public. If and when this should occur in the future, the 243 Hawthorne property would become an interior lot. The attached Memo dated May 2, 2012 from Bob Minix further states that the Public Works Department has no interest in improving Limits Street and has no utility improvements on the parcel.

Recommendation

The Zoning Board of Appeals voted on a motion to recommend approval of the variation requests which carried with six (6) "yes" votes and zero (0) "no" votes. In accordance with this recommendation staff has prepared an ordinance to **approve** the requested variations.

Action Requested

It is requested that the Village Board consider the petitioners' request, the recommendation offered by the Zoning Board of Appeals, and any further evidence or testimony presented at the Village Board Meeting and grant, deny or amend the variations requested.

Attachments

- Minutes of ZBA meeting dated May 8, 2012
- Photo of the Subject Property
- Location Map
- Ordinance
- Notice of Public Hearing
- List of Addresses
- Memo from Bob Minix dated May 2, 2012
- Petitioners' Application packet
- Supplemental Information Submitted at May 8, 2012 ZBA Meeting

CC: Yibing (Brian) Xue and Wei Song

X:\Plandev\BUILDING\ZBA\MEMOS\HAWTHORNE243-SIDE,WIDTH.doc

DRAFT
ZONING BOARD OF APPEALS
MINUTES
MAY 8, 2012

The meeting was called to order by Chairman Richard Garrity at 7:31 p.m. Present were Zoning Board Members Gregory Constantino, Gary Fasules, Edward Kolar, Mary Loch and Dale Siligmueller. Board Members Barbara Fried and Piotr Szczesniewski were 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.

ZBA Member Kolar moved, seconded by ZBA Member Constantino, to recommend approval of the April 10, 2012 Zoning Board of Appeals minutes. The motion carried unanimously by voice vote.

One public hearing was on the agenda for the property at 243 Hawthorne Street.

PUBLIC HEARING – 243 HAWTHORNE BOULEVARD
A REQUEST FOR APPROVAL OF TWO VARIATIONS FROM THE GLEN ELLYN ZONING CODE TO ALLOW THE MINIMUM REQUIRED INTERIOR LOT SIDE YARD SETBACK AND INTERIOR LOT WIDTH TO APPLY TO THIS CORNER LOT AS FOLLOWS: 1. SECTION 10-4-8(D)4 TO ALLOW A MINIMUM REQUIRED CORNER SIDE YARD SETBACK OF 10% OF THE LOT WIDTH, BUT NOT LESS THAN 6.5 FEET, IN LIEU OF THE MINIMUM REQUIRED CORNER SIDE YARD SETBACK OF 30 FEET FOR A CORNER LOT. 2. SECTION 10-4-8(D)8 TO ALLOW A MINIMUM REQUIRED LOT WIDTH OF 66 FEET IN LIEU OF THE MINIMUM REQUIRED LOT WIDTH OF 80 FEET FOR A CORNER LOT.
(Yibing (Brian) Xue and Wei Song, petitioners)

Staff Report

Building and Zoning Official Joe Kvapil stated that Brian Xue and Wei Song, owners of 243 Hawthorne Boulevard, are requesting approval of two (2) variations for a change of classification of the subject corner lot at 243 Hawthorne Boulevard to a regular interior lot. Mr. Kvapil stated that the two differences between an interior lot and a corner lot are the corner side yard setback and the required lot width. He also stated that the two variations being requested are: 1. To allow a minimum required corner side yard setback of 10% of the lot width but not less than 6.5 feet in lieu of the minimum required corner side yard setback of 30 feet for a corner lot. 2. To allow a minimum required lot width of 66 feet in lieu of the minimum required lot width of 80 feet for a corner lot. Mr. Kvapil added that the petitioner will need to clarify variation number 2 so that the ZBA members can determine if that variation is appropriate and required.

Mr. Kvapil displayed a map and a photograph of the subject property which included a house that has was demolished in 2008. He stated that the subject property is located in the R2 Zoning District and is a corner lot on the southeast corner of Hawthorne Boulevard and Limits Street. He stated that no variations have been granted for the subject property in the past.

Mr. Kvapil stated that the owners are proposing to construct a single-family home on the property and he displayed a site plan. He stated that the subject corner lot meets the minimum 80-foot by 110-foot dimensions as well as the minimum 8,712 square foot area requirement dimension for a corner lot in the R2 zoning district. He also stated that the minimum required corner side yard setback along Limits Street is 30 feet, the side yard setback is 10% of the lot width or 8.34 feet, and the rear yard setback is 40 feet. He also described the dimensions for a possible future lot located to the west of the subject property that is currently the Limits Street unimproved right-of-way. He also referred the ZBA members to a letter from Village Engineer Bob Minix stating that no future use is intended for development on Limits Street and that he is aware of no Village utilities located in this parcel.

Petitioners' Presentation

Yibing (Brian) Xue, the petitioner, 413 Second Place, Glendale Heights, Illinois, spoke regarding the subject requests. Mr. Xue stated that he would like to change his lot at 243 Hawthorne Boulevard from a corner lot to an interior lot. He displayed an aerial map of the subject area and described the surrounding land uses. Mr. Xue stated that the unique circumstance regarding his request is that Limits Street will never be improved to the west. He added that the Village has no infrastructure on this land and has vacated a portion of Limits Street which indicates no intention to develop the land at any time in the future. Mr. Xue stated that the subject lot is 83 feet wide and because the corner side yard setback is required to be 30 feet from the street, only 44 feet of buildable area would be available for a new home. He added that one-third of the buildable area will be not be able to be used. Mr. Xue also stated that if the building codes are strictly followed, the house that will be constructed will be disproportionate which would detract from its appearance in the neighborhood. Mr. Xue stated that the classification change from an R2 corner lot to a regular R2 interior lot would not negatively affect the geographical or physical features of the zoning area and would not change the essential character of the neighborhood. He stated that if the variation is approved, his home will be more centrally located on the lot and more space will be created between his home and the home next door which will decrease fire hazards and allow more light exposure to both houses. Mr. Xue stated that he has learned that the Village believes that Limits Street would be a potential safety hazard if used as a regular street because of a change in the traffic pattern that would impact children attending the nearby school and daycare center.

Mr. Xue summarized that the subject lot has no outward characteristics of a corner lot because the right-of-way is unbuilt and will never be built; therefore, the lot is an interior lot in every way except the name. He also stated that he believes the lot classification is outdated and serves no practical purpose because the Village vacated a portion of the lot

in the past. He added that the requested change will not disturb the community in the Village of Glen Ellyn and will make land use more efficient and reasonable.

Mr. Xue stated that he spoke with neighbors in the subject area who signed a petition in favor of the subject request.

Responses to Questions from the ZBA

Mr. Kvapil clarified for ZBA Member Constantino that the second variation is not required because the subject lot meets the qualifications for minimum width of both a corner lot and interior lot. Mr. Kvapil added that the variation may prove beneficial if the petitioner had development plans for the subject lot and the lot to the west. ZBA Member Fasules inquired why the Village added a second variance that the petitioner had not requested. Mr. Kvapil responded that the variation request included "a change to a regular interior lot" and that the two requirements that apply to a regular interior lot are that the lot width would have to be reduced to the minimum required 66 feet and side yard setbacks would be reduced to 10 percent of the lot width but not less than 6-1/2 feet. Mr. Kvapil responded to ZBA Member Fasules that there are interior lots in the Village that are wider than 66 feet and that the subject lot can be granted interior status. Mr. Kvapil responded to ZBA Member Kolar that neither 243 Hawthorne Boulevard nor Limits Street right-of-way is in a designated flood area. Mr. Kvapil also responded to ZBA Member Kolar that the City of Wheaton would not be involved in the Village's actions regarding this request.

Persons in Favor of or in Opposition to the Petition

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

Comments from the ZBA

All of the ZBA Members were in favor of the subject variation requests. ZBA Member Constantino commented that he was not sure that Variation 2 was necessary as future plans for the site are unknown. He also stated that there is no likelihood that Limits Street will be opened up for a variety of reasons and the fact that the subject lot is on Limits Street makes it unique and creates a hardship.

Motion

ZBA Member Constantino moved, seconded by ZBA Member Loch, to recommend approval of a request for two variations from the Glen Ellyn Zoning Code for property at 243 Hawthorne Boulevard to allow the minimum required interior lot side yard setback and interior lot width to apply to this corner lot as follows: 1. Section 10-4-8(D)4 to allow a minimum required corner side yard setback of 10% of the lot width, but not less than 6.5 feet, in lieu of the minimum required corner side yard setback of 30 feet for a corner lot; 2. Section 10-4-8(D)8 to allow a minimum required lot width of 66 feet in lieu of the minimum required lot width of 80 feet for a corner lot. The recommendation

for approval is based on the unique circumstances created by the fact that the lot is situated next to a dedicated but unimproved right-of-way known as Limits Street.

The motion carried unanimously with six (6) "yes" votes as follows: ZBA Members Constantino, Loch, Fasules, Kolar, Siligmueller and Chairman Garrity voted yes; no ZBA Members voted no.

Trustee Report

Trustee Cooper stated that there is currently a proposal to redevelop the parcel on the corner of Sheehan Avenue and Route 53 for 20-26 houses that will be before the Plan Commission in the near future. He also stated that the College of DuPage has submitted a substantial request for variances to DuPage County regarding future plans for COD. Trustee Cooper also stated that the Village passed the budget on April 23, 2012. He also announced that the Jazz Fest is currently in flux. Trustee Cooper also provided the ZBA members with information regarding his lone dissent vote due to the removal of three trees on at 622 Oak Street prior to a zoning variation request.

Staff Report

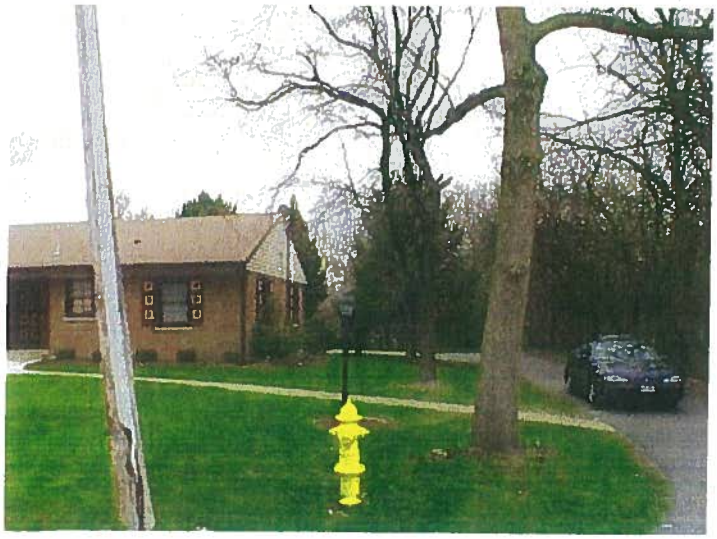
Mr. Kvapil stated that two variations will be on the next ZBA agenda on May 22, 2012.

The meeting was adjourned at 8:20 p.m.

Submitted by:
Barbara Utterback
Recording Secretary

Reviewed by:
Joe Kvapil
Building & Zoning Official

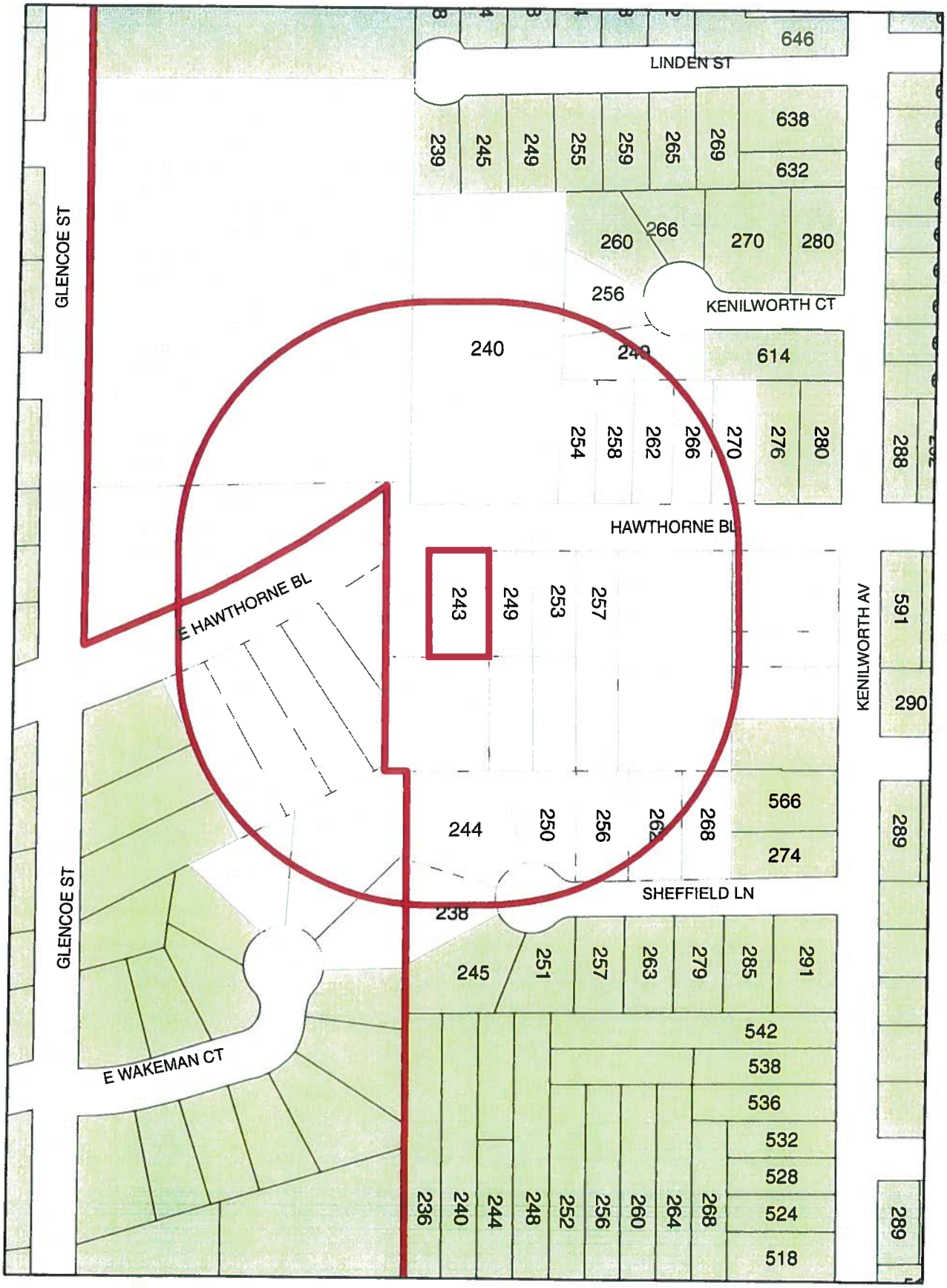
243 HAWTHORNE



NOTE:

RESIDENCE WAS DEMOLISHED ON 4/21/08

243 Hawthorne Boulevard



Prepared By: Planning and Development Department
Date Printed: April 20, 2012

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N

Village of Glen Ellyn

Ordinance No. _____

An Ordinance Approving Variations from the Corner Side Yard Setback and Corner Lot Width Requirements of the Zoning Code to Allow the Construction of a New Single Family Residence for Property at 243 Hawthorne Boulevard Glen Ellyn, IL 60137

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

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

Ordinance No. _____

An Ordinance Approving Variations from the Corner Side Yard Setback and Corner Lot Width Requirements of the Zoning Code to Allow the Construction of a New Single Family Residence for Property at 243 Hawthorne Boulevard Glen Ellyn, IL 60137

Whereas, Yibing (Brian) Xue and Wei Song, owners of the property at 243 Hawthorne Boulevard, Glen Ellyn, Illinois, which is legally described as follows:

> Lot 8 in George J. Ball Subdivision, being a subdivision of Lot 1 (except the west 160 feet of the east 310 feet thereof) in Block 3 of Robertson's Seventh Addition to Glen Ellyn, in the west ½ of Section 10, Township 39 North, Range 10 East of the Third Principal Meridian, according to the Plat of said George J. Ball Subdivision, recorded November 29, 1947 as document 535141, in the DuPage County, Illinois.
>
> P.I.N.: 05-10-403-057

have petitioned the President and Board of Trustees of the Village of Glen Ellyn for two variations from the Glen Ellyn Zoning Code as follows:

> 1. Section 10-4-8(D)4 to allow the minimum interior side yard setback of 8.3 feet in lieu of the minimum required corner side yard setback of 30 feet and;
> 2. Section 10-4-8(D)8 to allow the minimum interior lot width of 66 feet in lieu of the minimum required corner lot width of 80 feet.

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 May 8, 2012, at which the petitioners presented evidence, testimony, and exhibits in support of the variation requests and no persons appeared in favor of the variations and no persons appeared in opposition thereto; and

Whereas, based upon the evidence, testimony, and exhibits presented at the public hearing on May 8, 2012, the Zoning Board of Appeals adopted findings of fact and voted on a motion to approve the Variations, which carried by a vote of six (6) "yes" and zero (0) "no," resulting in a unanimous recommendation for approval as set forth in its draft Minutes dated May 8, 2012, 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 since the existing corner lot is adjacent to an unimproved dead end right-of-way that is unlikely to be improved as a road and more likely to be developed with a single-family residence in the future;

B. That the variations, if granted, will not alter the essential character of the locality since the zoning variations, if granted, establish regulations that are identical to any other interior lot in the zoning district;

C. That the particular physical surroundings bring practical difficulty or particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out since the requirements for a side yard setback and lot width for a corner lot are greater than the same requirements for an interior lot;

D. That the conditions upon which the variations are based would not be applicable generally to other property within the same zoning district since the location, size and conditions of the subject private property and adjacent unimproved right-of-way property are unique within the Village;

E. That the purpose of the variations is not based exclusively upon a desire to make more money out of the property since the applicants intend to improve the property with a single-family residence for their own occupancy and use;

F. That the practical difficulty or particular hardship has not been created by any persons presently having an interest in the property since the existing right-of-way conditions existed prior to the applicant's purchase of the property;

G. That the variations 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 development is a permitted single-family residence in a residential zoning district;

H. That the variations will not substantially increase the hazard from fire or other dangers to said property or adjacent property and not otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village since the construction will be completed in accordance with all building and zoning regulations;

I. That the variations will not diminish or impair property values within the neighborhood since property development generally increases property values;

J. That the variations will not unduly increase traffic congestion in the public streets and highways, result in an increase in public expenditures, or create a nuisance since the development is a permitted single-family residential use in a residential zoning district;

K. That the variations are the minimum variations that will make possible the reasonable use of the land, building or structure since they do not reduce the side yard setback and lot width requirements beyond the requirements for an interior lot: and

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

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

Section One: The draft Minutes of the May 8, 2012 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 two variations from the Glen Ellyn Zoning Code as follows;

1. Section 10-4-8(D)4 to allow the minimum interior side yard setback of 8.3 feet in lieu of the minimum required corner side yard setback of 30 feet and;
2. Section 10-4-8(D)8 to allow the minimum interior lot width of 66 feet in lieu of the minimum required corner lot width of 80 feet.

to allow the construction of a new single-family residence at 243 Hawthorne Boulevard, Glen Ellyn, Illinois, which is legally described as follows:

Lot 8 in George J. Ball Subdivision, being a subdivision of Lot 1 (except the west 160 feet of the east 310 feet thereof) in Block 3 of Robertson's Seventh Addition to Glen Ellyn, in the west ½ of Section 10, Township 39 North, Range 10 East of the Third Principal Meridian, according to the Plat of said George J. Ball Subdivision, recorded November 29, 1947 as document 535141, in the DuPage County, Illinois.

P.I.N.: 05-10-403-057

Section Three: This grant of variations to construct a new single-family residence is conditioned upon the driveway approach being constructed on Hawthorne Boulevard, the construction being completed in substantial conformance with the plans and the Application for Variation received by the Planning & Development Department and signed on March 30, 2012, and the testimony and exhibits provided at the May 8, 2012 Zoning Board of Appeals public hearing.

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

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

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

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

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this ____ day of _____, 2012.

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\HAWTHORNE243-SIDE,WIDTH.doc

NOTICE OF PUBLIC HEARING

Yibing Xue (Brian) and Wei Song, owners of the property at 243 Hawthorne Boulevard, are requesting a public hearing for two variations in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code. The owners would like to pursue development of a single-family home on this property and modify the minimum required corner side yard setback and corner lot width to the minimum required for an interior lot. The Glen Ellyn Zoning Board of Appeals will conduct a public hearing to consider these Variations on **May 8, 2012** 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 two variations from the Glen Ellyn Zoning Code as follows:

1. Section 10-4-8(D)4 to allow a minimum required corner side yard setback of 10% of the lot width, but not less than 6.5 feet, in lieu of the minimum required corner side yard setback of 30 feet for a corner lot.
2. Section 10-4-8(D)8 to allow a minimum required lot width of 66 feet in lieu of the minimum required lot width of 80 feet for a corner lot.
3. Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

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

Lot 8 in George J. Ball Subdivision, being a subdivision of Lot 1 (except the west 160 feet of the east 310 feet thereof) in Block 3 of Robertson's Seventh Addition to Glen Ellyn, in the west ½ of Section 10, Township 39 North, Range 10 East of the Third Principal Meridian, according to the Plat of said George J. Ball Subdivision, recorded November 29, 1947 as document 535141, in the DuPage County, Illinois.

P.I.N.: 05-10-403-057

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 Friday, April 20, 2012)

X:\Plandev\BUILDING\ZBA\PUBLIC NOTICE\HAWTHORNE-243.doc

GLEN ELLYN EVANGELICAL
OR CURRENT OWNER
AWTHORNE & KENIL
GLEN ELLYN IL 60137

ALLGAIER, MARK C & SUSAN
OR CURRENT OWNER
262 HAWTHORNE BLVD
GLEN ELLYN IL 60137

SCHOOL DISTRICT NO 41
OR CURRENT OWNER
793 N MAIN ST
GLEN ELLYN IL 60137

DAMER, NORMAN & BETTY LOU
OR CURRENT OWNER
195 FAIRVIEW AVE
ELMHURST IL 60126

DOMANADA FOUNDATION
OR CURRENT OWNER
209 E LIBERTY DR
WHEATON IL 60187

NORTH STAR TR 09-11486
OR CURRENT OWNER
1818 E HAWTHORNE BLVD
WHEATON IL 60187

SCHOOL DISTRICT NO 41
OR CURRENT OWNER
793 N MAIN ST
GLEN ELLYN IL 60137

BERGER, GERALD & DEBORAH
OR CURRENT OWNER
256 KENILWORTH CT
GLEN ELLYN IL 60137

WRENN, STEVEN
OR CURRENT OWNER
1812 E HAWTHORNE BLVD
WHEATON IL 60187

GLEN ELLYN EVANGELICAL
OR CURRENT OWNER
AWTHORNE & KENIL
GLEN ELLYN IL 60137

SOCHACKI, JANUSZ& E
OR CURRENT OWNER
268 SHEFFIELD LN
GLEN ELLYN IL 60137

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

JACKY, RICHARD E
OR CURRENT OWNER
266 HAWTHORNE
GLEN ELLYN IL 60137

ALEXANDER, SUSAN D
OR CURRENT OWNER
256 SHEFFIELD LN
GLEN ELLYN IL 60137

GLEN ELLYN EVANGELICAL
OR CURRENT OWNER
277 HAWTHORNE ST
GLEN ELLYN IL 60137

GLEN ELLYN EVANGELICAL
OR CURRENT OWNER
277 HAWTHORNE BLVD
GLEN ELLYN IL 60137

RITTER, DAVID & CYNTHIA
OR CURRENT OWNER
1810 E HAWTHORNE BLVD
WHEATON IL 60187

GLEN ELLYN EVANGELICAL
OR CURRENT OWNER
277 HAWTHORNE ST
GLEN ELLYN IL 60137

GLEN ELLYN EVANGELICAL
OR CURRENT OWNER
AWTHORNE & KENIL
GLEN ELLYN IL 60137

FOURNIER, LINDA
OR CURRENT OWNER
249 HAWTHORNE BLVD
GLEN ELLYN IL 60137

G E EVANGELICAL COVENANT
OR CURRENT OWNER
277 HAWTHORNE ST
GLEN ELLYN IL 60137

BUSCH, HENRY O
OR CURRENT OWNER
254 HAWTHORNE
GLEN ELLYN IL 60137

CHOLEWINSKI, RICHARD
OR CURRENT OWNER
249 KENILWORTH CT
GLEN ELLYN IL 60137

GLEN ELLYN EVANGELICAL
OR CURRENT OWNER
AWTHORNE & KENIL
GLEN ELLYN IL 60137

WARMOLTS, JEFFREY C & W E
OR CURRENT OWNER
262 SHEFFIELD LN
GLEN ELLYN IL 60137

BURT JR, HENRY J
OR CURRENT OWNER
250 SHEFFIELD LN
GLEN ELLYN IL 60137

GLEN ELLYN EV COVENANT
OR CURRENT OWNER
277 HAWTHORNE ST
GLEN ELLYN IL 60137

HILDEBRAND, ROBERT L
OR CURRENT OWNER
680 ESSEX RD
GLEN ELLYN IL 60137

CALUWAERT, JOHN & KATHY
OR CURRENT OWNER
244 SHEFFIELD LN
GLEN ELLYN IL 60137

MILLER, DAN & HAYA
OR CURRENT OWNER
1829 WAKEMAN CT
WHEATON IL 60187

BELICA, MICHAEL &MARIANNE
OR CURRENT OWNER
1832 WAKEMAN CT
WHEATON IL 60187

SCHOOL DISTRICT NO 41
OR CURRENT OWNER
793 N MAIN ST
GLEN ELLYN IL 60137

DIBBEN, PETER & SUZANNE
OR CURRENT OWNER
1830 HAWTHORNE BLVD
WHEATON IL 60187

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

LANGE, WILLIAM
OR CURRENT OWNER
1824 HAWTHORNE BLVD
WHEATON IL 60187

MEMORANDUM

TO: Joe Kvapil, Building and Zoning Official (via email)

FROM: Bob Minix, Professional Engineer

DATE: May 2, 2012

SUBJECT: Right-of-Way Situations at 243 Hawthorne and 621 Duane
Preliminary Plat of Subdivision Review

You requested Public Works input on two situations involving pending zoning request variations. Please note the following:

243 Hawthorne – Adjacent to this address to the west is an undeveloped roadway right-of-way called Limits Street. Per our Sidwell maps, this un-vacated street area is approximately 66 ft. x 150 ft. that appears to be completely within the Village boundaries per our mapping, with the west side of Limits being a boundary line between Glen Ellyn and Wheaton. A portion of the right-of-way to the south of the area in question was vacated to the Glen Ellyn Evangelical Covenant Church a few years ago when their current detention facility was being constructed.

The Village of Glen Ellyn has no public infrastructure in this right-of-way and has no need to install any sort of utility or to develop the street. **However, it should be noted that the City of Wheaton has a 6-inch water main that apparently runs along the very west edge of this right-of-way, and this water main is functional. Please note the attached drawing provided by Wheaton.** In addition, an overhead utility wire – believed to be electric – runs from an existing utility pole in Hawthorne to another existing utility pole in the Limits right-of-way. If Limits were to be vacated, a utility easement needs to be granted along the west side that may be as wide as ten feet (or wider), depending on the precise location of the water main and whether the adjacent home in Wheaton has any sideyard easements in order to handle the water main, utility poles and wires, either overhead or buried. In addition to accommodating the existing utilities, there may be grading and drainage challenges to developing the existing Limits right-of-way as a single family lot as the west side of the area appears to be a local depression. Hence the buildable area in the Limits right-of-way parcel may be significantly less than for a typical 66 ft. wide lot.

Regarding the 243 Hawthorne property, my only suggestion is to make sure that the driveway entrance for the home be on Hawthorne so that there would not be any additional encumbrance on Limits (note that the driveway for the previous house on the lot was on Limits).

621 Duane – This home is adjacent to an active alley that runs parallel to Park between Duane and Hillside. While the 12 ft. wide right-of-way is restrictive, I do not anticipate the need to require additional right-of-way when the alley is reconstructed.

cc: Julius Hansen, Public Works Director (via email)

H-816
822.1
HAWTHORNE BLVD
6"
8"

24

243 Hawthorne Blvd. Variation

Application

Index

1. Application
2. Aerial Image of Existing Condition
3. Proof of Ownership
4. Current Plat of Survey
5. Legal Description of Property
6. Architectural Plan
7. Neighbor Signature Petition in Support of Variation Request

1. Application

VILLAGE OF GLEN ELLYN
535 Duane Street
Glen Ellyn, IL 60137
(630) 5475250

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: Yibing Xue & Wei Song

Address: 413 2nd Place, Glendale Heights, IL 60139

Phone No.:

Fax No.:

E-mail: Brian.yibing@gmail.com

Ownership Interest in the Property in Question: Owned

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):

_____

_____

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

_____

_____

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

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")

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: 243 Hawthorne St. Glen Ellyn, IL 60137

Permanent tax index number: 05-10-403-057

Legal description: LOT 8 IN GEORGE J. BALL SUBDIVISION, BEING A SUBDIVISION OF LOT 1 (EXCEPT THE WEST 160 FEET OF THE EAST 310 FEET THEREOF) IN BLOCK 3 OF ROBERTSON'S SEVENTH ADDITION TO GLEN ELLYN, IN THE EAST ½ OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAST OF SAID GEORGE J. BALL SUBDIVISION, RECORDED NOVEMBER 29, 1947 AS DOCUMENT 535141, IN THE DUPAGE COUNTY, ILLINOIS

Zoning classification: R2 Corner Lot (003)

Lot size: 83 ft. x 150 ft. Area: 12,450 sq. ft.

Present use: Vacant Lot

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):

Request to change the lot classification from R2 corner lot to R2 regular interior lot; The proposed use of the lot is to build a 2 story single family residence.

Estimated date to begin construction: June, 2012

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

Henry. S. Stillwell
Rathje Woodward LLC
300 E Roosevelt Road, Suite 300, Wheaton, IL 60187

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:

The lot has all physical and characteristics of a regular interior lot, but due to the right of way to its west (which referred by the residents in the area as "ghost street"), the property is classified as a corner lot. If zoning code is strictly followed, the proposed house will have be built with 30 feet setback. That will leave the house disproportionally located on one side of yard and destroy the overall appealing of the neighborhood. Beside, if the corner lot setback applies, it and would leave only 44 feet usable width to build on, that makes it exceedingly difficult to build a reasonable sized single family house.

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):

OR

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

Although the zoning code classify the lot as corner lot, causing it to have a setback of 30 feet, in reality, the right of way next to the lot (which is the only reason for this classification) is unusable and will never be built as a road, therefore making this lot a de facto interior lot. Besides, the current classification of the lot and its setback requirement severely restricts the buildable width of the lot, and reduces the buildable area by 1/3, which makes the proposed project can not yield a reasonable return.

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

The lot has all the physical and characteristics of an regular interior lot already. And the city has clear intention to vacate the right of way (and they did so in the past). The variance requested here is merely a change in paper, and it is a minimum change without any impact on physical or topographical feature of the surrounding area.

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 requested variance has no impact on the shape or topographical condition of the surrounding area. It merely requests for a change in classification of the lot in order to relief it from setback requirement that unfairly imposed on it given its unique situation. With the setback restriction in place, it severely reduces the lot's buidable area by 33%, and make it nearly impossible to yield a reason use of the land. The purpose of this requested change is to better use of land, and maintain overall integrity of the whole neighborhood.

Besides, the right of way causing the property classified as a corner lot was actually a "ghost street", which will never be built into a practical or useful street. It was and will be always a street on paper. It has always been the village's intention to vacate the right of way and turn it into a residential lot.

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:

Unlike other regular corner lot, this lot is classified as a corner lot simply because of the unbuilt street adjacent to it, which the village has vacated portion of it in the past and clearly intents to vacate the remaining portion as well. There is no such case, or any similar situation like this one in Glen Ellyn zoning area.

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:

The sole purpose of this request is to build a single family residence more efficiently and achieve reasonable use of the land without changing any physical characteristics of the locality. The applicant has no intention to sell or profit from this change.

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.

The alleged difficulty is purely due to the fact that there is an unpractical, unbuidable right of way next to the property. The applicant neither is aware of nor create this situation. It has been so due to historical reasons. The applicant only learned the situation after making the purchase.

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

There will be no physical changes or any impact of such to surrounding areas as a result of this variation request. On the contrary, assuming the right of way is turned into a traffic street, it will pose potential hazards to the safety of children attending Hadley Jr. High School and nursery nearby. The requested variance will prevent that from happening.

6. Provide evidence that the proposed variation will not:

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

Should the variation is granted, the proposed house can be located more centrally on the lot, As a result, it will increase the supply of light and air to the adjacent property instead of impairing it.

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

Should the variation is granted, it will increase the space between the proposed house and the property adjacent to it, therefore reduce the hazard from fire or other dangers.

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

Since the request variation will not change the physical feature of the lot and its surrounding area, therefore, it will not impact any of the above.

d. Diminish or impair property values within the neighborhood;

In fact, it will increase the neighborhood property value because of better use of the land as a result of approval of this variance

e. Unduly increase traffic congestion in the public streets and highway;

On the contrary, it will prevent unnecessary traffic congestion, by avoiding turning the right of way into a street.

f. Create a nuisance; or

No nuisance will be created since this is purely a classification change and change on paper. Besides, the applicant has explained the situation to all the neighbors on the block and acquired their consent.

g. Results in an increase in public expenditures.

Should this request be granted, it will prevent unnecessary public expenditures of building a usable road to nowhere.

7. Provide evidence that the variation is the minimum variation that will make possible the reasonable use of the land, building or structure.

The lot has all the physical characteristics of a regular interior lot. The variation requested is merely a change in classification on paper without any physical impact on surrounding area. However, without the change, it is impossible for the applicant to make reasonable use of the land.

8. Please add any comments which may assist the Zoning Board of Appeals of Appeals in reviewing this application.

The practical difficulty to the applicant was purely due to the unbuilt right of way adjacent to the property. The village clearly has no intention to make this right of way into a street neither in the past nor anytime in the future. Because the village vacated part of the right way already in the past, and also once listed the remaining section on the market for sale as a residential lot. This approved that the village never plan to make this right of way into a usable street. Also, the village once told the previous owner of the lot on 243 Hawthorne, that should a street be built there, it will pose a threat the children attending school nearby. Therefore, the village has no plan to turn it into a street.

Based on all these evidences, as well as the unique situation of this property, we request to remove the corner setback requirement on our lot of 243 Hawthorne St. and reclassify it as a regular interior lot. We also met all the neighbors on this block on this matter, and acquired their consent.

Thank you.

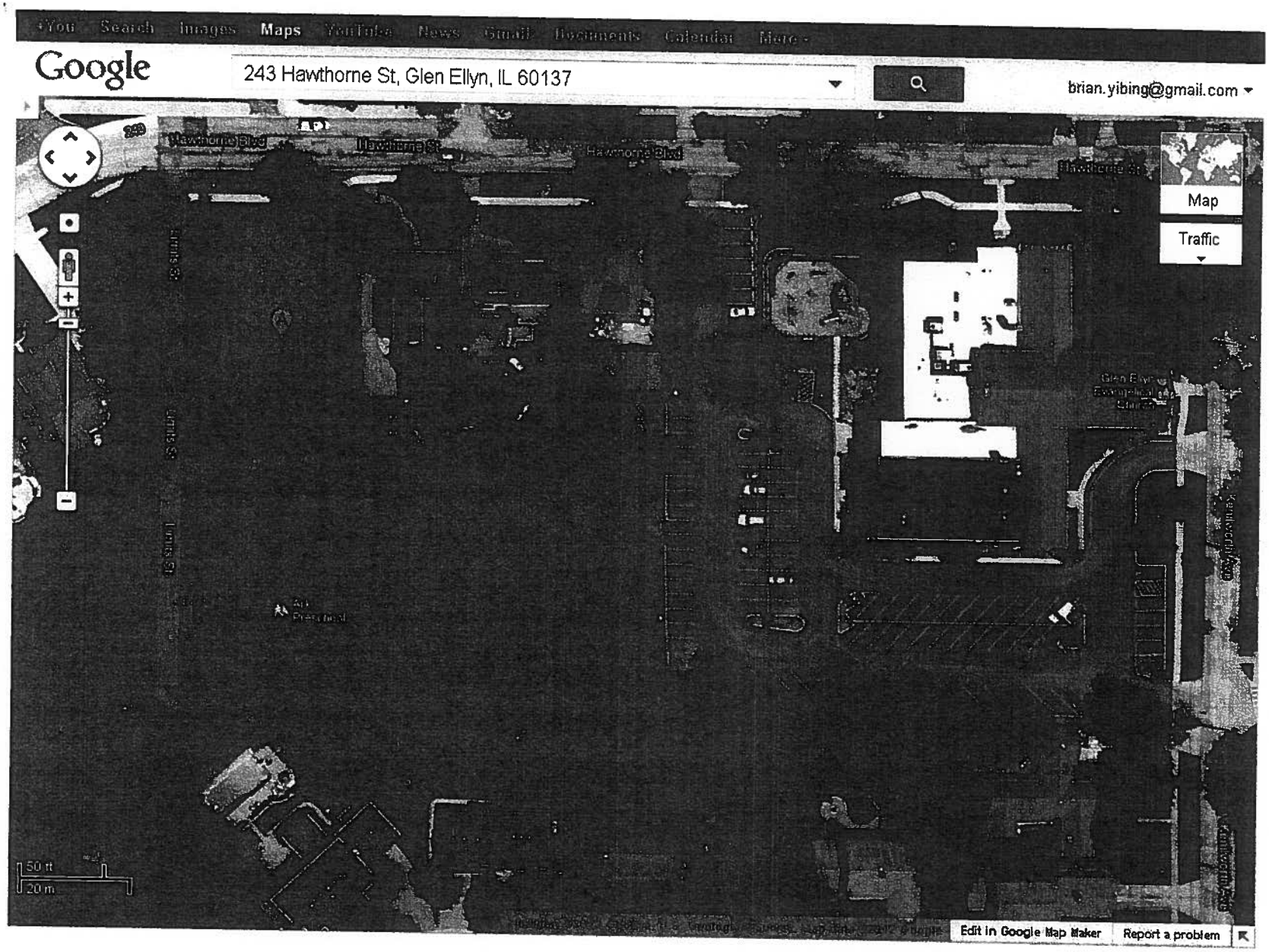
VI. EVIDENCE RELATING TO FLOOD HAZARD VARIATION REQUESTS:

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.

Section VI is not applicable.

2. Aerial Image of Existing Condition


+You
Search
Images
Maps
YouTube
News
Gmail
Documents
Calendar
More
Google
243 Hawthorne St, Glen Ellyn, IL 60137
brian.yibing@gmail.com
Hawthorne Blvd
Hawthorne St
Lorna St
Map
Traffic
50 ft
20 m
Edit in Google Map Maker
Report a problem

3. Proof of Ownership

WARRANTY DEED

==========

MAIL TO:

Attorney: Steve Norgaard
493 Duane, Suite 400
Glen Ellyn, IL 60137

NAME & ADDRESS OF TAXPAYER:

Yibing Xue & Wei Song
413 2nd Place
Glendale Heights, IL 60139

FRED BUCHOLZ
DUPAGE COUNTY RECORDER
SEP.12,2011 RHSP 2:28 PM
DEED 05-10-403-057
003 PAGES R2011-107186

Doc. # 243

JR

BW11-14258

GRANTOR, GLEN ELLYN EVANGELICAL COVENANT CHURCH, a not-for profit corporation, of the City of Glen Ellyn, in the County of DuPage, State of Illinois, for and in consideration of Ten Dollars ($10.00) and other good and valuable consideration in hand paid, CONVEYS and WARRANTS to **YIBING XUE** # and Wei Song, husband and wife, **GRANTEE**, of 413 2nd Place, Glendale Heights, IL 60139, not as Tenants in Common, but as JOINT TENANTS with right of survivorship, all rights, title and interest in the following described real estate, situated in the County of DuPage, in the State of Illinois, to wit:

Legal description attached hereto as Exhibit "A" and made a part hereof.

Permanent Index Number: 05-10-403-057

Property Address: Lot 8, 243 Hawthorne, Glen Ellyn, IL 60137

Subject to general real estate taxes for 2011 and subsequent years.

DATED this 6th day of September, 2011.

GLEN ELLYN EVANGELICAL
COVENANT CHURCH

By: Roger Witz SEAL

Baird & Warner Title Services, Inc.
475 North Martingale
Suite 950
Schaumburg, IL 60173

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that ROGER LAUTZ, personally known to me to be the PROP-MGR of GLEN ELLYN EVANGELICAL COVENANT CHURCH, an Illinois not-for-profit corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such PROP-MGR., he signed, sealed and delivered the said instrument and caused the corporate seal of said corporation to be affixed thereto, pursuant to the authority given by the board of directors of said corporation, as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notary seal, this 6th day of September, 2011.

(seal)

"OFFICIAL SEAL"
JOLANTA RYBA
Notary Public, State of Illinois
My Commission Expires 05/24/15

Jolanta Ryba
Notary Public

Village of Glen Ellyn
Real Estate Transfer Tax

Prepared by:

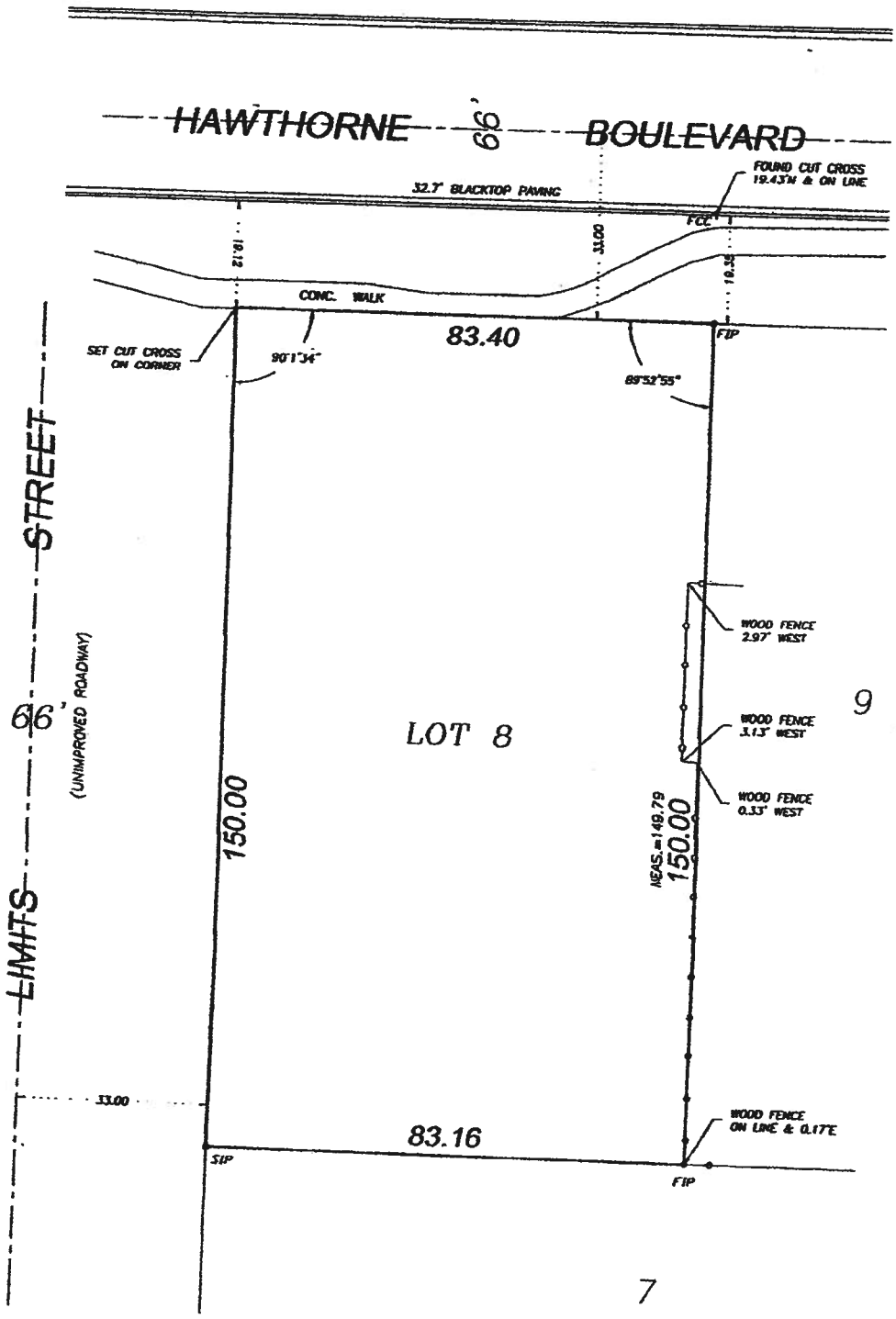
Donald S. Whittaker
Johnson, Westra, et al
380 S. Schmale Road, Suite 102
Carol Stream, IL 60188-2790

L.O.

4. Current Plat of Survey

PLAT OF SURVEY

LOT 8 IN GEORGE J. BALL SUBDIVISION, BEING A SUBDIVISION OF LOT 1 (EXCEPT THE WEST 160 FEET OF THE EAST 310 FEET THEREOF) IN BLOCK 3 OF ROBERTSON'S SEVENTH ADDITION TO GLEN ELLYN, IN THE EAST 1/2 OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID GEORGE J. BALL SUBDIVISION, RECORDED NOVEMBER 29, 1947 AS DOCUMENT 535141, IN THE DUPAGE COUNTY, ILLINOIS.



NORBERT V. LAMBERT, JR. REGISTERED LAND SURVEYOR NO. 1863 PROFESSIONAL STATE OF ILLINOIS

STATE OF ILLINOIS
COUNTY OF DU PAGE) S.S.

THIS IS TO CERTIFY THAT I, AN ILLINOIS LAND SURVEYOR, HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY.
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
GIVEN UNDER MY HAND AND SEAL AT WHEATON, ILLINOIS.
THIS 19TH DAY OF AUGUST, A.D. 2013.

ILLINOIS LAND SURVEYOR NO. 1863

REFER TO DEED OR GUARANTEE POLICY FOR RESTRICTIONS NOT SHOWN HEREON.
DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY APPARENT DISCREPANCIES TO THE SURVEYOR.

● = FOUND IRON STAKE
○ = SET IRON STAKE

ORDERED BY: R. LAUTZ
ORDER NO. 11-H-048 FILE NO. 110413

LAMBERT & ASSOCIATES
LAND SURVEYORS
955 WEST LIBERTY DR. WHEATON
PHONE: (630) [illegible]

5. Legal Description of Property

EXHIBIT "A"

LEGAL DESCRIPTION

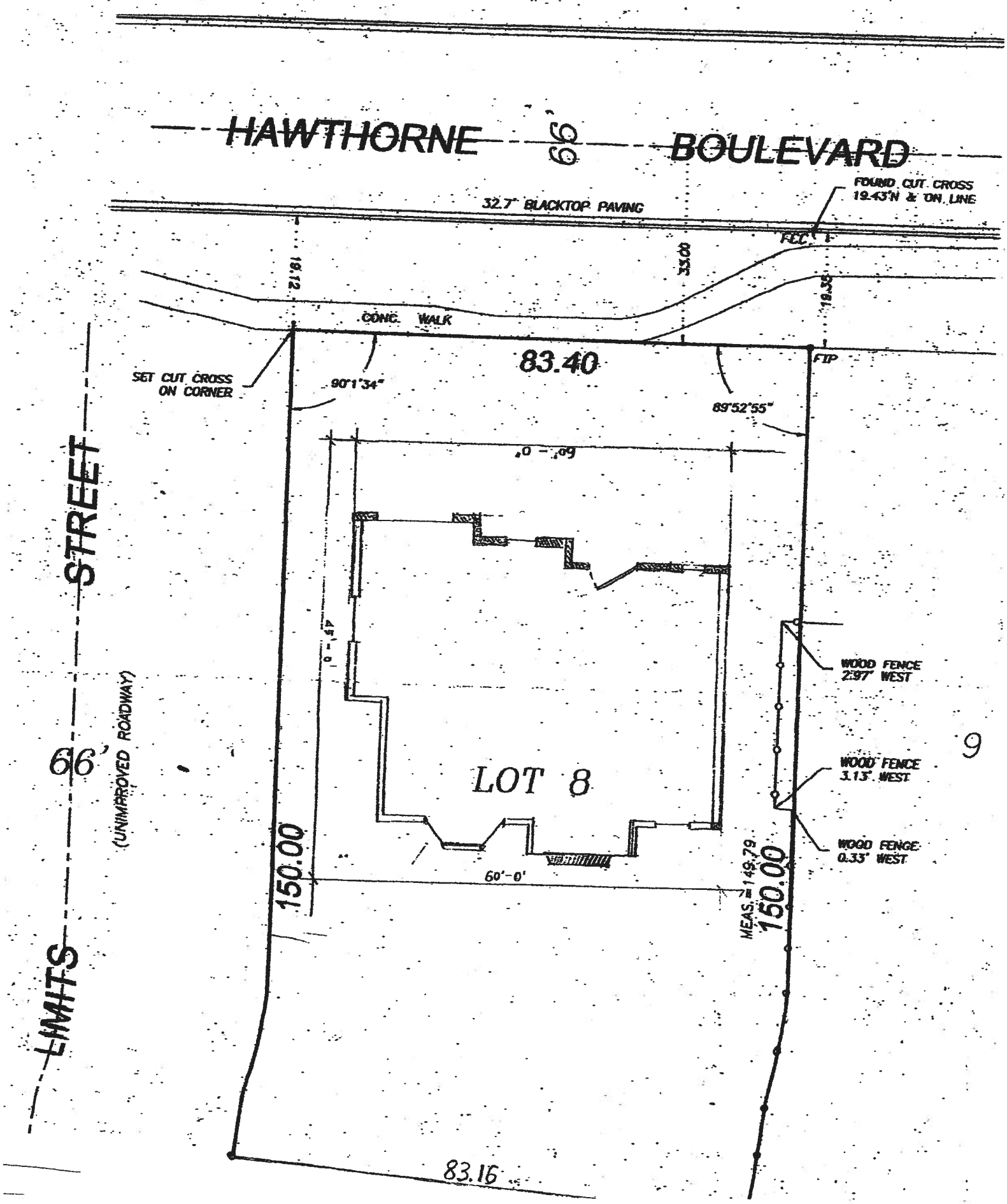
LOT 8 IN GEORGE J. BALL SUBDIVISION, BEING A SUBDIVISION OF LOT 1 (EXCEPT THE WEST 160 FEET OF THE EAST 310 FEET THEREOF) IN BLOCK 3 OF ROBERTSON'S SEVENTH ADDITION TO GLEN ELLYN, IN THE EAST HALF OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID GEORGE J. BALL SUBDIVISION, RECORDED NOVEMBER 29, 1947 AS DOCUMENT 535141, IN DUPAGE COUNTY, ILLINOIS.

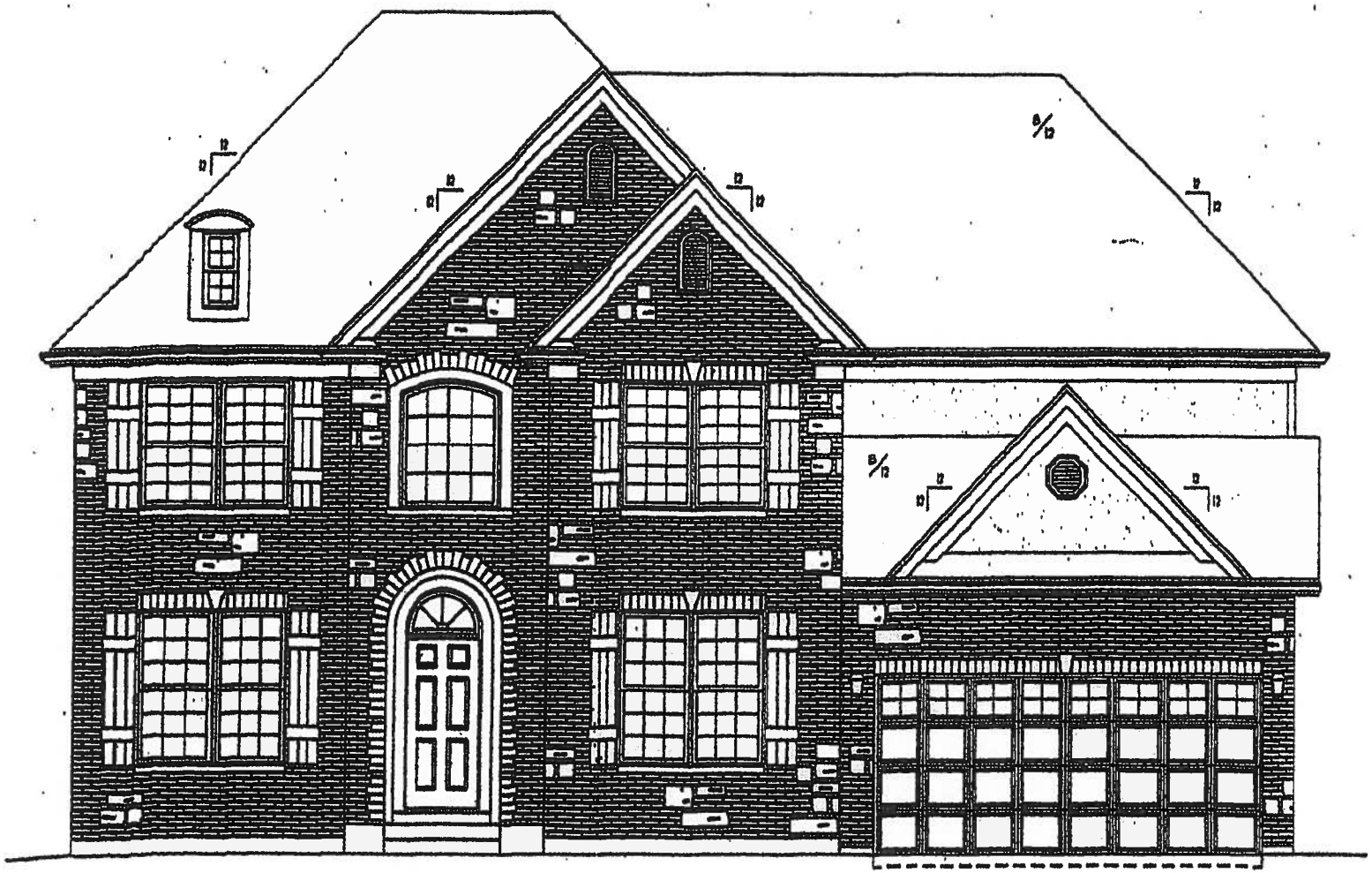
Address: 243 HAWTHORNE, GLEN ELLYN, IL 60137

PIN: 05-10-403-057

6. Architectural Plan

NOVEMBER 29, 1947 AS DOCUMENT 535141, IN THE DUPAGE COUNTY, ILLINOIS.





Elevation "C"

Front Elevation

Scale: 1/4" = 1'-0"

7. Neighbor Signature Petition in Support of Variation Request

Petition signed by neighbors (within 250 feet)

1. 249, Hawthorne St. Glen Ellyn, IL 60137
2. 253, Hawthorne St. Glen Ellyn, IL 60137
3. 254, Hawthorne St. Glen Ellyn, IL 60137
4. 262, Hawthorne St. Glen Ellyn, IL 60137
5. 266, Hawthorne St. Glen Ellyn, IL 60137
6. 276, Hawthorne St. Glen Ellyn, IL 60137
7. 280, Hawthorne St. Glen Ellyn, IL 60137

Dear Neighbors,

We purchased the empty lot on 234 Hawthorne St in 2011, and are planning to build a two story single family home on it. However, we recently found out that the lot is considered as a corner lot and therefore must have a 30% setback from the west side of it. The reason for this is because the Glen Ellyn city plan shows an unbuilt street next to our lot, which therefore makes it a corner lot. In reality, it is highly unlikely that the village will ever construct that street. On the contrary, the village partially vacated a portion of it in the past, and clearly has intention to vacate it fully in the future. Therefore our lot, for all practical purposes is, and will remain a regular interior lot.

If the corner lot setback applies, it and would cause our lot to only have a usable building width of 44 feet, which makes it exceedingly difficult to build a reasonable single family home. As a result, we are applying for a zoning variance, which would change our lot from being classified as a corner lot to a regular interior lot. This would enable us to make the use of our land more proportionate. This zoning variance requires no physical changes to the lot or the surroundings, and would only be a change on the city records. The appearance of our lot and the surrounding would remain unaltered.

To make our application for zoning variance possible, we seek your support. We sincerely hope you will show your support by signing this letter. We appreciate your understanding and looking forward to joining this friendly neighborhood.

Sincerely,

The Xue Family

Mark + Sue Allgeier

Michael & Jill Flaherty - 289 Hawthorne
(MICHAEL & JILL FLAHERTY)

Andrew Busch

Dear Neighbors,

We purchased the empty lot on 234 Hawthorne St in 2011, and are planning to build a two story single family home on it. However, we recently found out that the lot is considered as a corner lot and therefore must have a 30% setback from the west side of it. The reason for this is because the Glen Ellyn city plan shows an unbuilt street next to our lot, which therefore makes it a corner lot. In reality, it is highly unlikely that the village will ever construct that street. On the contrary, the village partially vacated a portion of it in the past, and clearly has intention to vacate it fully in the future. Therefore our lot, for all practical purposes is, and will remain a regular interior lot.

If the corner lot setback applies, it and would cause our lot to only have a usable building width of 44 feet, which makes it exceedingly difficult to build a reasonable single family home. As a result, we are applying for a zoning variance, which would change our lot from being classified as a corner lot to a regular interior lot. This would enable us to make the use of our land more proportionate. This zoning variance requires no physical changes to the lot or the surroundings, and would only be a change on the city records. The appearance of our lot and the surrounding would remain unaltered.

To make our application for zoning variance possible, we seek your support. We sincerely hope you will show your support by signing this letter. We appreciate your understanding and looking forward to joining this friendly neighborhood.

Sincerely,

We do not object to this request for a zoning variance.

Doug Fournier

Doug Fournier
249 Hawthorne, Glen Ellyn, IL.

3/26/12

The Xue Family
Phone (630)886.6360

234 Hawthorne

2 messages

Dennis Hanzel <dwhconstructioninc@sbcglobal.net> Mon, Mar 26, 2012 at 7:29 PM
To: brian.yibing@gmail.com

Good Evening!

Happy to hear that a new home will be built on the lot @ 234 Hawthorne! We are the current owner's of 266. We support your application for a zoning variance. It is a strange issue with the "ghost" street. We hope that you know that Hawthorne will be under construction soon, too.

We also happen to be general contractor's and have built several homes in Wheaton and the surrounding area. We would be happy to consult and bid on your new home project. Please check out our website -- www.dwhconstructioninc.com -- to view some of our projects.

Good luck with your project!

Sue (Jacky) Hanzel and
Dennis Hanzel
DWH Construction Company
Office: 630-588-1241

Gmail by Google

Brian x <brian.yibing@gmail.com>

Welcome

2 messages

Paul Gardner Tue, Mar 27, 2012 at 12:52 PM

To: brian.yibing@gmail.com

to the neighborhood. I live at 276 Hawthorne and got your note yesterday regarding your building plans for the empty lot and the unbuilt Limits St. I have no objection to the Village granting a zoning variance for this and would be happy to support it.

Look forward to seeing you in the neighborhood,

Paul

---

brian.yibing@gmail.com <brian.yibing@gmail.com> Tue, Mar 27, 2012 at 4:27 PM

To: Paul Gardner

Thanks Paul.

Appreciate you understanding. Hope the variance application go through smoothly, so we can start building.

Have a good day.

Brian

[Quoted text hidden]

SUBMITTED BY PETITIONER
AT 5/8/12 ZBA MEETING

243 Hawthorne Blvd.
Variation Application

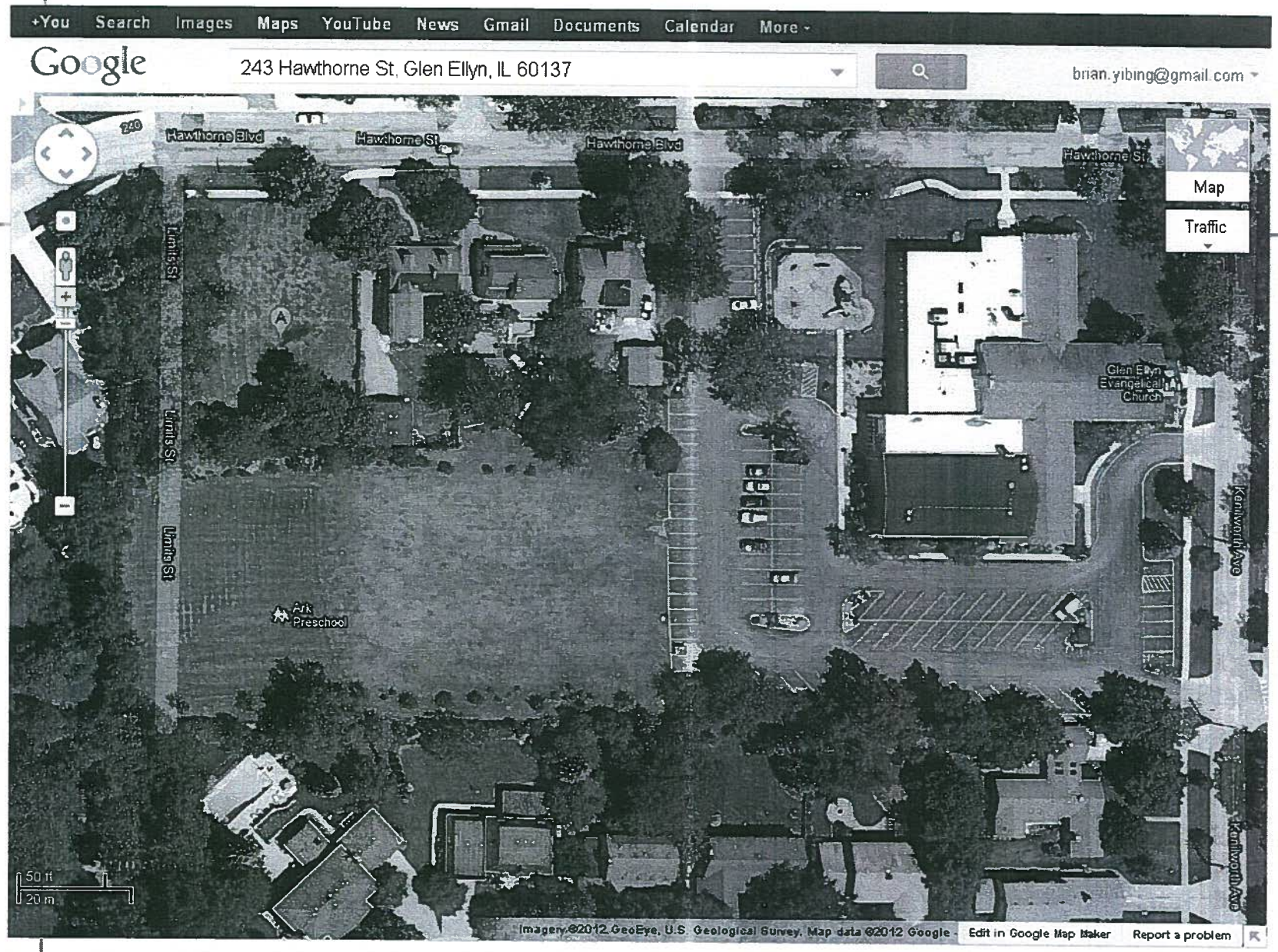
Variation Request

To change the classification of the lot on 243 Hawthorne Blvd from a R2 corner lot to a regular R2 interior lot

Legal Description

243 Hawthorne Blvd. Glen Ellyn, IL 60137,
PIN:05-10-403-057-0000

Lot 8 in George J. Ball Subdivision, being a subdivision of Lot 1 (except the west 160 feet of the east 310 feet thereof) in block 3 of Roberston's seventh addition to Glen Ellyn, in the east half of Section 10, township 39 north, range 10, east of the third principal meridian, according to the plat of said George J. Ball subdivision, recorded November 29,1947as Document 535141, in Dupage County, Illinois.


+You
Search
Images
Maps
YouTube
News
Gmail
Documents
Calendar
More
Google
243 Hawthorne St, Glen Ellyn, IL 60137
brian.yibing@gmail.com
Map
Traffic
Hawthorne Blvd
Hawthorne St
Hawthorne Blvd
Hawthorne St
Limits St
Limits St
Limits St
Glen Ellyn Evangelical Church
Kenilworth Ave
Kenilworth Ave
Ark Preschool
50 ft
20 m
Imagery ©2012 GeoEye, U.S. Geological Survey, Map data ©2012 Google
Edit in Google Map Maker
Report a problem

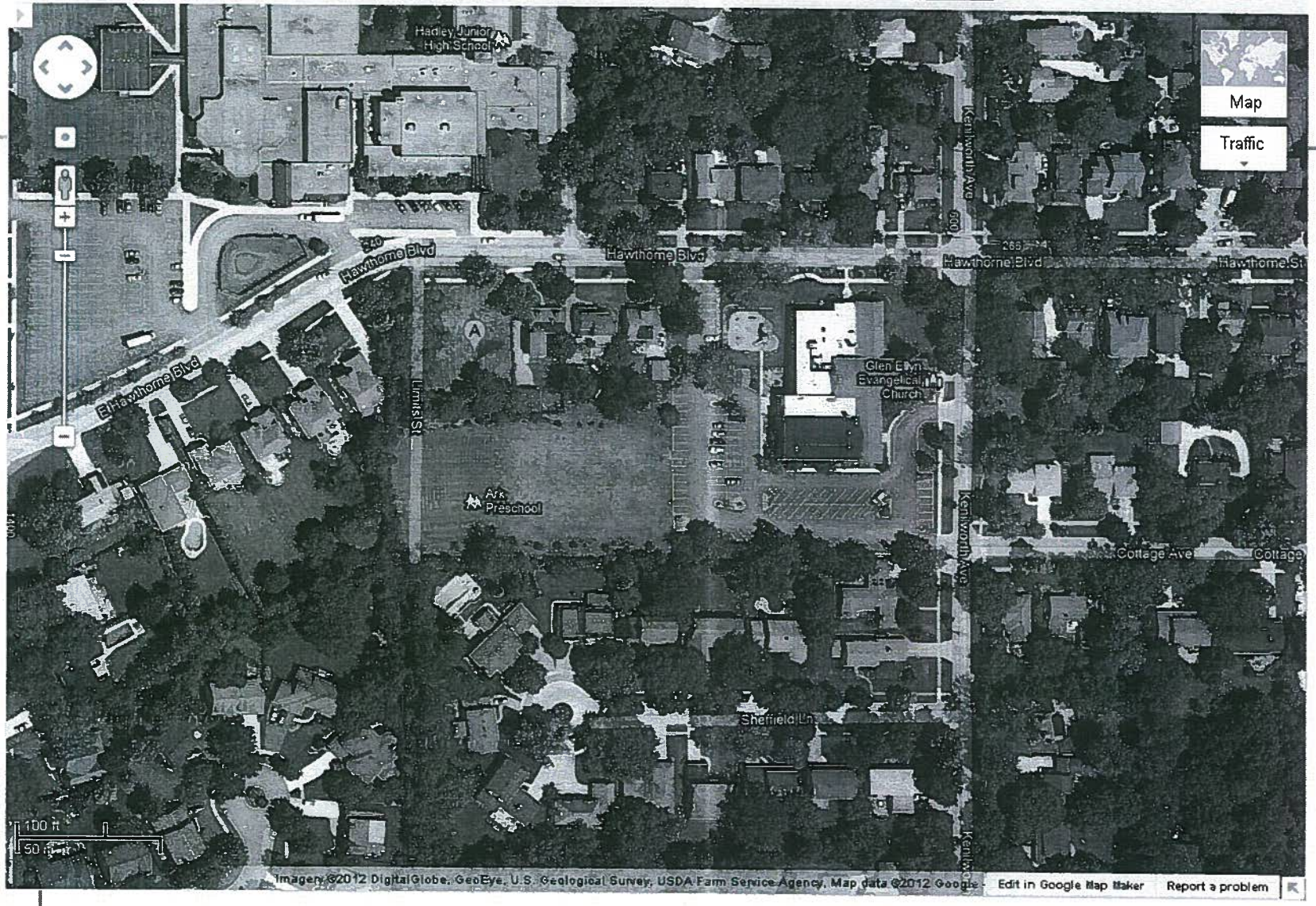
Physical Surroundings, Shape And Topographical Conditions

- The Lot is classified as a R2 residential corner lot because it is adjacent to an un-built right of way to the west
- The right of way leads to an dead end area surrounded by a swimming pool, a retention area and a residence.
- Across the street of Hawthorne is Hadley Jr. High School
- None of the other houses next to the "Limit street" are penalized by the corner lot 30 ft setback rule currently.

+You Search Images Maps YouTube News Gmail Documents Calendar More -

Google 243 Hawthorne St, Glen Ellyn, IL 60137

brian.yibing@gmail.com



Evidence Relating to Zoning Code Standards for a Variation

1. Due to the characteristics of the property and its corner setback limit, if the code is strictly followed , it will reduce the buildable area of the lot by 1/3, and leave insufficient building width. In addition, the proposed residence will be disproportionally located toward one side of the lot.

Lot Width	83 ft
Corner side setback	-30 ft
The side setback	-8.3 ft (10%)
Buildable Width	44.7 ft

2. The plight is due to the unique circumstances relating to the property

- The zoning of the property is purely caused by an unbuilt, impractical right-of-way next to it, which the village has already partially vacated in the past, and has neither infrastructures nor needs to develop it in the future.

Evidence - continues

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

   - The variation requested here is only a change in classification, without changing any physical or topographical features of the surrounding area.

   - If the variation is granted, the proposed houses on the property will be more reasonable located, and there will be more space between the proposed house and the existing house next to it.

Village has no need to develop the street

Per Village's Engineer and Planning Dept.

"...The village of Glen Ellyn has no public infrastructure in this right of way, and has no need to install any sort of utility or to develop the street...

...Regarding the 243 Hawthorne property, the only suggestion is to make sure that the driveway entrance for the home be on Hawthorne so that there would not be any additional encumbrance on Limits."

The Village has long believed that if the right of way is improved into a regular street, it will significantly complicate the traffic pattern in the area, and it could be a safety hazard to the kids attending the school, and day care center nearby.

Summary

- Although the lot is classified as corner lot, it has none of the outward characteristics of a corner lot. Because the right of way is unbuilt and will never be built, this lot IS an interior lot in everything but the name.

- Clearly the classification of this lot as a corner lot is outdated and serves no real purpose. In this case, the lot should not suffer from the restrictions. Why should this lot suffer from the restrictions of a corner lot, if the street that makes it such is nonexistent?

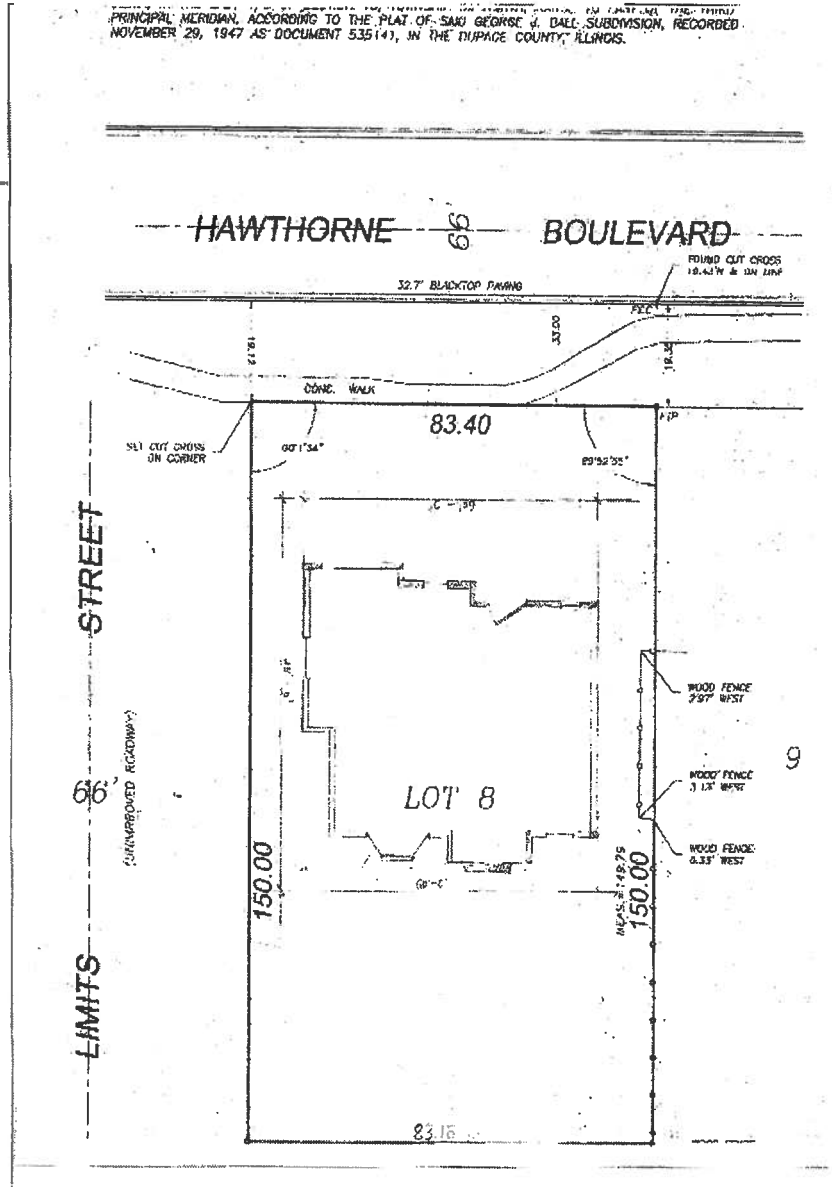
- Granting the requested variation would not change anything about the actual lot or the surroundings, and it would in no way harm or disturb the community or village of Glen Ellyn. It would be reasonable and a very simple change, and it would free it from the restrictions that seemed unreasonable in the first place, and make the use of the lot more efficient

- Neighbors have no objections, and refer the right-of-way as ghosts street.

Elevation

* For illustration purpose only

Plat of Survey



* For illustration purpose only

A-6E

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Staci Hulseberg, Planning & Development Director SH
Michele Stegall, Village Planner MS

DATE: June 5, 2012

FOR: June 11, 2012 Village Board Meeting

RE: Haggerty Chevrolet – 300 Roosevelt Road

Background. Jerry Haggerty, owner of the Haggerty Chevrolet automobile dealership located at 300 Roosevelt Road, is requesting exterior appearance and sign variation approvals associated with the proposed renovation of the existing building. The proposed improvements are being mandated by General Motors and include updates to the building façade in the area of the showroom and the removal and replacement of many of the existing signs on the property. The primary building changes include the installation of blue and silver aluminum panels over the existing storeroom façade. A new blue aluminum portal would also be installed over the main entrance. The remainder of the building exterior would be painted. When the project is complete, the exterior of the dealership would look similar to the Chevrolet dealership on North Avenue in Glendale Heights. In order to accommodate the project, the petitioner is specifically requesting approval of the following:

1. Exterior appearance approval in accordance with the Appearance Review Guidelines, Ordinance 5508.

2. The following variations from the Glen Ellyn Sign Code:

   a. A variation from Section 4-5-12(E)2 to allow 4 primary signs on the property in lieu of the maximum number of 2 primary signs permitted.

   b. A variation from Section 4-5-5(G)1 to allow 92 square feet of incidental signage in lieu of the maximum of 12 square feet of incidental signage permitted.

   c. A variation from Section 4-5-5(G)2 to allow incidental signage with a height of up to 17 feet in lieu of the maximum height of 10 feet permitted.

   d. A variation from Section 4-5-8(Q) to allow 2 private traffic directional signs with areas of 6.1 square feet each in lieu of the maximum area of 4 square feet permitted for each.

   e. A variation from Section 4-5-12(B)1 to allow 351 square feet of primary signage in lieu of the maximum area of 120 square feet of primary signage permitted.

A variety of sign variations were previously approved for the property in 1990 by the adoption of Ordinance 3800 and in 2008 by the adoption of Ordinance 5647. The currently requested sign variations would replace the variations previously granted by Ordinance 3800. No changes are being

requested to Ordinance 5647 which previously approved a sign variation to allow the two existing freestanding primary signs on the property to have heights of 31 feet each in lieu of the maximum height of 15 feet permitted.

The subject property is located on the north side of Roosevelt Road between Lambert Road and Lorraine Street in the C3 Service Commercial zoning district. The building is surrounded by commercial uses and C3 zoning.

Recommendation. The Architectural Review Commission reviewed the requests at a public meeting and hearing on May 23, 2012. No members of the public spoke at the hearing either in favor of or in opposition to the requests. By a vote of 6-0, the Architectural Review Commission recommended approval of the requests subject to the following conditions:

1. The project shall be constructed in substantial conformance with the plans and testimony presented at the March 23, 2012 Architectural Review Commission meeting.

2. The existing rooftop equipment shall be painted to match the building.

3. The utilitarian elements on the building, such as man-doors, vents, overhead doors, downspouts and other similar items shall be painted to match the building to minimize their appearance.

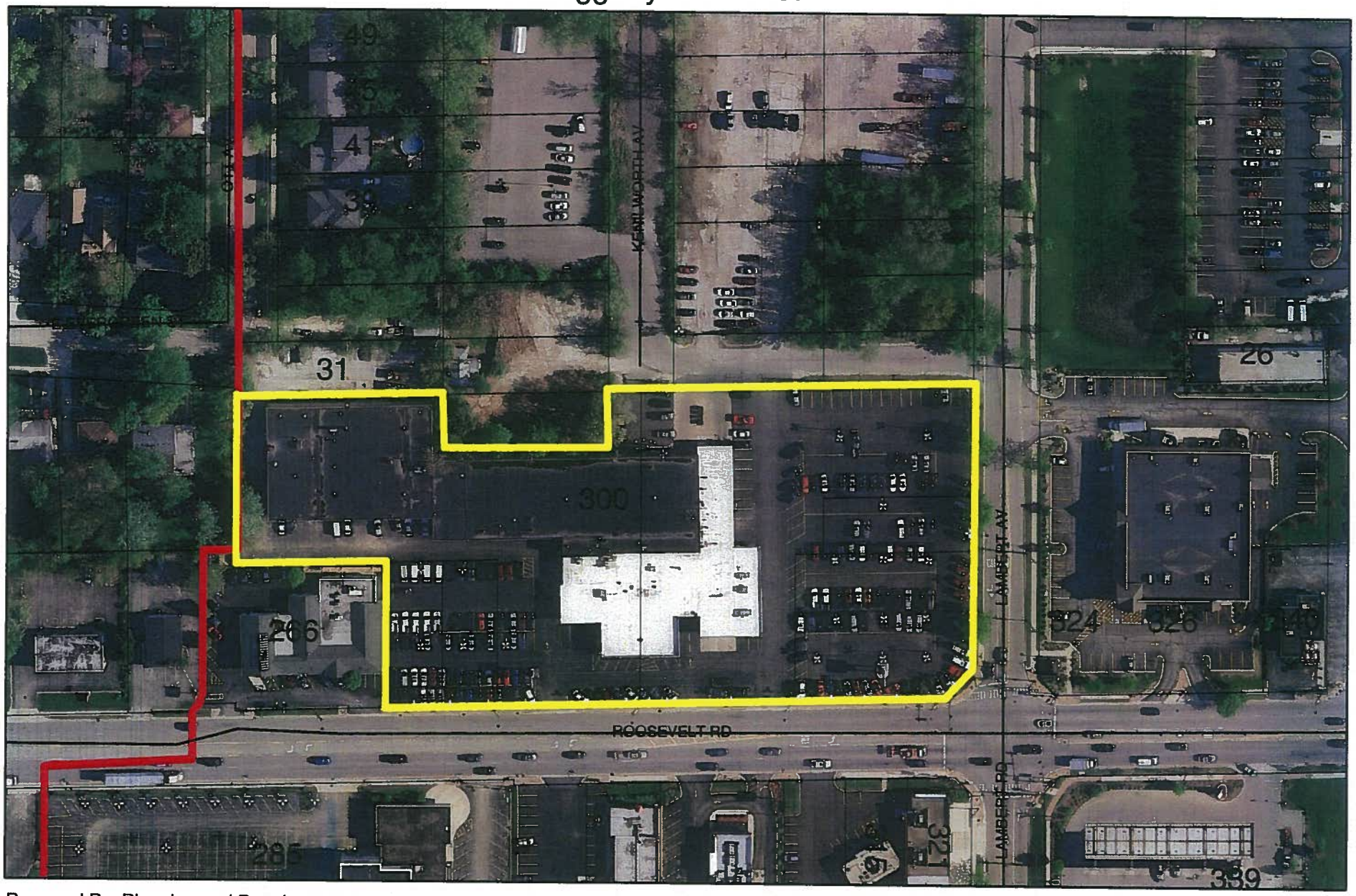
4. The proposed planters around the two existing freestanding signs shall be expanded into the area of the adjoining parking spaces.

Action Requested. The Village Board may approve, approve with conditions or deny the petitioner's requests for exterior appearance and sign variation approvals. In accordance with the recommendation of the Architectural Review Commission, an Ordinance approving the requests has been prepared for consideration at the June 11, 2012 Village Board meeting.

Attachments.
- Aerial Photo
- Draft Minutes from May 23, 2012 ARC Meeting
- Ordinance
- Select Materials from Petitioner's Application Packet

Cc: Jerry Haggerty, Haggerty Chevrolet
Catherine Joy, Haggerty Chevrolet

300 Roosevelt Road
Haggerty Chevrolet



Prepared By: Planning and Development
Date: May 18, 2012
2009 Aerial Photo

0 125 250 500 Feet

N

petitioner is encouraged to consult the recommended plant list in the Appearance Review Guidelines.

D. The petitioner is encouraged to use another material for the proposed walkways in the parking lot in lieu of striping these areas as proposed provided that it is economically feasible.

The motion was seconded by Commissioner Albrecht and carried unanimously by a vote of 6-0.

4. Public Hearing – Haggerty Chevrolet, 300 Roosevelt Road – Exterior Appearance and Sign Variations

Commissioner Dickie made a motion to open a public hearing on 300 Roosevelt Road at 8:15p.m. The motion was seconded by Commissioner Draths and carried unanimously by a vote of 6-0.

Village Planner Stegall was sworn in and then gave an overview on this proposed project as Jerry Haggerty, owner of the Haggerty Chevrolet car dealership located at 300 Roosevelt Road, has requested Exterior Appearance and Sign Variation Approvals associated with the proposed renovation of the existing building at 300 Roosevelt Road. She stated the proposed updates are being mandated by General Motors and showed a picture of the proposed exterior renovations and passed around a material sample board. She stated some of the changes are the installation of blue and silver aluminum panels over the existing façade around the showroom as well as painting of the exterior building. She referred to the Staff Report about the rooftop screening and painting of the utilitarian elements and downspouts and stated the ARC may want to consider these items as potential conditions of approval. She also stated there are two existing free standing signs on the property which are substantial in size and have no protection around them and Haggerty Chevrolet has proposed to install islands around the signs. Planner Stegall stated the ARC may want to inquire about increasing the size of the islands. Chairman Burdett asked if the Roosevelt Streetscape Plan is intact to which Planner Stegall stated she did not know how fully the Plan is implemented in this area. Planner Stegall stated she can see brick pavers at the corner of Roosevelt and Lambert Roads in the aerial picture.

Planner Stegall stated in order for the Village to accommodate the project, the petitioner is specifically requesting approval of the following:

1. Exterior Appearance approval in accordance with the Appearance Review Guidelines, Ordinance 5508.

2. The following variations from the Glen Ellyn Sign Code:

    a. A variation from Section 4-5-12(E)2 to allow 4 primary signs on the property in lieu of the maximum number of 2 primary signs permitted by the Sign Code and 3 primary signs permitted by Ordinance 3800.

b. A variation from Section 4-5-5(G)1 to allow 92 square feet of incidental signage in lieu of the maximum of 12square feet of incidental signage permitted by the Sign Code and the maximum of 60 square feet of incidental signage permitted by Ordinance 3800.

c. A variation from Section 4-5-5(G)2 to allow incidental signage with a height of a as great as 17 feet in lieu of the maximum height of 10 feet permitted.

d. A variation from Section 4-5-8(Q) to allow two private traffic directional signs with areas of 6.1 square feet each in lieu of the maximum area of 4 square feet permitted for each.

The petitioner is also requesting that the following previously approved variations from the Glen Ellyn Sign Code be carried over or modified as indicated below:

e. A variation from Section 4-5-12(B)1 to allow 351 square feet of primary signage in lieu of the maximum area of 120 square feet of primary signage permitted. Ordinance 3800 granted approval for 355 square feet of primary signage on the property.

f. A variation from Section 4-5-12(C) to allow two free-standing primary signs on the property with heights of 31 feet in lieu of the maximum height of 15 feet permitted. This variation was previously granted by Ordinance 5647.

Jerry Haggerty, owner of Haggerty Chevrolet, Catherine Joy, controller at Haggerty Chevrolet, and Eric Luedtke, architect with Smith, Stephens & Luedtke Architects were sworn in. Mr. Haggerty stated the streetscape paver brick runs the whole length of the dealership on Roosevelt Road, from the east to the west and that there are bushes on the corner. Ms. Joy stated there is not much room in the right-of-way for anything else. Mr. Haggerty stated this is General Motors (GM) mandated renovation using mandated materials which are practical and are GM's national brand/theme. He stated the exterior signage is important to the customers as it is difficult to see where the different departments are located in the dealership itself. He stated it is a large building and needs signs to separate the different showrooms.

Chairman Burdett asked if this was a part of GM's franchise deal to which Mr. Haggerty stated it is as the franchisees had to agree to this or lose their franchise deal. Mr. Haggerty stated the proposed materials should wear better and keep their look better. Chairman Burdett asked about the painting of the utilitarian elements and the rooftop screening to which Mr. Haggerty and Mr. Luedtke stated GM has mandated the entire exterior building be painted so everything would be painted and that they could also paint the utilitarian elements and rooftop screening.

Commissioner Mulvihill asked about landscaping to which Ms. Joy stated they have not asked for any professional bids yet, but they will be doing this. Ms. Joy stated the concrete bases of both the free standing signs will have some kind of landscaping stone, ornamental grass, day

lilies, and they will use the Glen Ellyn Plant List for this. Commissioner Thompson stated there is a recommended Plant List in Appendix B of the Appearance Review Guidelines.

At 8:30 p.m., Commissioner Albrecht made a motion to close the public hearing. The motion was seconded by Commissioner Dickie and carried unanimously by a vote of 6-0.

Commissioner Albrecht stated it will be an attractive building, and she is fine with the colors. She stated the building signage looks good and is within proportion. She stated she would like to see some creativity for the bases of the free standing signs with fresh color and a structure that may align the bases with the building.

Commissioner Mulvihill stated she likes the building design and the proposed materials. She stated the signs are appropriate. She stated landscape is needed and would be appropriate with the Roosevelt Road Streetscape Plan.

Commissioner Dickie stated the new design will be a great improvement, and the materials are good and will be durable. He stated the building signage is appropriate and will help the customers. He stated the painting of the utilitarian elements will be good. He stated landscaping is needed to hide the concrete bases and add interest to the free standing signs.

Commissioner Thompson stated she agrees this will be a huge improvement. She stated there needs to be landscaping to soften the concrete bases of the free standing signs.

Commissioner Draths stated she agrees this renovation will be a big improvement.

Chairman Burdett stated he likes the sign package and the proposed remodeling. He stated there needs to be landscaping around the free-standing sign bases.

Commissioner Dickie made the following motion to recommend the approval of the requested exterior appearance and sign variations for Haggerty Chevrolet located at 300 Roosevelt Road:

Having considered the application of Haggerty Chevrolet located at 300 Roosevelt Road for approval of amended sign variations and the proposed exterior appearance associated with the planned renovation of the existing building facade, the Architectural Review Commission hereby makes the following findings of fact in regard to the requested signs variations:

1. The requested variations conform to the Statement of Purpose in the Glen Ellyn Sign Code because the sign regulations are established in part to prevent an overload of graphic messages and the proposed sign are to be accessory components of the composition of architectural elements. Most of the proposed signs are being mandated by Chevrolet and strictly for brand recognition and overall uniformity among all Chevrolet dealers. In addition, with the height of the proposed incidental signs were lowered they would not fit in with the architecture of the building.

2. The requested variations will not later the essential character of the locality because most of the requested variances are for brand recognition only and the proposed signs are compatible with the size and scale of the building and the property.

3. The petitioner has demonstrated a practical difficulty and particular hardship as a result of adhering to the strict letter of the regulations of the Sign Code because the project is being mandated by General Motors and no revisions to their design are being permitted. The petitioner has indicated that in order to remain a franchisee, all elements of this design must be completed without change.

4. 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 in which it is located because the petitioner has indicated that in order to remain a franchisee, all elements of this design must be completed without change.

5. The plight of the owner is due to unique circumstances because the size and scale of the property and building. In addition, the petitioner has indicated that to remain a Chevrolet franchise that they must complete the proposed design and if compliance is not met that their franchise agreement will be forfeited.

The Commission further adopts the supplemental findings of fact as identified in the petitioner's application packet stamped received May 1, 2012.

Therefore, the Architectural Review Commission recommends that the Village Board approved the requested Sign Variations and proposed Exterior Appearance of the project subject to the following conditions:

A. The project shall be constructed and maintained in substantial conformance with the plans as submitted and the testimony presented at tonight's meeting.

B. That the existing rooftop equipment be painted to match the building.

C. That the utilitarian elements on the building be painted to match the building to minimize their appearance.

D. That the proposed planters around the two existing free-standing signs be expanded into the area of the adjoining parking spaces.

The motion was seconded by Commissioner Draths and carried unanimously by a vote of 6-0.

5. <u>Public Comments</u>

Audience member Ken Kloss, of 350 Ridgewood Avenue, asked when the Village Links and Oberweis projects would come before the ARC to which Village Planner Stegall stated the Village Links Clubhouse's Exterior Appearance Variation is tentatively scheduled July 11, 2012;

Village Of Glen Ellyn

Ordinance No. _____

An Ordinance Repealing and Replacing Ordinance 3800 and Granting Exterior Appearance and Sign Variation Approvals for Haggerty Chevrolet Located at 300 Roosevelt Road Glen Ellyn, IL

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 Repealing and Replacing Ordinance 3800 and Granting Exterior Appearance and Sign Variation Approvals for Haggerty Chevrolet Located at 300 Roosevelt Road Glen Ellyn, IL

Whereas, Jerry Haggerty Chevrolet, Inc., owner of property located at 300 Roosevelt Road, is requesting exterior appearance and sign variation approvals for the proposed exterior renovation of the building on the property; and

Whereas, to accommodate the project, the petitioner is specifically requesting approval of the following:

1. Exterior appearance approval in accordance with the Appearance Review Guidelines, Ordinance 5508.

2. The following variations from the Glen Ellyn Sign Code:

    a. A variation from Section 4-5-12(E)2 to allow 4 primary signs on the property in lieu of the maximum number of 2 primary signs permitted;

    b. A variation from Section 4-5-5(G)1 to allow 92 square feet of incidental signage in lieu of the maximum of 12 square feet of incidental signage permitted;

    c. A variation from Section 4-5-5(G)2 to allow incidental signage with a height up to 17 feet in lieu of the maximum height of 10 feet permitted;

    d. A variation from Section 4-5-8(Q) to allow 2 private traffic directional signs with areas of 6.1 square feet each in lieu of the maximum area of 4 square feet permitted for each;

    e. A variation from Section 4-5-12(B)1 to allow 351 square feet of primary signage in lieu of the maximum area of 120 square feet of primary signage permitted; and

Whereas, an additional variation from Section 4-5-12(C)1 of the Glen Ellyn Sign Code was previously granted by Ordinance 5647 to allow the existing freestanding signs on the property to have a heights of 31 feet each in lieu of the maximum height of 15 feet permitted; and

Whereas, the subject property is located on the north side of Roosevelt Road between Lambert Road and Lorraine Street in the C3 Service Commercial zoning district and is legally described as follows:

PARCEL 1:
LOTS 21(EXCEPT THE SOUTH 5 FEET THEREOF) AND 22 (EXCEPT THE SOUTH 5 FEET THEREOF) BLOCK 15 IN GLEN ELLYN MANOR, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER (EXCEPT THE WEST 13 AND 15 100 CHAINS THEREOF) OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 16, 1922 AS DOCUMENT 153289, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:
LOTS 7, 8, 9, 10, 11, 12, 13, 16, 17, 18, 19 (EXCEPT THAT PART DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT FOR A POINT OF BEGINNING; THENCE NORTH 0 DEGREES 04 MINUTES 13 SECONDS WEST 30.0 FEET, TO A POINT ON THE EAST LINE OF SAID LOT MONUMENTED BY A ILLNOIS DEPARTMENT OF TRANSPORATION, DIVISION OF HIGHWAYS SURVEY MARKER; THENCE SOUTH 44 DEGREES, 13 MINUTES, 17 SECONDS WEST 35.79 FEET TO A P OINT MONUMENTED BY AN ILLINOIS DEPARTMENT OF TRANSPORTATION , DIVISION OF HIGHWAYS SURVEY MARKER; THENCE SOUTH 88 DEGREES 30 MINUTES 47 SECONDS WEST 25 FEET TO THE WEST LINE OF SAID LOT; THENCE SOUTHERLY ALONG SAID WEST LINE 5.0 FEET TO THE SOUTHWEST CORNER OF SAID LOT 19; THENCE EASTERLY ALONG THE SOUTHLINE OF SAID LOT 50 FEET TO THE POINT OF BEGINNING), 20 (EXCEPT THE SOUTHERLY 5 FEET THEREOF), 21 (EXCEPT THE

SOUTHERLY 5 FEET THEREOF), 22 (EXCEPT THE SOUTHERLY 5 FEET THEREOF), 23
(EXCEPT THE SOUTHERLY 5 FEET THEREOF), 24, 25, 26, 28, 29, 30, 31, 32, 33, 34 AND 35 IN BLOCK 14 AND LOTS 7, 8, 9, 10, 11, 12, 13, 17, 18, 19 (EXCEPT THE SOUTHERLY 5 FEET THEREOF), 20 (EXCEPT THE SOUTHERLY 5 FEET THEREOF), 25, 26, 27, 28 AND 30 IN BLOCK 15 IN GLEN ELLYN MANOR, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 16, 1922 AS DOCUMENT 153289, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3:
VACATED KENILWORTH, LYING WEST OF THE AND ADJOINING LOTS 23, 24 AND 25 IN BLOCK 14, AND LYING EAST OF THE AND ADJOINING LOTS 17, 18 AND 19 IN BLOCK 15 IN GLEN ELLYN MANOR, BEING A SUBIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 10,

EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 16, 1922 AS DOCUMENT 153289, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 4:
THE EAST 35.3 FEET OF THAT PART OF THE VACATED OTT STREET, LYING WEST OF AND ADJOINING LOTS 25, 26, 27 AND 28 IN BLOCK 15 IN GLEN ELLYN MANOR, BEING A SUBDIVISION OF THAT PART OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 16, 1922 AS DOCUMENT 1532897, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.s: 05-15-418-047, 05-15-418-048, 05-15-418-049, 05-15-419-030, 05-15-419-044 and 05-15-519-045; and

Whereas, following due and proper publication of notice in the *Daily Herald* not less than fifteen (15) nor more than thirty (30) days prior thereto, the Architectural Review Commission conducted a public hearing to consider the requested sign variations on May 23, 2012; and

Whereas, at the May 23, 2012 public meeting and hearing of the Architectural Review Commission, the petitioner presented evidence, testimony, and exhibits relative to the requests for exterior appearance and sign variation approvals and no persons spoke either in favor of or in opposition to the requests; and

Whereas, based upon the evidence, testimony, and exhibits presented at the May 23, 2012 Architectural Review Commission public meeting and hearing, by a vote of six (6) "yes" and zero (0) "no", the Architectural Review Commission recommended approval of the proposed exterior appearance and requested sign variations as set forth in the minutes of the May 23, 2012 Architectural Review Commission, a draft of which is attached hereto as Exhibit "A"; and

Whereas, the Village President and Board of Trustees have reviewed the evidence, exhibits, and materials presented at the May 23, 2012 public meeting and hearing of the Architectural Review Commission and have considered the recommendation of the Architectural Review Commission; and

Whereas, the President and Board of Trustees have determined that approving the proposed exterior appearance and requested sign variations is consistent with the objectives of the Glen Ellyn Appearance Review Guidelines, Ordinance 5508 and the purpose 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: Based upon a review of the evidence, testimony, and exhibits presented at the May 23, 2012 Architectural Review Commission meeting and hearing, the Village President and Board of Trustees hereby grant the requested exterior appearance and sign variation approvals referenced hereinabove to allow the exterior renovation of the Haggerty Chevrolet dealership at 300 Roosevelt Road subject to substantial conformance with the following conditions:

A. The project shall be constructed in substantial conformance with the testimony presented at the May 23, 2012 Architectural Review Commission meeting and hearing, including the following plans and documents in the petitioner's application packet stamped received May 1, 2012, as though they were attached to this Ordinance:

1. Exterior Appearance application signed March 13, 2012
2. Sign Variation Application filed May 1, 2012
3. Project Narrative stamped received May 1, 2012
4. March 23, 2012 letter from Gerald Haggerty, Jr.
5. Elevation of Private Traffic Directional Signs stamped received May 1, 2012
6. Dimensioned Picture of Existing "Body Shop" sign stamped received May 1, 2012
7. Dimensioned Pictures of Existing Freestanding signs (2 total) stamped received May 1, 2012
8. Color Rendering stamped received May 1, 2012
9. Site Plan dated August 26, 2011 and stamped received May 1, 2012
10. Partial North Elevation dated August 26, 2011 and stamped received May 1, 2012
11. Sign Table stamped received May 1, 2012 (no date)

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

B. The existing rooftop equipment shall be painted to match the building.

C. The utilitarian elements on the building, such as man-doors, vents, overhead doors, downspouts and other similar items shall be painted to match the building to minimize their appearance.

D. That the proposed planters around the two existing freestanding signs be expanded into the area of the adjoining parking spaces.

Section Two: The Building and Zoning Official is hereby authorized to issue all necessary building and occupancy permits pursuant to the Exterior Appearance and Sign 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 Exterior Appearance and Sign Variation approvals 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, however, that the Village Board, by motion, may extend the period during which a building permit must be applied for. Further, the Village Board may, for good cause shown, waive or modify any conditions set forth in this Ordinance without requiring that the matter return to the Architectural Review Commission for further review.

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

Section Four: Ordinance 3800 is hereby repealed.

Section Five: 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 _____ 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

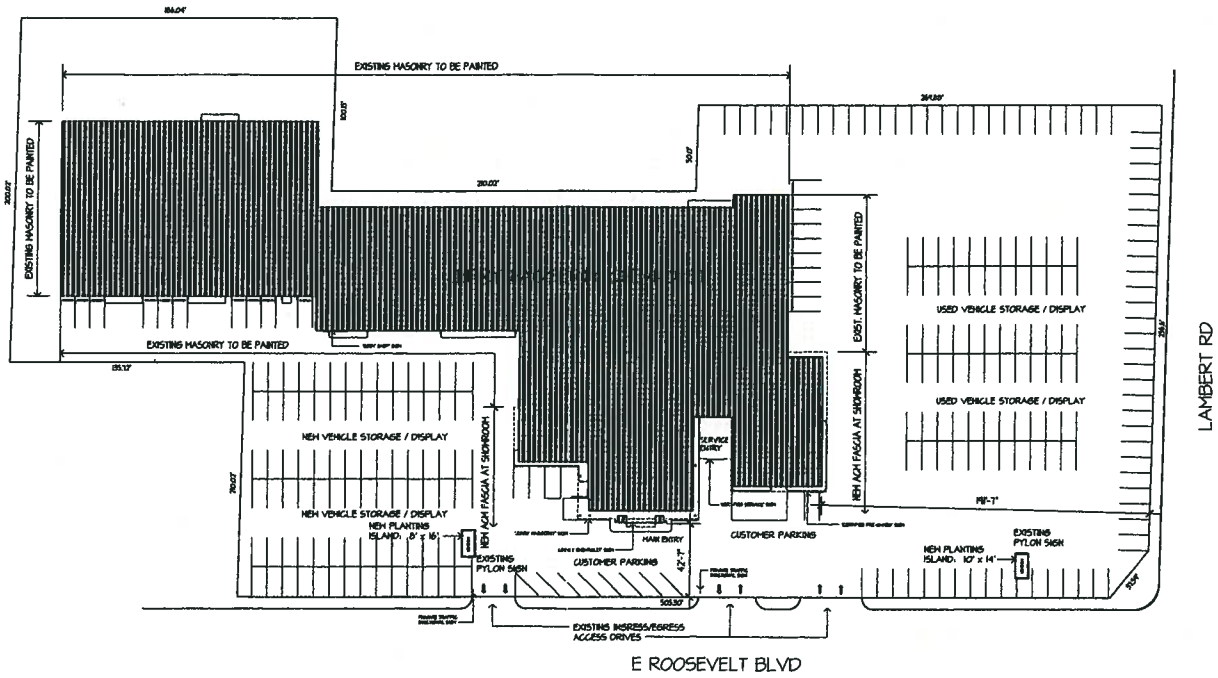
Attest:

_____
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 300\Roosevelt 300, Haggerty 2011, EA, SV\Ordinance.doc

MAY 1 2012
PLANNING DEPARTMENT
VILLAGE OF GLEN ELLYN



GROSS SITE AREA: 169,829 SQ. FT.

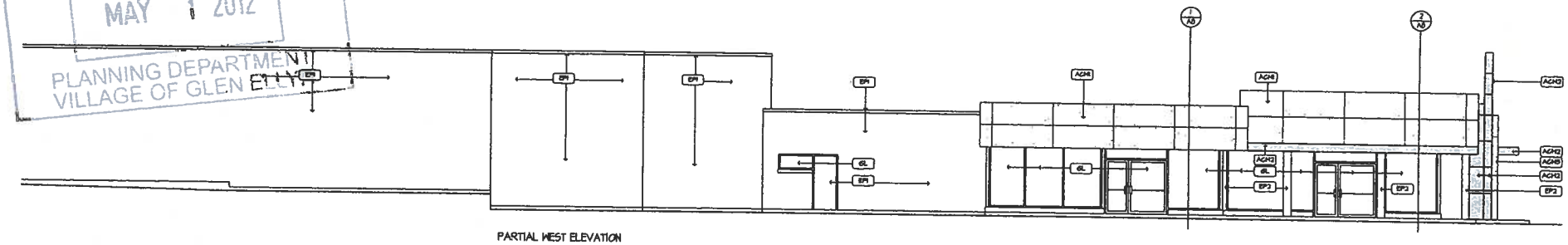
RECEIVED
MAY 1 2012
PLANNING DEPARTMENT
VILLAGE OF ST

SITE PLAN
SCALE 1" = 20'-0"

SSL Smith, Stephens & Luedtke ARCHITECTS, INC

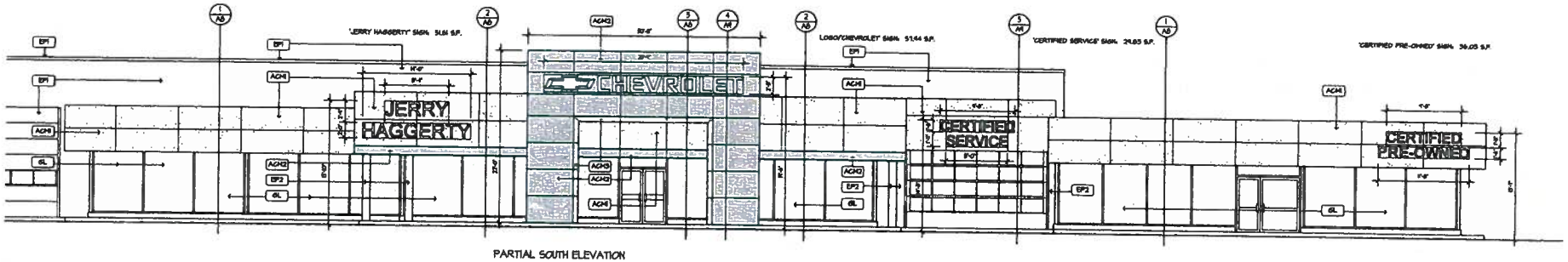
HAGGERTY CHEVROLET

RECEIVED
MAY 1 2012
PLANNING DEPARTMENT
VILLAGE OF GLEN ELLYN



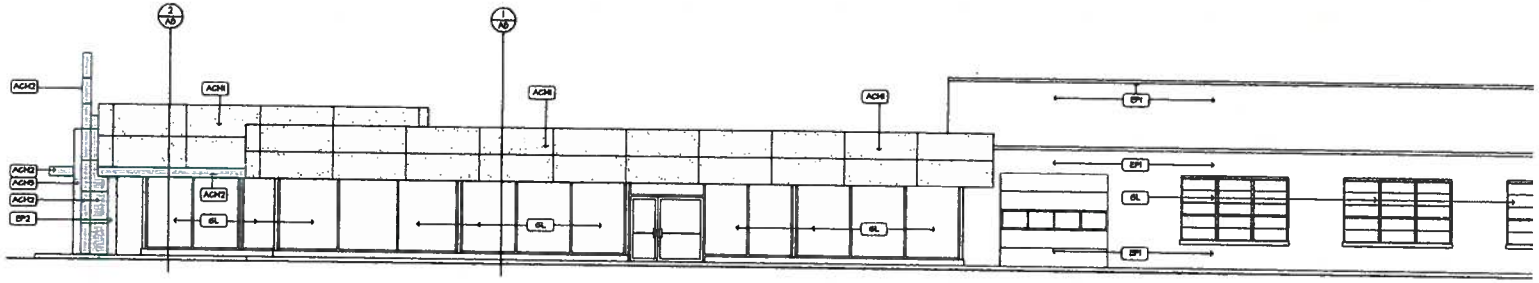
PARTIAL WEST ELEVATION

SCALE 3/8" = 1'-0"



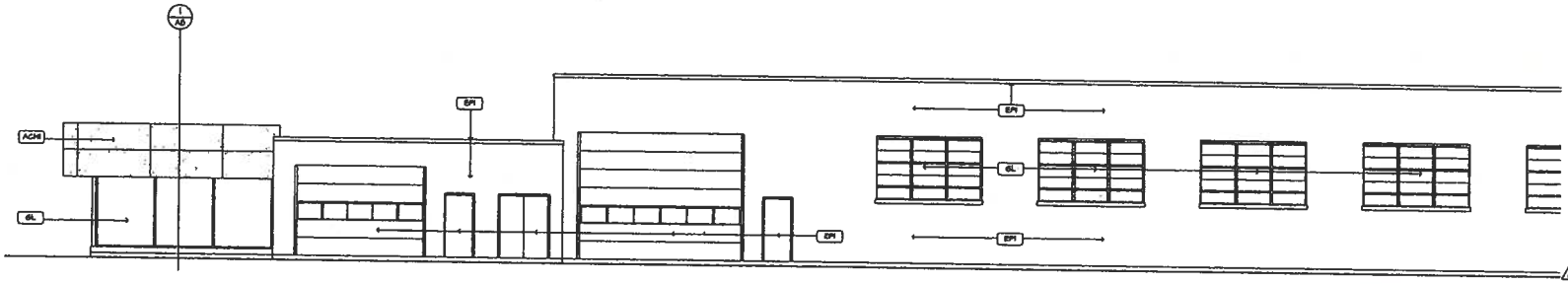
PARTIAL SOUTH ELEVATION

SCALE 3/8" = 1'-0"



PARTIAL EAST ELEVATION

SCALE 3/8" = 1'-0"



PARTIAL NORTH ELEVATION

SCALE 3/8" = 1'-0"

SIGNAGE CALCULATIONS

	ITEM	HEIGHT	LENGTH	TOTAL
1	'JERRY HAGGERTY'	2'-4" 2'-0"	8'-4" 11'-0"	50.42 SQ. FT.
2	LOGO / 'CHEVROLET'	2'-3"	25'-4"	57.44 SQ. FT.
3	'CERTIFIED SERVICE'	1'-6" 1'-6"	9'-8" 8'-8"	24.83 SQ. FT.
4	'CERTIFIED PRE-OWNED'	1'-6" 1'-6"	9'-8" 11'-8"	36.05 SQ. FT.
	TOTAL AREA OF SIGNAGE			174.73 SQ. FT.

ELEVATION MATERIAL LEGEND

- ACM1 — MFG.: ALPOLIC; SYSTEM: RAIN SCREEN; STYLE: DECORATIVE; COLOR: TOX - BRIGHT ALUMINUM METALLIC
- ACM2 — MFG.: ALPOLIC; SYSTEM: RAIN SCREEN; STYLE: DECORATIVE; COLOR: LOAD - CHEVROLET BLUE (COLOR TO MATCH PMS 300)
- ACM3 — MFG.: ALPOLIC; SYSTEM: RAIN SCREEN; STYLE: DECORATIVE; COLOR: DM M.2 ALUMINUM - BRUSTED NATURE ALUMINUM
- EP1 — MFG.: BENJAMIN MOORE; COLOR: 10C-18 MINE DIAMOND; FINISH: EXTERIOR GRADE
- EP2 — MFG.: BENJAMIN MOORE; COLOR: 1230-40 SILVER HALF DOLLAR; FINISH: EXTERIOR GRADE
- GL — EXISTING GLAZING AND FRAMING TO REMAIN. ALL EXISTING ALUMINUM FRAMING IS CLEAR ANODIZED AND TO REMAIN AS IS. ALL EXISTING SHED FRAMING TO BE PAINTED 'EP1'- SEE NOTE 2 BELOW.

ELEVATION NOTES

1. PROVIDE COMPOSITE METAL PANELS BY A SINGLE MANUFACTURER WHICH HAVE BEEN MANUFACTURED, FABRICATED, AND INSTALLED TO MINIMIZE LENGTH FROM DEFLECTION AND INERTIAL MOVEMENT AND TO MAINTAIN PERFORMANCE CRITERIA STATED BY MANUFACTURER HIGHER DEFECTS, DAMAGE OR FAILURE.
2. ENTIRE EXTERIOR PERIMETER OF EXISTING BUILDING TO BE PAINTED. THIS INCLUDES, BUT IS NOT LIMITED TO, THE FOLLOWING: EXTERIOR INSULATION FINISH SYSTEM (EIFS) ALL FACE BRICK, CONCRETE MASONRY, STONE SILLS, ALUMINUM COPING, ROLLOW METAL DOORS AND FRAMES, SECTIONAL OVERHEAD DOORS, SHELL HINGING, AND STEEL LINTELS.
3. ALL EXISTING BUILDING MOUNTED SIGNAGE TO BE REMOVED BY OWNER'S SIGNAGE CONTRACTOR. COORDINATE AS REQUIRED BASED ON SCHEDULE OF WORK.

A ADDENDUM #1 SEP. 14, 2011

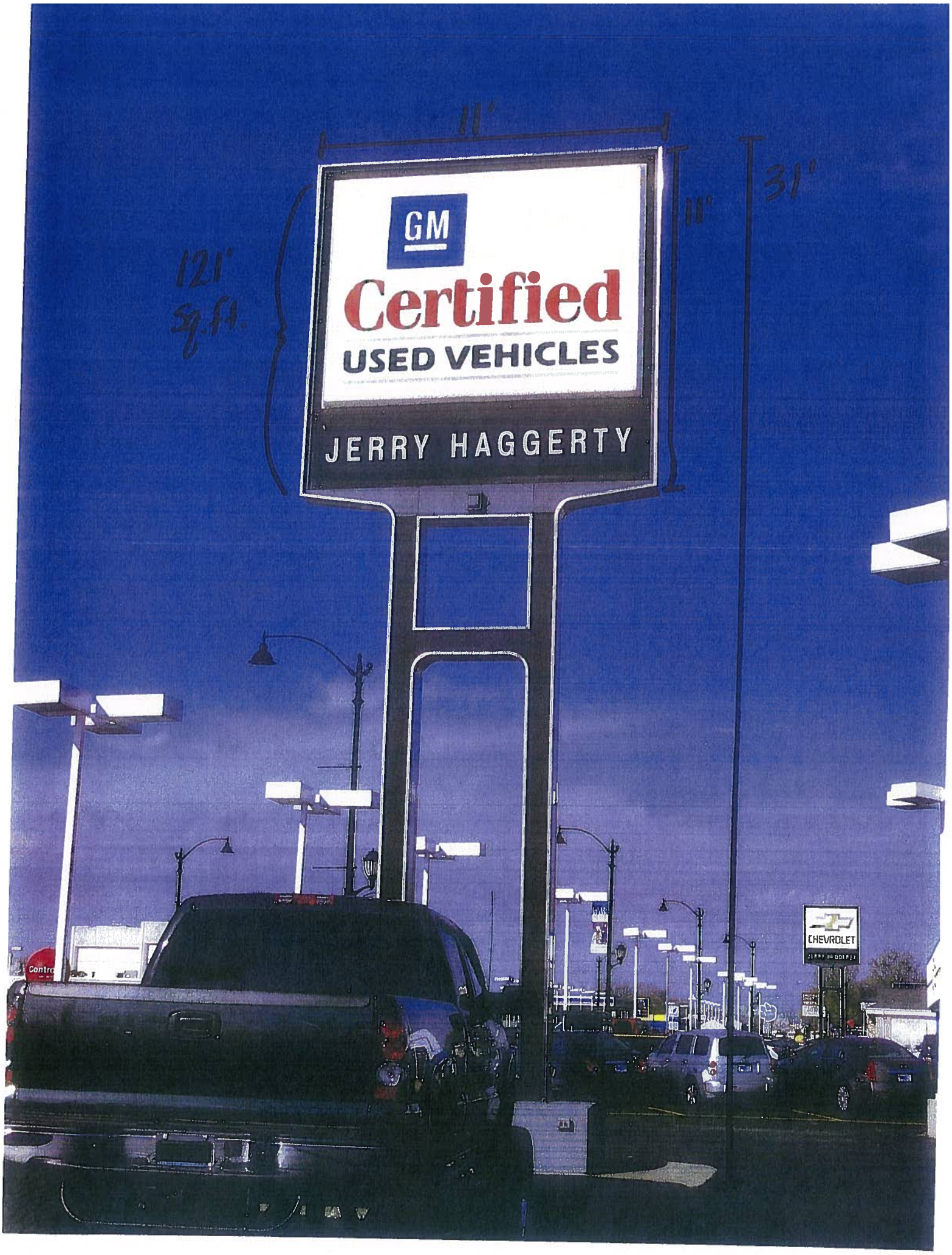
SSL Smith, Stephens & Luedtke ARCHITECTS, INC
17W001 14th Street, Suite 1 ▪ Oakbrook Terrace, IL 60181 ▪ Phone: 630-629-3500 Fax: 630-629-3631

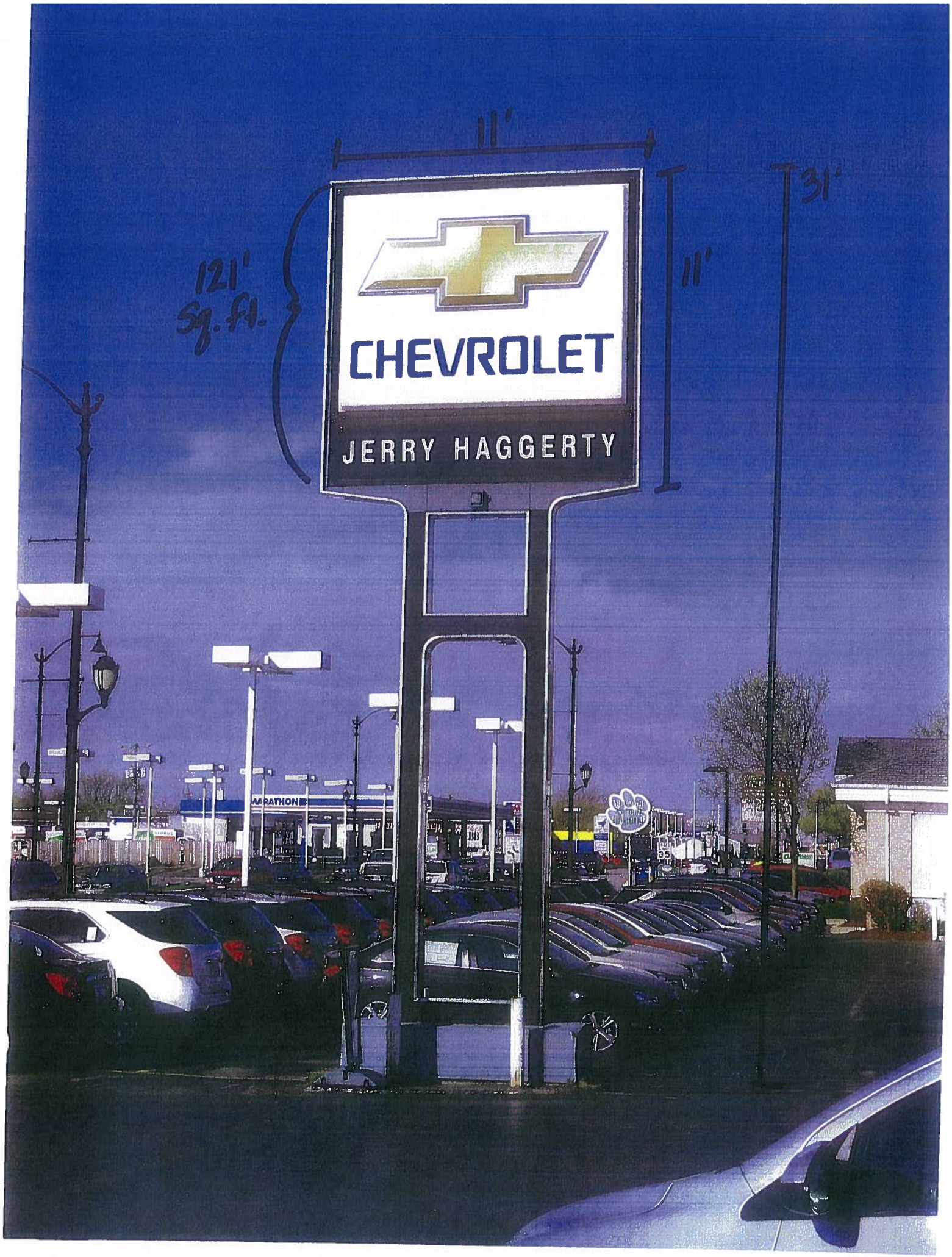
Job Name: REMODELING FOR HAGGERTY CHEVROLET
300 N. ROOSEVELT ROAD
GLEN ELLYN, ILLINOIS 60137

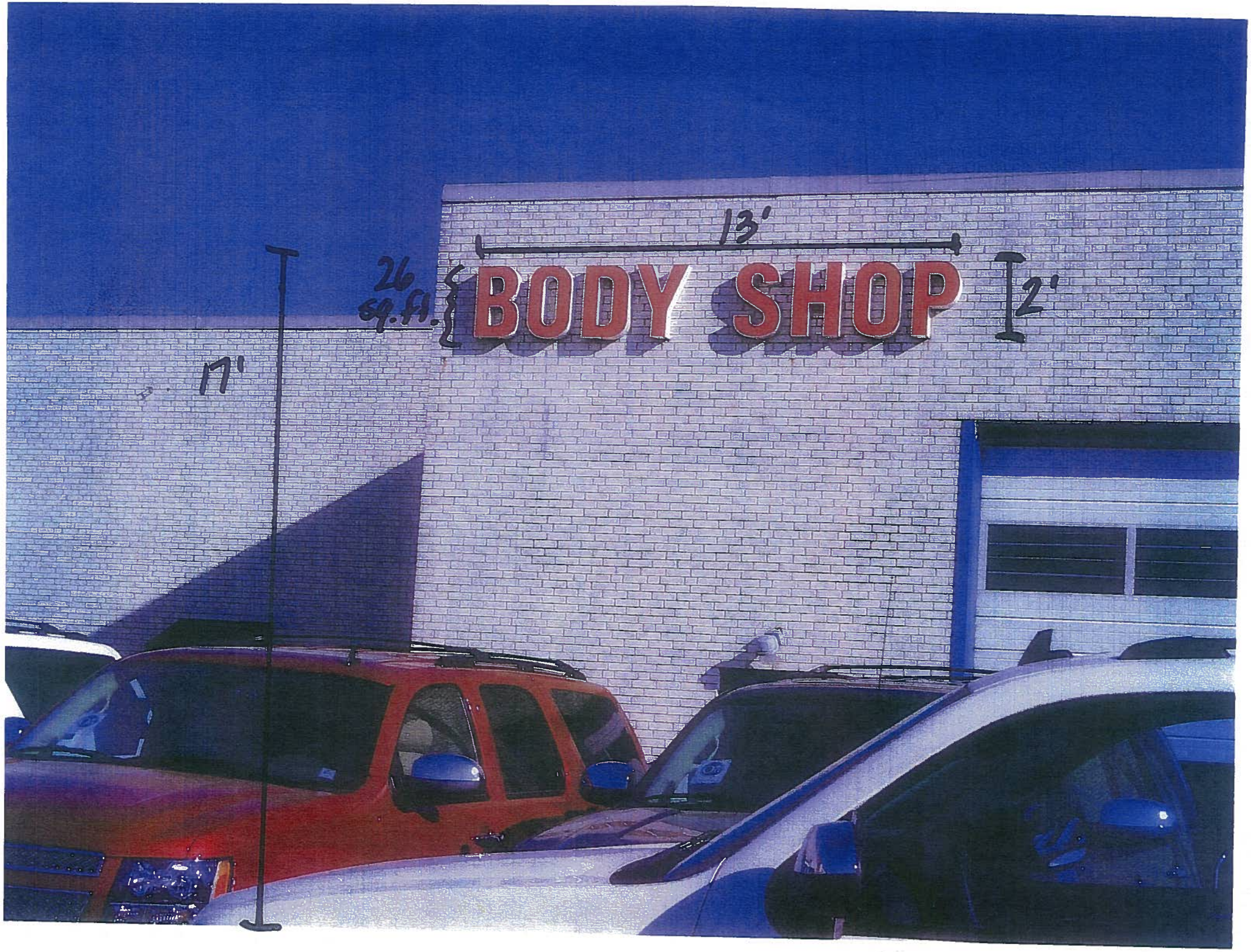
Job Number: 1104 | Job Date: AUG. 26, 2011

Sheet Number: A7

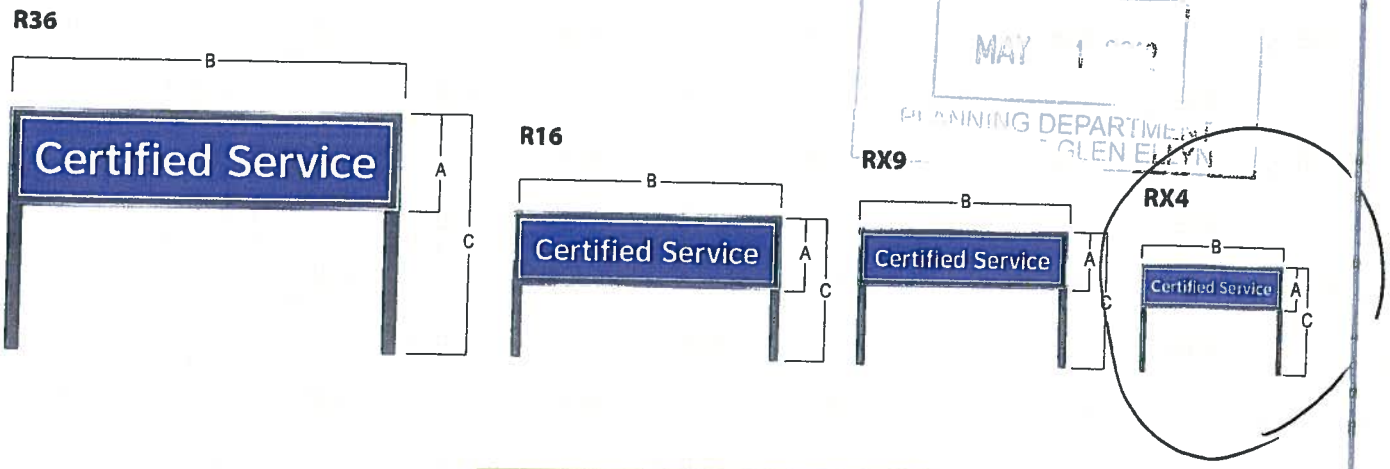
of 12 sheets


11'
11'
31'
121' Sq. ft.
GM
Certified
USED VEHICLES
JERRY HAGGERTY
CHEVROLET


11'
31'
121' sq. ft.
11'
CHEVROLET
JERRY HAGGERTY
MARATHON


13'
26
sq.ft.
BODY SHOP
2'
17'

RECEIVED
MAY 1
PLANNING DEPARTMENT
GLEN ELLYN



ILLUMINATED DIRECTIONALS			
Sign Type	A	B	C*
R36*	3'-1 9/16"	12'-4 9/16"	9'-1 9/16"
R16	2'-3 9/16"	8'-4 9/16"	8'-3 9/16"
RX9	1'-9"	6'-4 9/16"	7'-9"
RX4	1'-4"	4'-4 9/16"	7'-4"

*Not available as a wall project sign
**Maximum heights

ADDITIONAL FACES AVAILABLE

A-6F

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Staci Hulseberg, Planning & Development Director
Michele Stegall, Village Planner MMS

DATE: June 5, 2012

FOR: June 11, 2012 Village Board Meeting

RE: 599 Roosevelt Road, Jewel-Osco
Exterior Appearance and Sign Variations

Background. Jewel-Osco, lessee of property located at 599 Roosevelt Road, is requesting exterior appearance and sign variation approvals associated with the proposed renovation of their existing store located in the Market Plaza shopping center. The petitioner is planning to renovate the interior and exterior of store and to update the exterior building signage to match the current store branding. With the proposed changes the exterior would match the remainder of the shopping center which was updated in 2009. In order to accommodate the project, Jewel-Osco is requesting approval of the following:

1. Exterior appearance approval in accordance with the Appearance Review Guidelines, Ordinance 5508.

2. The following variations from the Glen Ellyn Sign Code:

   a. A variation from Section 4-5-12 to allow 327 square feet of primary signage in lieu of the maximum of 132 square feet permitted.

   b. A variation from Section 4-5-5(G)1 to allow 184 square feet of incidental signage in lieu of the maximum of 13.2 square feet of incidental signage permitted.

   c. A variation from Section 4-5-5(G)2 to allow incidental signage with a height of as much as 19 feet 2 inches in lieu of the maximum height of 10 feet permitted.

   d. A variation from Section 4-5-5(G)3 of the Sign Code to allow 4 incidental signs in lieu of the maximum of 3 incidental signs permitted.

The property is located in the Market Plaza shopping center, on the south side of Roosevelt Road between Park Boulevard and Main Street in the C3 Service Commercial zoning district

Recommendation. The Architectural Review Commission reviewed the requests at a public meeting and hearing on May 23, 2012. No members of the public spoke at the hearing either in favor of or in opposition to the requests. By a vote of 6-0, the Architectural Review Commission recommended approval of the requests subject to the following conditions:

1. The project shall be constructed in substantial conformance with the plans and testimony presented at the March 23, 2012 Architectural Review Commission meeting.

2. All utilitarian elements, such as man-doors, utility meters, vents, overhead doors and downspouts shall be painted to match the building to minimize their appearance in the same manner as was required for the remainder of the shopping center.

3. Prior to the issuance of a building permit, a revised landscape plan shall be submitted and approved by Village staff that shows the following:

   a. The expansion of the existing landscape islands in that portion of the parking lot west of Park Boulevard and the installation of new landscaping in each associated island including at least one tree provided that the remaining number of parking spaces complies with the Zoning Code or a parking deviation is granted.

   b. A further increase in the size of the proposed expanded end islands in the parking lot north of the building.

   c. The use of a fuller more substantial tree in the parking lot landscape islands as opposed to the proposed honey locust. In selecting an alternative tree, the petitioner is encouraged to consult the recommended plant list in the Appearance Review Guidelines.

4. The petitioner is encouraged to use another material for the proposed walkways in the parking lot in lieu of striping these areas as proposed provided that it economically feasible.

Issues. In response to the recommendations made by the Architectural Review Commission at the May 23, 2012 meeting, the petitioner has submitted a revised parking lot landscape plan and updated parking information. The revised landscape plan shows the use of Common Hackberry and Accolade Elm trees in the parking lot landscape islands in lieu of the previously proposed honey locust. Both of these trees are included in the recommended plant list in the Appearance Review Guidelines. The plans also show a further increase in the size of the end islands. As these recommended conditions have been addressed, they are not included in the attached draft Ordinance.

The updated parking calculations submitted with the revised landscape plan show that with the expansion of the landscape islands north of the building and the new proposed walkways that the resulting loss of the 12 spaces would exactly comply with the minimum number of required parking spaces. For this reason and due to the large parking demand of the tenants in the east wing of the shopping center facing Park Boulevard including 7-11, the Huntington Learning Center and a yoga studio, as well as an assertion by the property owner that delivery trucks routinely run over these islands, recommended condition 3a above related to the expansion of the existing landscape islands along Park Boulevard, originally suggested by staff, has not been included in the attached draft Ordinance.

In regard to recommended condition 4 related to the material of the walkways, the property owner

has expressed concerns about the use of a paver material for the walkways due to the bumpy surface it would create for shopping carts to traverse. They have also indicated that the use of a colored concrete is not within their budget. The property owner is in the process of exploring the use of a thermoplastic material for the new walkways. This condition was worded as a suggestion. Therefore, no change to this condition is proposed in the attached draft Ordinance.

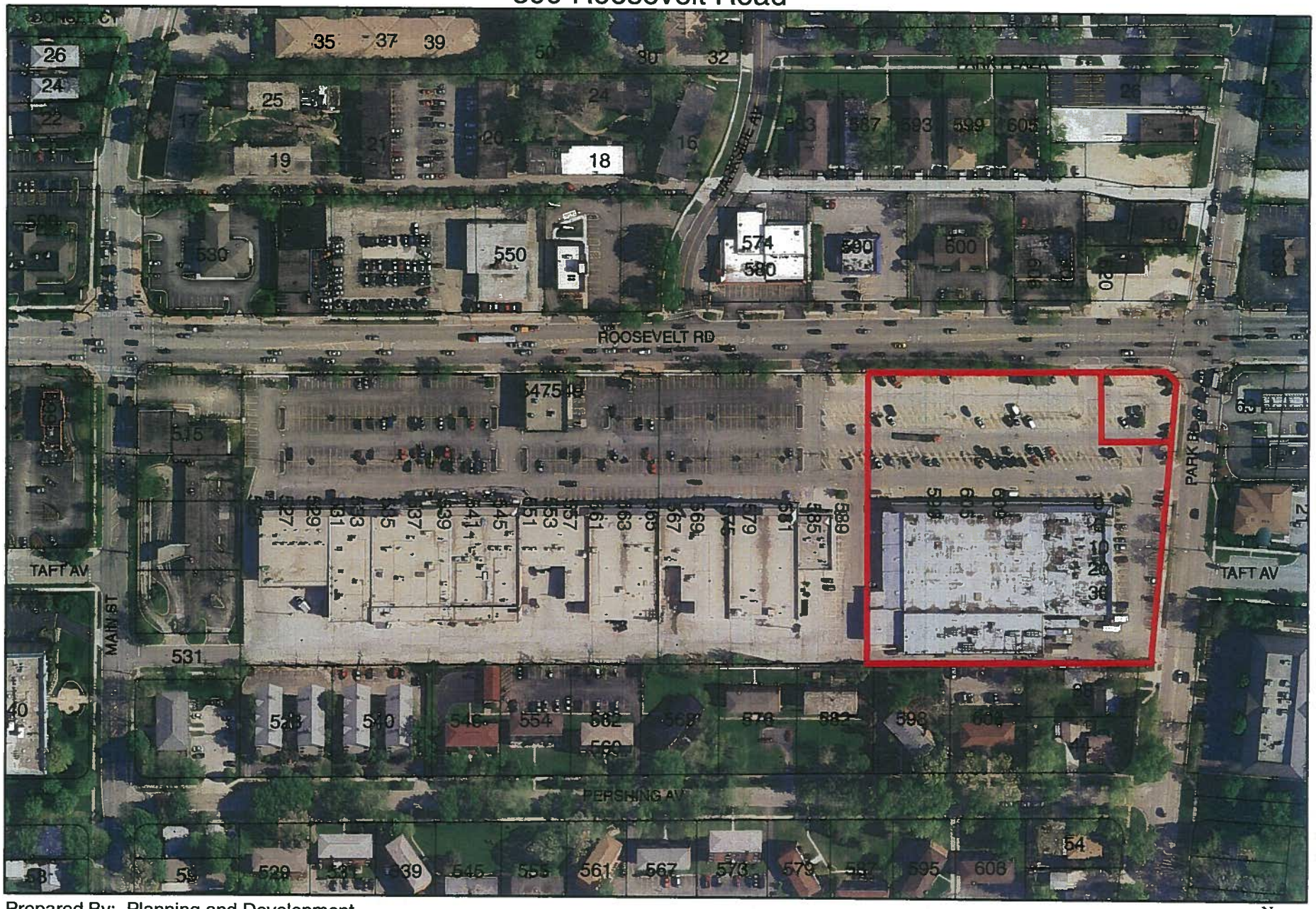
Action Requested. The Village Board may approve, approve with conditions or deny the petitioner's requests for exterior appearance and sign variation approvals. In accordance with the recommendation of the Architectural Review Commission, an Ordinance approving the requests has been prepared for consideration at the June 11, 2012 Village Board meeting.

Attachments.

- Aerial Photo
- Draft Minutes from May 23, 2012 ARC Meeting
- Ordinance
- Revised Landscape Plan
- Petitioner's Application Packet

Cc: Jessica Wiebesiek, Project Architect
Brian Blizzard, Ramco Gershenson

Jewel-Osco
599 Roosevelt Road



Prepared By: Planning and Development
Date: May 17, 2012
2009 Aerial Photo

0 125 250 500 Feet

DRAFT
MINUTES

BOARD/COMMISSION:	**Architectural Review**	**DATE:**	**5/23/12**
MEETING:	**Regular**	**CALLED TO ORDER:**	**7:35 p.m.**
QUORUM:	**Yes**	**ADJOURNED:**	**8:50 p.m.**

MEMBER ATTENDANCE: **PRESENT:** Chairman Burdett, Commissioners Albrecht, Dickie, Draths, Mulvihill, Thompson

ABSENT: Commissioners Allen, Wilson, Wussow, Student Commissioner Burket

ALSO PRESENT: Village Planner Stegall, Recording Secretary Solomon, Trustee Liaison Hartweg

AUDIENCE ATTENDANCE: Ken Kloss; 350 Ridgewood Ave.; Glen Ellyn, Illinois

1. **Call to Order**

Chairman Burdett called the Glen Ellyn Architectural Review Commission (ARC) regular meeting to order at 7:35 p.m., in the Civic Center at 535 Duane Street, Glen Ellyn, Illinois.

2. **Approval of April 25, 2012 Minutes**

Commissioner Draths moved to approve the April 25, 2012 minutes. The motion was seconded by Commissioner Dickie and carried unanimously by a vote of 5-0, as Commissioner Albrecht arrived after this vote.

3. **Public Hearing – Jewel-Osco, 599 Roosevelt Road – Exterior Appearance and Sign Variations**

Commissioner Dickie made a motion to open a public hearing on 599 Roosevelt Road at 7:40 p.m. The motion was seconded by Commissioner Draths and carried unanimously by a vote of 5-0, as Commissioner Albrecht arrived after this vote.

Village Planner Stegall was sworn in and then gave an overview on this proposed project as Jewel-Osco, lessee of the property located at 599 Roosevelt Road in the Market Plaza Shopping Center, has requested Exterior Appearance and Sign Variation Approvals associated with some renovations for the interior and exterior of the shopping center. She stated in 2008, the Village approved the Exterior Appearance for renovations to the shopping center including such things as a new metal roof and exterior brick; however, Jewel was not interested in participating in these renovations at that time. She stated Jewel would now like to upgrade their façade to match

the rest of the shopping center. She stated some of the renovations would be to update the façade and make improvements to the parking lot.

Planner Stegall stated in order for the Village to accommodate the project, the petitioner is specifically requesting approval of the following:

1. Exterior Appearance approval in accordance with the Appearance Review Guidelines, Ordinance 5508.

2. The following variations from the Glen Ellyn Sign Code:

    a. A variation from Section 4-5-12 to allow 327 square feet of primary signage in lieu of the maximum of 132 square feet permitted.

    b. A variation from Section 4-5-5(G)1 to allow 184 square feet of incidental signage in lieu of the maximum of 13.2 square feet of incidental signage permitted.

    c. A variation from Section 4-5-5(G)2 to allow incidental signage with a height of a as much as 19 feet 2 inches in lieu of the maximum height of 10 feet permitted.

    d. A variation from Section 4-5-5(G)3 of the Sign Code to allow 4 incidental signs in lieu of the maximum of 3 incidental signs permitted.

She then reviewed which signs are defined as primary signs and which signs are defined as incidental signs.

Jessica Wiebesiek, interior designer with Camburas & Theodore Ltd., and Brian Blizzard, with property owner Ramco Gershenson Inc., were sworn in. Ms. Wiebesiek stated the citrus fruit graphics sign is a part of the Supervalu branding identity and is not backlit, but usually has a light underneath it that shines up if permitted by code. Chairman Burdett asked if the graphics will change to which Ms. Wiebesiek stated the graphics will not change nor have words added to them. Planner Stegall stated the Zoning Code does not allow up-lighting, but a sign can be lit from above. Commissioner Draths asked if the current chain-link fence along the rear property line would be replaced to which Mr. Blizzard stated that chain-link fence on the west half of the shopping center was replaced with cedar fencing in 2008 and that the property owner behind the Jewel building is not interested in having this fence replaced. Mr. Blizzard also referenced maintenance issues with the cedar fence.

Commissioner Thompson asked about the parking situation to which Planner Stegall stated the parking is calculated on a per lot basis, and the east lot was believed to have about 36 more spaces than required, but the staff will need to verify those numbers as staff and the petitioner may have been calculating differently. Commissioner Thompson stated the Appearance Review Guidelines recommend landscape islands at the end of aisles as well as within the aisles to which Mr. Blizzard stated they elected to expand the islands on the ends and remove the diamonds which are now there. Mr. Blizzard stated there will be a reduction of 12 parking spaces due to

addition of pedestrian walkways and the requested expansion of the end islands. Mr. Blizzard stated if they added more trees and/or plants to a busy parking field, it would create more congestion, and that the proposed islands for the east side of the shopping center would match the current islands on the west side of the shopping center. Commissioner Thompson stated she would like them to widen the proposed islands even more. Commissioner Thompson asked if the pedestrian walkways would be striped with paint to which Mr. Blizzard stated they would be. Chairman Burdett asked what kinds of plants would be in the islands to which Mr. Blizzard stated they were going to use roses, lilies and honey locust trees.

Chairman Burdett asked the petitioner to address the hardship criteria which support the sign variations to which Ms. Wiebesiek stated Supervalu/Jewel-Osco is requesting a larger sign packet as Jewel- Oscos in the Chicagoland area are all going to a cohesive look of updated graphics. She stated there is currently a variance for the large Jewel Osco sign due to the size and height of the signage as well as the TCF Bank sign. She stated the primary Jewel-Osco sign would be about 7 feet in height, and there would be Wine & Spirits and Pharmacy signs also if those are approved by the Village. She stated as TCF Bank is a primary member located in Jewel-Osco, they have requested a larger sign also. She stated the citrus fruit graphics sign is a part of the Supervalu branding which is why they have asked for a larger variance. She stated Jewel-Osco has a 230-foot building front which is why they are requesting larger primary and incidental signage amounts. She stated in reference to the hardship request, it is Supervalu's intent to keep a cohesive look in Chicagoland while gaining an extra 10 to 20 percent increase in sales. Commissioner Albrecht asked about the total proposed increase in square footage to which Ms. Wiebesiek stated the sign package will go from 374 square feet to 511 square feet. Ms. Wiebesiek stated the Wine & Spirits and Pharmacy signs can go smaller, but would then be harder to read from the road.

At 8:00 p.m., Commissioner Albrecht made a motion to close the public hearing. The motion was seconded by Commissioner Thompson and carried unanimously by a vote of 6-0.

Commissioner Draths stated she agrees with the conditions in the Staff Report, such as painting the utilitarian elements and downspouts. She stated she thinks this will be a big improvement and bring a cohesive look to the Market Plaza Shopping Center. She stated she is fine with the proposed sign package.

Commissioner Thompson stated she agrees this look will be better. She stated she wants more plant materials in the landscape islands. She stated she does not like the look of the striped walkways and would prefer to see something else if the budget allows. She stated she is also fine with the proposed sign package.

Commissioner Dickie stated he is pleased to see Jewel-Osco work its way into the rest of the shopping center. He stated the increased signage is appropriate, but would have been concerned if the graphics panels were lit or backlit. He stated he does agree the utilitarian elements and downspouts should be painted to match the building.

Commissioner Mulvihill stated she thinks it is a wonderful improvement to see the store brought into conformity with the rest of the shopping center. She stated the proposed project will be an improvement. She stated she would like to see more landscaping in the end islands and does not like the painted walkways if the budget allows something else.

Commissioner Albrecht stated she agrees with the suggestions in the Staff Report. She stated the tress should be beefed up a bit and does not like the use of the honey locust tree, but the use of a more substantial tree. She stated she does not like the painted walkways, but a colorful brick paver that would be more permanent would be better if the budget allows. She stated the proposed signage is great, and the updated signage is great.

Chairman Burdett stated he agrees with the recommendations in the Staff Report, such as painting the utilitarian elements to match the building and the expansion of the trash enclosures. He stated the landscape islands to the west of Park Boulevard should be expanded, and he would suggest another tree instead of the honey locust tree. He stated he does not like the painted striped walkways, but would suggest a paver if it can be done economically. He stated the signage is a big improvement, and they have demonstrated the hardship of a large storefront.

Commissioner Thompson made the following motion to recommend the Approval of the Exterior Appearance and requested Sign Variations for Jewel-Osco, located at 599 Roosevelt Road:

Having considered the application of Jewel-Osco located at 599 Roosevelt Road for approval of the requested sign variations and the proposed exterior appearance associated with the planned renovation of the store, the Architectural Review Commission herby makes the following findings of fact in regard to the requested signs variations:

1. The requested variations conform to the Statement of Purpose in the Glen Ellyn Sign Code because the signage allows quick identification of the property by using a legible font and font size. The signage compliments the aesthetics of the store because of the repositioning and balance of the signage. The proposed signage is being used to promote the functions within the space, but at a reduced size, thus allowing Jewel-Osco the use of their standard signage package while respecting the Village's request to reduce visual clutter.

2. The requested variations will not alter the essential character of the locality because the lettered signage is typical signage used throughout the shopping center and the signage being requested is smaller than the standard Jewel-Osco signage package used and therefore in keeping with the smaller signs within the Village.

3. The petitioner has demonstrated a practical difficulty and particular hardship as a result of adhering to the strict letter of the regulations of the Sign Code because it inhibits the use of the standard sign package used throughout the Chicagoland area. The standard sign package is not only part of the brand identity, but the petitioner has claimed that it has

been shown to improve sales as customers identify the new branding initiative. The Sign Code limits the use of the standard re-branding package.

4. 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 in which it is located because the petitioner has argued that consumers have a positive response to the signage package and graphics and that without the ability to inform consumers what is in the store and use the new brand identity, that they would lose up to 10% of the customers that they typically acquire when the new sign package is installed.

5. The plight of the owner is due to unique circumstances because Jewel-Osco has a 230 foot long storefront the Sign Code allows a one to one ratio up to 120 square feet and 3 incidental signs per tenant. In the case that Jewel-Osco was not the tenant, there could potentially be 2 or 3 tenants with the option to maximize their signage.

The Commission further adopts the supplemental findings of fact as identified in the petitioner's application packet stamped received May 17, 2012.

Therefore, the Architectural Review Commission recommends that the Village Board approve the requested Sign Variations and proposed Exterior Appearance of the project subject to the following conditions:

A. The project shall be constructed and maintained in substantial conformance with the plans as submitted and the testimony presented at tonight's meeting.

B. All utilitarian elements, such as man-doors, utility meters, vents overhead doors and downspouts shall be painted to match the building to minimize their appearance in the same manner as was required for the reminder of the shopping center.

C. Prior to the issuance of a building permit, a revised landscape plan shall be submitted and approved by Village Staff that shows the following:

   a. The expansion of the existing landscape islands in that portion of the parking lot west of Park Boulevard and the installation of new landscaping in each associated island including at least one tree provided that the remaining number of parking spaces complies with the Zoning Code or a parking deviation is granted.

   b. A further increase in the size of the proposed expanded end islands in the parking lot north of the building.

   c. The use of a fuller more substantial tree in the parking lot landscape islands as opposed to the propose honey locust. In selecting an alternative tree, the

petitioner is encouraged to consult the recommended plant list in the Appearance Review Guidelines.

D. The petitioner is encouraged to use another material for the proposed walkways in the parking lot in lieu of striping these areas as proposed provided that it is economically feasible.

The motion was seconded by Commissioner Albrecht and carried unanimously by a vote of 6-0.

4. Public Hearing – Haggerty Chevrolet, 300 Roosevelt Road – Exterior Appearance and Sign Variations

Commissioner Dickie made a motion to open a public hearing on 300 Roosevelt Road at 8:15p.m. The motion was seconded by Commissioner Draths and carried unanimously by a vote of 6-0.

Village Planner Stegall was sworn in and then gave an overview on this proposed project as Jerry Haggerty, owner of the Haggerty Chevrolet car dealership located at 300 Roosevelt Road, has requested Exterior Appearance and Sign Variation Approvals associated with the proposed renovation of the existing building at 300 Roosevelt Road. She stated the proposed updates are being mandated by General Motors and showed a picture of the proposed exterior renovations and passed around a material sample board. She stated some of the changes are the installation of blue and silver aluminum panels over the existing façade around the showroom as well as painting of the exterior building. She referred to the Staff Report about the rooftop screening and painting of the utilitarian elements and downspouts and stated the ARC may want to consider these items as potential conditions of approval. She also stated there are two existing free standing signs on the property which are substantial in size and have no protection around them and Haggerty Chevrolet has proposed to install islands around the signs. Planner Stegall stated the ARC may want to inquire about increasing the size of the islands. Chairman Burdett asked if the Roosevelt Streetscape Plan is intact to which Planner Stegall stated she did not know how fully the Plan is implemented in this area. Planner Stegall stated she can see brick pavers at the corner of Roosevelt and Lambert Roads in the aerial picture.

Planner Stegall stated in order for the Village to accommodate the project, the petitioner is specifically requesting approval of the following:

1. Exterior Appearance approval in accordance with the Appearance Review Guidelines, Ordinance 5508.

2. The following variations from the Glen Ellyn Sign Code:

    a. A variation from Section 4-5-12(E)2 to allow 4 primary signs on the property in lieu of the maximum number of 2 primary signs permitted by the Sign Code and 3 primary signs permitted by Ordinance 3800.

Village Of Glen Ellyn

Ordinance No. _____

An Ordinance Repealing and Replacing Ordinance 3090 and Granting Exterior Appearance and Sign Variation Approvals for Jewel-Osco Located at 599 Roosevelt Road in the Market Plaza Shopping Center Glen Ellyn, IL

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 Repealing and Replacing Ordinance 3090 and Granting Exterior Appearance and Sign Variation Approvals for Jewel-Osco Located at 599 Roosevelt Road in the Market Plaza Shopping Center Glen Ellyn, IL

Whereas, Jewel-Osco, lessee of property located at 599 Roosevelt Road in the Market Plaza shopping center, is requesting exterior appearance and sign variation approvals for the proposed exterior renovation of the building and related site improvements; and

Whereas, to accommodate the project, the petitioner is specifically requesting approval of the following:

1. Exterior appearance approval in accordance with the Appearance Review Guidelines, Ordinance 5508;

2. The following variations from the Glen Ellyn Sign Code:

    a. A variation from Section 4-5-12 to allow 327 square feet of primary signage in lieu of the maximum of 132 square feet permitted;

    b. A variation from Section 4-5-5(G)1 to allow 184 square feet of incidental signage in lieu of the maximum of 13.2 square feet of incidental signage permitted;

    c. A variation from Section 4-5-5(G)2 to allow incidental signage with a height of as much as 19 feet 2 inches in lieu of the maximum height of 10 feet permitted; and

    d. A variation from Section 4-5-5(G)3 of the Sign Code to allow 4 incidental signs in lieu of the maximum of 3 incidental signs permitted; and

Whereas, on March 25, 1985 by the adoption of Ordinance 3090, the Village previously granted approval of sign variations for the property and the existing signage previously approved by Ordinance 3090 is proposed to be removed and replaced; and

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

THE NORTH 467.0 FEET (EXCEPT THE WEST 1166.82 FEET THEREOF) OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23 AND THE NORTH 467.0 FEET OF THAT PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER LYING WESTERLY OF THE CENTERLINE OF PARK BOULEVARD OF SECTION 23, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDAN, SAID PARCEL ALSO KNOWN AS TRACT 1 OF JOHN S. WAGNERS' PLAT OF SURVEY, ACCORDING TO THE PLAT THEREOF RECORDED MAY 3, 1956 AS DOCUMENT 798962, IN DUPAGE COUNTY ILLINOIS.

EXCEPTION FROM THE ABOVE THOSE PORTIONS OF THE PREMISES LYING IN THE ROOSEVELT (ROUTE 38) ROAD AND PARK (JOLIET ROAD) BOULEVARD RIGHT-OF-WAYS.

P.I.N. 05-23-104-037; and

Whereas, following due and proper publication of notice in the *Daily Herald* not less than fifteen (15) nor more than thirty (30) days prior thereto, the Architectural Review Commission conducted a public hearing to consider the requested sign variations on May 23, 2012; and

Whereas, at the May 23, 2012 public meeting and hearing of the Architectural Review Commission, the petitioner presented evidence, testimony, and exhibits relative to the requests for exterior appearance and sign variation approvals and no persons spoke either in favor of or in opposition to the requests; and

Whereas, based upon the evidence, testimony, and exhibits presented at the May 23, 2012 Architectural Review Commission public meeting and hearing, by a vote of six (6) "yes" and zero (0) "no", the Architectural Review Commission recommended approval of the proposed exterior appearance and requested sign variations as set forth in the minutes of the May 23, 2012 Architectural Review Commission, a draft of which is attached hereto as Exhibit "A"; and

Whereas, the Village President and Board of Trustees have reviewed the evidence, exhibits, and materials presented at the May 23, 2012 public meeting and hearing of the Architectural Review Commission and have considered the recommendation of the Architectural Review Commission; and

Whereas, the President and Board of Trustees have determined that approving the proposed exterior appearance and requested sign variations is consistent with the objectives of the Glen Ellyn Appearance Review Guidelines, Ordinance 5508 and the purpose 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: Based upon a review of the evidence, testimony, and exhibits presented at the May 23, 2012 Architectural Review Commission meeting and hearing, the Village President and Board of Trustees hereby grant the requested exterior appearance and sign variation approvals referenced herein above to allow the renovation of the Jewel-Osco store at 599 Roosevelt Road and related site improvements subject to substantial conformance with the following conditions:

A. The project shall be constructed in substantial conformance with the testimony presented at the May 23, 2012 Architectural Review Commission meeting and hearing, including the following plans and documents in the petitioner's application packet stamped received May 17, 2012, as though they were attached to this Ordinance:

1. Letter from Jessica Wiebesiek dated May 2, 2012
2. Exterior Appearance application dated May 2, 2012
3. Sign Variation application dated May 2, 2012
4. Sign Table (no date)
5. Color Front Building Elevation prepared by Camburas & Theodore, Ltd. dated April 30, 2012
6. Color West Building Elevation prepared by Camburas & Theodore, Ltd. dated April 30, 2012
7. Color South and East Building Elevations prepared by Camburas & Theodore, Ltd. dated April 30, 2012
8. Signage Elevations prepared by Camburas & Theodore, Ltd. dated April 30, 2012
9. Black-line North, South, East, West, Partial Roof Plan and Storefront Detail Elevations prepared by Camburas & Theodore, Ltd. dated May 7, 2012
10. Landscape Plan prepared by McCallum Associated revised May 29, 2012

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

B. All utilitarian elements, such as man-doors, utility meters, vents, overhead doors and downspouts shall be painted to match the building to minimize their appearance in the same manner as was required for the remainder of the shopping center.

C. The petitioner is encouraged to use another material for the proposed walkways in the parking lot in lieu of striping these areas as proposed provided that it economically feasible.

Section Two: The Building and Zoning Official is hereby authorized to issue all necessary building and occupancy permits pursuant to the exterior appearance and sign 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 exterior appearance and sign variation approvals 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, however, that the Village Board, by motion, may extend the period during which a building permit must be applied for. Further, the Village Board may, for good cause shown, waive or modify any conditions set forth in this Ordinance without requiring that the matter return to the Architectural Review Commission for further review.

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

Section Four: Ordinance 3090 is hereby repealed.

Section Five: 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 _____ day of _____, 20_____.

Ayes:

Nays:

Absent:

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

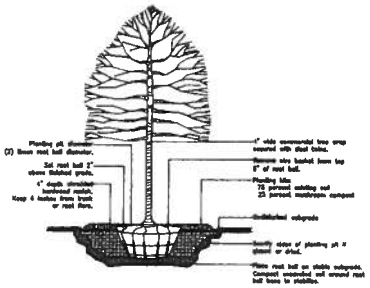
_____
Village President of the
Village of Glen Ellyn, Illinois

Attest:

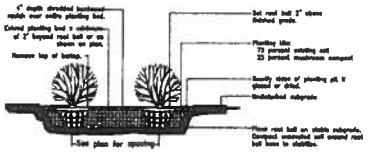
_____
Village Clerk of the
Village of Glen Ellyn, Illinois

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

X:\Plandev\PLANNING\DEVELOPMENT PROJECTS\Roosevelt\Roosevelt 599, Jewel Osco, SUP, Outdoor Sales & Storage\Roosevet 599, Jewel Osco, EA & SV 2012\Ordinance.doc



Detail
Deciduous Tree Planting

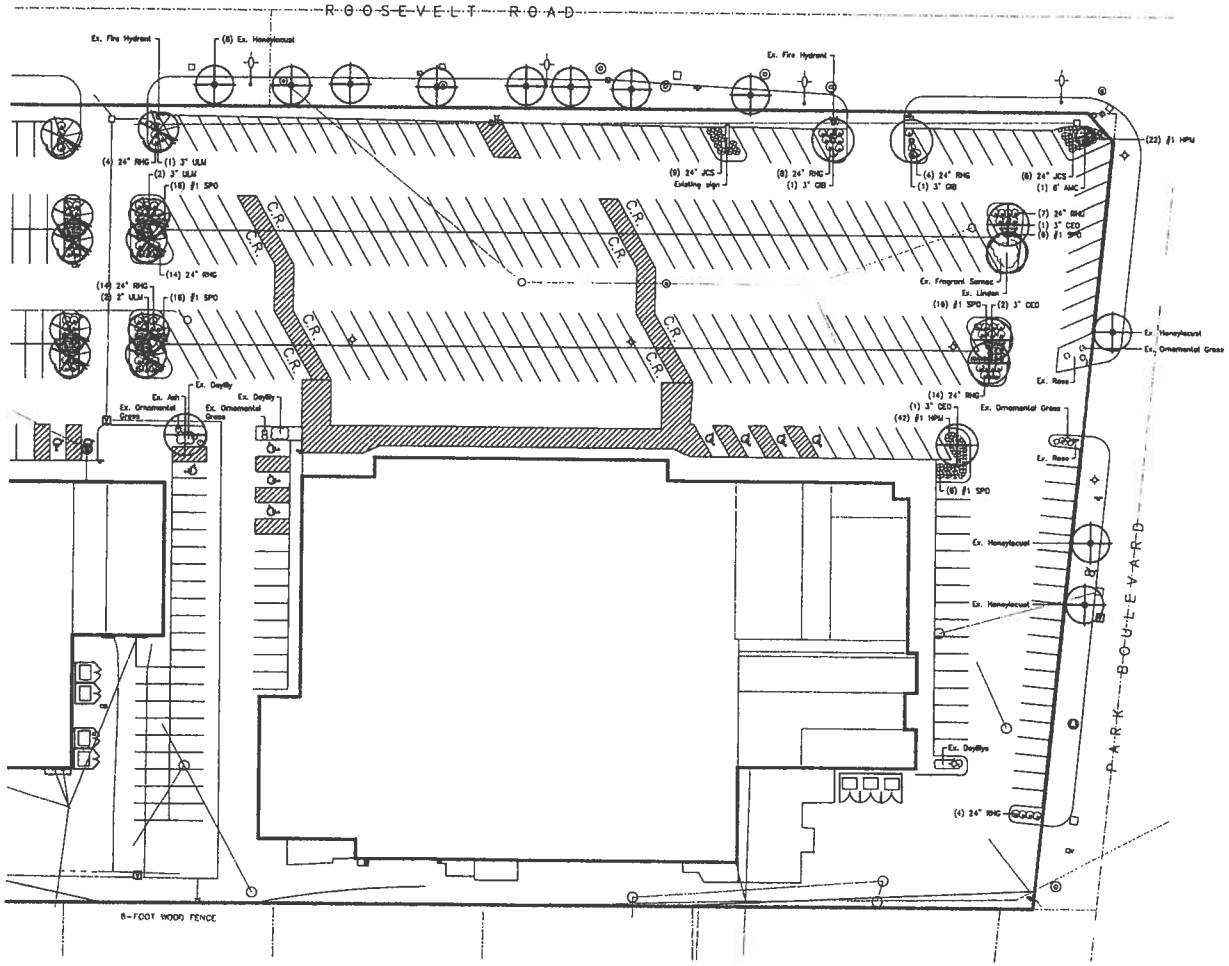


Detail
Shrub Planting

Detail
Perennial Planting

Plant List

KEY	QTY.	SIZE	BOTANICAL NAME	COMMON NAME	REMARKS
AMC	1	6'	Amelanchier canadensis	Shadblow Serviceberry	BB/Clump
CEO	4	3"	Celtis occidentalis 'Prairie Pride'	Prairie Pride Common Hackberry	BB
GIB	2	3"	Ginkgo biloba 'Princeton Sentry'	Princeton Sentry Ginkgo	BB
HPM	54	#1	Hemerocallis 'Pardon Me'	Pardon Me Daylily	Container
JCS	17	24"	Juniperus chinensis var. sargentii	Sargent Juniper	BB
RHG	59	24"	Rhus aromatica 'Gro-Low'	Gro-Low Fragrant Sumac	BB
SPO	60	#1	Spiraea bolus hotarsiapis	Prairie Dropseed	Container
ULM	5	3"	Ulmus x 'Morton'	Accolade Elm	BB



Market Plaza

Glen Ellyn Illinois

RAMCO GERSHENSON

DAVID R. McCALLUM ASSOCIATES, INC.
LANDSCAPE ARCHITECTS

McCALLUM ASSOCIATES

Landscape Plan

Mark	Description	Date
2	Village Review Comments	05.05.12
1	Village Review	05.08.12

Issuance

Number
27908.00

Scale
1" = 30'

North

File
27911PP1A

Sheet
L1.0

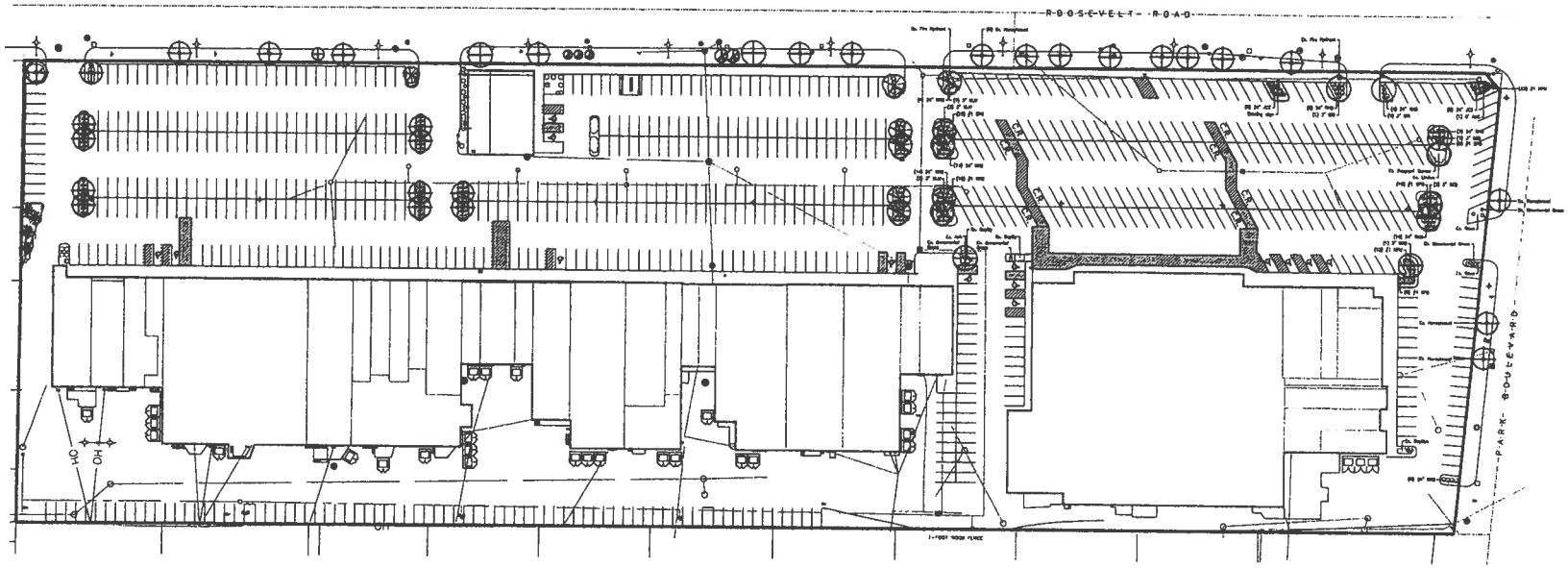
Market Plaza

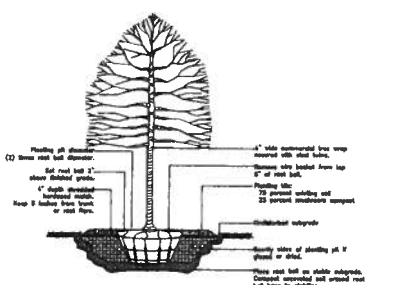
Glen Elyn, Illinois

RAMCO GERSHENSON INCORPORATED

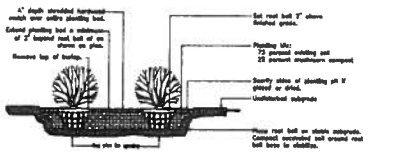
DAVID R. McCALLUM ASSOCIATES, INC
LANDSCAPE ARCHITECTS

McCALLUM ASSOCIATES

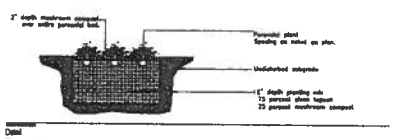




Detail
Deciduous Tree Planting



Detail
Shrub Planting



Detail
Perennial Planting

Plant List

KEY	QTY.	SIZE	BOTANICAL NAME	COMMON NAME	REMARKS
AMC	1	1"	Amelanchier canadensis	Shadblow Serviceberry	BB/Clump
CEO	4	3"	Calitis occidentalis "Prairie Pride"	Prairie Pride Common Hackberry	BB
GIB	2	3"	Ginkgo biloba "Princeton Sentry"	Princeton Sentry Ginkgo	BB
HPM	84	#1	Hemerocallis "Pardon Me"	Pardon Me Daylily	Container
JCS	17	24"	Juniperus chinensis var. sargentii	Sargent Juniper	BB
RNG	68	24"	Rhus aromatica "Gro-Low"	Gro-Low Fragrant Sumac	BB
SPO	60	#1	Sporobolus heterolepis	Prairie Dropseed	Container
ULM	5	3"	Ulmus a "Morton"	Accolade Elm	BB

Landscape Plan

Mark	Description	Date
2	Village Review Comments	05.05.12
1	Village Review	05.08.12

Issuance

Number
27910800

Scale
1" = 50'

North

File
27910PPIA

Sheet
L2.0

JEWEL OSCO STORE REMODEL

599 E. Roosevelt Rd, Glen Ellyn, Illinois

APPEARANCE REVIEW & SIGNAGE VARIANCE

CT Camburas + Theodore, ltd. Architecture | Planning | Engineering | Interior Design

C+T est. 1949

May 2, 2012

RECEIVED
MAY 17 2012
PLANNING DEPARTMENT
VILLAGE OF GLEN ELLYN

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

RE: Jewel Osco #3340 –**Appearance Review and Sign Variance**
599 Roosevelt Road
Glen Ellyn, IL 60137

A proposal to modify the façade of the Jewel-Osco has been submitted for an appearance review and sign variance. Jewel-Osco will be undergoing a remodel and at the request of the Landlord: Ramco-Gershenson and the Village of Glen Ellyn; has proposed to update the façade. In conjunction with the façade updates, Ramco-Gershenson will be making site updates including additional walkways and landscaping.

Jewel-Osco will be updating the façade, to that of the façade of Market Plaza. Updates are to include new façade materials that are currently used at the Plaza. Materials are listed below;

Enicott Thin Brick System, color Almond with Antique white grout
EIFS boarder and cornice, color Sand by Sherwin Williams #1109
Pac-Clad standing seam roof with matching cap, color Sierra Tan
Stained brick to match Enicott Thin Brick, under canopy areas

Jewel-Osco is also proposing to install the standard signage package used for Jewel-Osco per direction of Supervalu Corporation. The standard sign package will require a variance.

The proposed façade updates will create cohesion amongst the Market Plaza. It is in the hopes of Jewel-Osco that the village will approve of the new façade.

Please contact me with any questions or if additional information is needed.

Brian Blizzard of Ramco-Gershenson has mailed an affidavit of authorization directly to the Village.

Sincerely,

Jessica Wiebesiek

Camburas & Theodore LTD.
2454 E Dempster Street, Suite 202
Des Plaines, IL 60016
847-298-1525

VILLAGE OF GLEN ELLYN

Exterior Appearance Review Application Packet

Planning & Development Department
535 Duane Street – Glen Ellyn, IL 60137 – Telephone 630.547.5250 – Fax 630.547.5370

EXTERIOR APPEARANCE REVIEW
APPLICATION

Please complete and return this form to the Planning and Development Department, 535 Duane St., Glen Ellyn, IL 60137. If you have questions, please phone: 630.547.5250

I. APPLICATION INFORMATION:

A. Date Filed: 4-30-2012 B: Application No. _____

C. Project Name: Jewel-Osco located at Market Plaza

D. Project Description: Jewel-Osco is proposing to update the exterior facade and signage of the building. Site plan improvements are also being proposed

E. Address of Property: 599 East Roosevelt Road

F. Permanent Index No.: 05-23-104-037 & 05-23-104-038 G. Zoning: C3 Service Commercial

H. Name of Applicant: Jessica Wiebesiek of Camburas & Theodore Ltd.

I. Address of Applicant: 2454 East Dempster Street, Suite 202 Des Plaines, IL 60016

J. Phone No. (Business): 847-298-1525 (Home) _____

K. Fax No. (Business): 847-390-8130 (Home) _____

L. E-mail Address of Applicant: Jessicaw@ctarch.com

M. Name of Property Owner: Landlord: Ramco Gershenson, Inc.: Michael McBride / Brian Blizzard

N. Address of Property Owner: 31500 Northwest Highway, Suite 300 Farmington Hills, MI 48334

O. Phone No. (Business): 248-592-6430 (Home) _____

P. E-Mail Address of Property Owner: mmcbride@rgpt.com

II. COMFORMANCE WITH APPEARANCE REVIEW GUIDELINES:
(You may attach separate sheets as needed to answer any of the following questions)

Q. Please explain why the proposed architectural style was chosen. Jewel-Osco is proposing to update the exterior façade of the building to that of the surrounding Market Plaza façade, which has been approved through the village and is the current façade of Market Plaza.

R. Provide information about the architectural style and exterior materials of the buildings in the surrounding area: The surrounding tenants have an almond color thin brick and EIFS façade with a standing seam roof line. The surrounding tenants have larger landscape islands and newer signage.

S. Please explain how the project complies with the Appearance Review Guidelines: The project complies with the guidelines because Jewel-Osco is proposing a façade and landscape update to that of the rest of the shopping center, which will create a cohesive appearance to the Plaza.

T. Please explain why any deviations from the Appearance Review Guidelines are proposed: _____
A deviation to the signage allowance is proposed and attached with a signage variance packet.

Signature: Jessica Wiebesiek Date: 5-2-2012

Project Submittals List

1.	Application Form	X
2.	Application Fee	SUBMITTED WITH VARIANCE
3.	Escrow	" "
4.	Reimbursement of Fee Agreement	" "
5.	Proof of Ownership	X
6.	Affidavit of Authorization	X PHOTOCOPY - ORIGINAL MAILED TO VILLAGE
7.	Disclosure of Interest	
8.	Narrative Statement / Project Description	X
9.	Plat of Survey/Legal Description	X
10.	Existing Site Plan	X
11.	Site Plan	X
12.	Landscape Plan	UNDUE TO SUBMIT
13.	Tree Survey	" "
14.	Building Elevation Drawings – Existing	X
15.	Building Elevation Drawing – Proposed	X
16.	Floor Plans	
17.	Color Rendering	X
18.	Photo, Slide(s)	X
19.	List of Building Materials & Colors	X
20.	Material & Color Samples (Bring to Meeting)	
21.	Rooftop Plan	
22.	Specifications for Rooftop Screening	
23.	Sign Plan	X
24.	List of Signs	X
25.	Sign Elevations	X
26.	Building Elevation Drawings-Sign Location	X
27.	Trash Enclosure Exterior Equipment/ Fences/Screening	
28.	Lighting Plan	
29.	Light Fixture Cut Sheets	
30.	Streetscape Elevation	
31.	Outline Perspective View, Photo Imaging	
32.	Scale Model	
33.	ARC & Developer Site Visit Pre-Arranged	

MBR- May be Required

VILLAGE OF GLEN ELLYN

Sign Variation
Application Packet

Planning & Development Department
535 Duane Street – Glen Ellyn, IL 60137 – Telephone 630.547.5250 – Fax 630.547.5370

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

APPLICATION FOR SIGN 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 Sign Code, as described in this application.

I. APPLICANT INFORMATION

Name: Jessica Wiebesiek of Camburas & Theodore Ltd.
Address: 2454 East Dempster Street Suite 202 Des Plaines, IL 60016
Phone No.: 847-298-1525 Fax No.: 847-390-8130
E-mail: Jessicaw@ctarch.com
Ownership Interest in the Property in Question: Legal Representative / Architect
Name and address of the legal owner of the property (if other than the applicant):
Tenant: Jewel-Osco of Supervalu Coperation: 150 Pierce Road, Suite 200, Itasca, IL 60143
Landlord: Ramco Gershenson Inc.: Michael McBride / Brian Blizzard; 31500 Northwestern Highway, Suite 300, Farmington Hills, MI 48334

II. PROPERTY INFORMATION

Common address: 599 E. Roosevelt Rd. Permanent tax index number: 05-23-104-037 05-23-104-038
Zoning classification: C3 Service Commercial Present use: Grocery Store

III. INFORMATION REGARDING THE VARIATION(S) REQUESTED

List of the variation(s) requested, including identification of the Sign Code provisions from which the variation is sought:

4-5-12 of the sign code to allow 327 square feet of primary signage in lieu of the maximum of 132 squar feet permitted. (10% bonus applied for building setback)
4-5-5 (G)1 of the sign code to allow 184 square feet of incidental signage in lieu of the maximum of 13.2 s.f. permitted.
4-5-5 (G)2 to allow incidental signage with a mounting height of 19'-2" in lieu of the maximum height of 10'-0" permitted.
4-5-5 (G)3 of the sign code to allow 4 incidental signs in lieu of the maximum of 3 incidental signs permitted.

IV. EVIDENCE RELATING TO SIGN CODE STANDARDS FOR A VARIATION

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

A. Standards Applicable to All Variations Requested

1. Indicate how you believe the request variation conforms to the Statement of Purpose in Section 4-5-2 of the Sign Code:
   The proposed signage conforms to section 4-5-2 because the signage allows quick identification of the property by using a legible font and font size. The signage compliments the aesthetics of the store because of the repositioning and balance of the signage. The proposed signage is being used to promote the functions within the space, but at a reduced size, thus allowing Jewel-Osco the use of their standard signage package while respecting the village's request to reduce visual clutter.

2. Provide evidence that there are practical difficulties or particular hardship for the applicant/owner in carrying out the strict letter of the Sign Code:
   There is hardship for Jewel-Osco by the strict sign code because it inhibits the use of the standard sign package recognized throughout the Chicagoland area. The standard sign package is not only part of the brand identity, but has been shown to improve sales as customers identify the new branding initiative. The allowed 132 square feet of primary signage and 13.2 square feet of incidental signgae limits the use of the standard re-branding sign package.

3. (a) Provide evidence that the property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the Sign Code (i.e., without one or more variations):
   It has been shown that consumers have a positive response to the signage package and graphics. Without the ability to inform consumers what is in the store and use the new brand identity, Jewel-Osco will lose up to 10% of customers that it typically acquires when the new sign package is installed.

   OR

   (b) Provide evidence that the plight of the applicant/owner is due to unique circumstances relating to the property in question:
   The plight is in the fact that the Jewel-Osco has a 230' store front, but the sign code allows a 1 to 1 ratio up to 120' and allows 3 incidental signs per tenant. In the case that Jewel-Osco was not the tenant, there would potentially be 2 or 3 tenants with the option to maximize their signage up to 4 signs each or 8 to 12 total. Jewel-Osco is requesting the use of the larger storefront while maintaining cohesion.

4. Provide evidence that the requested variation(s), if granted, will not alter the essential character of the locality of the property in question:
   The signage will not alter the character of the property because the lettered signage is typical signage used through the shopping center and in most circumstances consumers do not view the citrus graphics as signage, but rather architectural features. The signage being requested is smaller than the standard Jewel-Osco signage package used and therefore is in-keeping with the smaller signs within the village.

B. For the purpose of supplementing the above standards, the ARC, in making its recommendation that there are practical difficulties or particular hardships, may 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 Sign Code were to be carried out:
Jewel-Osco has a large storefront of 230' thus exceeding the 120 square feet maximum of 1 linear foot to 1 square foot of primary signage. At a 1 to 1 ratio (with 20% bonus) Jewel-Osco would be allowed 276 s.f. of primary signage. Additionally all tenants; regardless building front size, are allowed 3 incidental signs. Jewel-Osco's large storefront would allow 6 or more incidental signs if split into multiple tenants.

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:
The majority of properties within the same zoning district do not have a multi use facility with an additional tenant within the space, nor do they have as large of a building footprint. Jewel-Osco is promoting pharmacy, food, liquor, and accommodating a TCF Bank sign for the internal tenant all while trying to maintain the signage used for the re-branding of Jewel-Osco.

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:
The request is based on being able to use the standard re-branding signage used on remodeled Jewel-Osco's throughout chicagoland. It is the purpose of Jewel-Osco to have all of its locations look similar, including the location in Glen Ellyn. There is also an intent to allow a sign for the TCF Bank located in Jewel-Osco.

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.
The difficulty stems from a strict sign code that inhibits the full use of the large footprint of the property. Jewel-Osco is not requesting any signage beyond the standard sign package that has been implemented by Supervalu Corporation.

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 variation will not be detrimental as will comply with all building, electrical, and fire code. It will be manufactured by a professional sign company and therefore maintain a pleasing ascetic look. The proposed signage has been researched and has not been shown to disrupt property values. The requested signage count is in-keeping with what would potentially be displayed with multiple tenants instead of one.

6. Provide evidence that the proposed variation will not:

   a. Impair an adequate supply of light and air to adjacent property;
   The exterior wall signage will be mounted to the facade of the building and protrude less then 12" from the facade; therefore will not restrict light or air to the adjacent property.

   b. Substantially increase the hazard from fire or other dangers to the property in question or adjacent property;
   The signage will be mounted and installed per building, electrical, and fire code, the signage will not substantially increase risk of fire or other dangers.

   c. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village;
   The signage will not affect public safety or comfort as is will not physically affect the public. The same typical signage package is located throughout the USA with no reported public health issue.

   d. Diminish or impair property values within the neighborhood;
   The signage is constructed professionally with commercial grade materials and is properly installed. The signage will be an update and improvement from the existing signage.

   e. Unduly increase traffic congestion in the public streets and highway;
   The signage will not cause street congestion because the signage is easy to read and mounted to the storefront. The signage will not directly affect the streets or change traffic patterns.

   f. Create a nuisance; or
   The signage is typical of Supervalu grocery stores.

   g. Results in an increase in public expenditures.
   The signage materials, installation, and upkeep is paid for by Jewel-Osco and will not affect 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 requested signage is a reduced sign package typically used for remodeled Jewel-Osco stores. Smaller lettering and citrus graphics have been used, while maintaining legibility.

8. Please add any additional comments which you believe may assist the ARC in reviewing this application.

   The signage being requested has been reduced from the typical signage package used for remolded Supervalu stores. Jewel-Osco will also be updating the exterior facade of the building, to that of the facade of the shopping center complex, per the request of the village.

VIII. 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 Sign Variation Request Package and applicable provisions of the Glen Ellyn Sign Code.

I (We) understand that this application will not be submitted to the Review Boards and Commissions until all items on the attached list are reviewed by Village staff.

Jessica Wiebesiek

Jessica Wiebesiek

Signature of Applicant(s)

May 2, 2012

Date filed

SIGN TABLE

- ALL EXISTING AND PROPOSED SIGNS –

Conforms

Key Words Yes/No	Height	Size	Sq. Ft.	Existing or Proposed	Type as per Village Sign Code*	Village Sign Code
Jewel-Osco	21'-7"	7'-3" ' x 46'-10" ' =	339	Existing to be removed	Primary	
TCF Bank	13'-6"	1'-4" ' x 11'-2" ' =	15	Existing to be removed	Primary	
Liquor	15'-4"	2' ' x 9'-11" ' =	20	Existing to be removed	Incidental	
		' x ' =				
Jewel-Osco	20'-2"	7'-3" ' x 41' ' =	297	Proposed	Primary	
Pharmacy	15'-4"	1'-6" ' x 10'-10" =	16	Proposed	Incidental	
Wine & Spirits	15'-4"	1'-6" ' x 15'-10" =	24	Proposed	Incidental	
TCF Bank	15'-9"	2'-2" ' x 13'-8" ' =	30	Proposed	Primary	
Citrus Graphic	19'-2"	6'-0" ' x 12' ' =	72	Proposed	Incidental	
Citrus Graphic	19'-2"	6'-0" ' x 12' ' =	72	Proposed	Incidental	

LOCATE ALL SIGNS (Existing & Proposed) ON ATTACHED SITE PLAN AND A FAÇADE DRAWING.

***Primary = P**

Shopping Center = SC

Incidental = I

Other = O – Identify as per the Village Sign Code

PARCEL I:

THAT PART OF THE FOLLOWING DESCRIBED PROPERTY DESIGNATED AS JEWEL/OSCO AND OUTLINED IN RED ON EXHIBIT A ATTACHED TO THE MEMORANDUM OF LEASE RECORDED OCTOBER 4, 1984 AS DOCUMENT R84-80207:

THE NORTH 467.0 FEET (EXCEPT THE WEST 1166.82 FEET THEREOF) OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 23 AND THE NORTH 467.0 FEET OF THAT PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 LYING WESTERLY OF THE CENTER LINE OF PARK BOULEVARD OF SECTION 23, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS; SAID PARCEL ALSO KNOWN AS TRACT ONE OF JOHN S. WAGNER'S PLAT OF SURVEY ACCORDING TO THE PLAT THEREOF RECORDED MAY 3, 1956 AS DOCUMENT 798962.

PARCEL II:

EASEMENTS FOR INGRESS, EGRESS AND PARKING FOR THE BENEFIT OF PARCEL 1 OVER THE "COMMON FACILITIES" LOCATED ON THE SHOPPING CENTER PARCEL AS GRANTED IN SAID MEMORANDUM OF LEASE.

Glen Ellyn Project Submittals List

		Item Required (X)
1.	Application	X
2.	Fee	X
3.	Escrow	X
4.	Reimbursement of Fee Agreement	X
5.	Proof of Ownership	X Lease
6.	Disclosure of Interest	N/A
7.	Affidavit of Authorization	X
8.	Plat of Survey/Legal Description	X
9.	Sign Table	X
10.	Sign Plan	X Site Plan
11.	Building Elevation Drawings	X
12.	Sign Elevations	X
13.	Other	X Previous Variance
14.	Other	

REIMBURSEMENT OF FEES AGREEMENT

Village of Glen Ellyn Acct: #_____
Initial Deposit Amount: _____

I. DESCRIPTION OF PROJECT: Jewel-Osco exterior wall sign variance request

II. OWNER:
- A. Owner of Property: Tenant: Jewel-Osco
- B. Owner's Address: 150 Pierce Road, Suite 200, Itasca, IL 60143
- C. Owner's Home Phone Number:_____ Fax: 630-948-6965
- D. Owner's Work Phone Number: 630-948-6345
- E. Owner's E-mail: randy.kriegel@supervalu.com
- F. If Owner is a Land Trust or Corporation, the attached disclosures of interest should be filled out.

III. PERSON MAKING REQUEST (Petitioner):
- A. Name of Petitioner: Jessica Wiebesiek of Camburas & Theodore LTD
- B. Petitioner's Address: 2454 East Dempster Street Suite 202, Des Plaines, IL 60016
- C. Petitioner's Home Phone Number: _____
- D. Petitioner's Work Number: 847-298-1525
- E. Petitioner's E-mail: Jessicaw@ctarch.com

IV. LOCATION OF PROPERTY:
- A. General Location of Property: 599 East Roosevelt Road
- B. Acreage of Parcel: 2.5
- C. Permanent Index Number(s): 05-23-104-037 & 05-23-104-038
- D. Legal Description (Please attach)

V. REIMBURSEMENT OF FEES:

The Ordinances of the Village require the owners of property, or individuals seeking to utilize property, to receive approval by ordinance or the issuance of a permit to undertake various uses or improvements of property in the Village. These uses can include requests for textual or map changes in the Zoning Ordinance, applications for building permits, requests for zoning relief and other similar requests. The Village has established a fee schedule for the anticipated use of staff time in processing such petitions or applications. In many cases, however the Village cannot reasonably evaluate the validity or compliance of the petition or application with the Ordinances of the Village without the use of reports from various consultants. In some cases, the application or petition requires among other things, public hearings and associated public notice costs, preparation of minutes or transcripts from the public hearing or meeting, recording costs of Ordinances and the preparation of reports by consultants whose services require the payment of out-of-pocket expenses by the Village. These expenses would not have been incurred but for the petition or application. The Village does not intend to seek to make a profit on its utilization of such consultants, but requires that the applicant, or the person receiving benefit, shall be obligated to reimburse the out-of-pocket expenses incurred by the Village. The Village shall seek to employ consultants who shall charge rates consistent with those paid by private parties who seek similar consulting services. The Village intends, through this Agreement, to cause the payment of out-of-

pocket expenses and to require the creation of an escrow fund to guarantee that the petition or application will not result in the citizens of the Village being required to pay for costs incurred at the request of the owner or applicant.

This document shall constitute a contract when an application is made for a license, permit, request for zoning relief or other approval involving the use of real property. Should the Village, in its sole and exclusive discretion, determine that it is necessary or desirable for the Village to obtain professional services, including, but not limited to, attorneys, engineers, planners, architects, surveyors, court reporters, traffic, drainage or other consultants, including full and/or part time site inspection services during the actual construction of any required improvements, and/or to incur costs related to any required notices or recordations, in connection with any application or petition filed by the petitioner then the petitioner and owner shall be jointly and severally liable for the payment of such professional fees and costs, as shall actually be incurred by the Village. The Planning and Development Director is hereby authorized to assign the above described services to the Village staff or to consultants, as the Director deems appropriate and without prior notification to the petitioner.

Any application or petition to be reviewed by the Planning and Development Department or by the Plan Commission or Architectural Review Commission shall require the petitioner to establish an escrow account with the Village in an amount determined by the Planning and Development Director to reimburse the Village for all out of pocket costs associated with the request. These out of pocket costs will cover such things as services provided by the Village's consulting engineer, consulting attorney, consulting planner, traffic consultant, wetland consultant, landscape consultant, architectural consultant, appraiser and transcriber, among others, as well as reproduction costs, public hearing notice costs, recording costs, etc. Along with the application the petitioner shall also submit a signed copy of this agreement thereby acknowledging and agreeing to reimburse the Village for all out of pocket costs associated with the application or petition.

This agreement shall be accompanied by an initial deposit in an amount to be determined by the Director of Planning and Development but shall be no less than $500. The Village will provide an itemized list of Village expenses incurred related to any charge to the escrow account, and the petitioner shall deposit funds to reimburse the Village for those expenses upon notice from the Village that the deposit has dropped below $500. If the expenses are not reimbursed, then reviews meetings and permits associated with out of pocket costs will cease, and the request will not be moved forward through the review process. At the completion of the review process, and development of the project, if appropriate, any remaining balance from the deposit will be returned to the petitioner, without interest, after all expenses have been paid.

The Village shall deduct the incurred expenditures and costs from the funds deposited. If the remaining deposit balance falls below $500.00, the petitioner, upon notice by the Village, shall be required to replenish the deposit to its initial amount. The Village shall mail the petitioner regular invoices for the fees and costs incurred. The petitioner shall replenish the deposit amount within thirty (30) days of issuance of each such invoice directing replenishment of the deposit.

A petitioner who withdraws his or her petition may apply in writing to the Planning and Development Director for a refund of his or her remaining escrow balance. The Planning and Development Director may, at his or her discretion, approve such refund less any actual fees and costs, which the Village has already paid or incurred relative to the application.

Upon the failure of the petitioner or owner to reimburse the Village in accordance with this Agreement, no further action shall be undertaken on the application by the Village President and Board of Trustees, or by any other official or quasi-official individual or body thereunder, including the conduct of any hearings or deliberations, reviews of any plans or applications, the granting of any relief or approvals, issuance of any permits or occupancies, performance of inspections and the execution or recording of any documents, until all such outstanding fees are paid in full and/or the initial deposit is restored to its full amount. Upon any failure to reimburse the Village in accordance with this Section, the Village may in its discretion, apply any or all of the initial deposit to the outstanding balance due.

The remedies available to the Village as set forth hereinabove are non-exclusive and nothing herein shall be deemed to limit or waive the Village's right to seek relief of such fees against any or all responsible parties in a court of competent jurisdiction.

Any remaining balance of any funds deposited pursuant to this Agreement shall be refunded at such time as the completion of Village deliberation on the petition or application, recordation of all necessary documents associated with the petition or application, issuance of a building permit, approval of a final inspection, or issuance of a final certificate of occupancy upon the real property in question whichever occurs later.

BY SIGNING BELOW, THE PETITIONER AND OWNER ACKNOWLEDGE THAT EACH OF THEM HAS READ THE FOREGOING PARAGRAPHS AND EACH OF THEM FULLY UNDERSTANDS AND AGREES TO COMPLY WITH THE TERMS SET FORTH HEREIN. FURTHER, BY SIGNING BELOW, EACH SIGNATORY WARRANTS THAT HE/SHE/IT POSSESSES FULL AUTHORITY TO SO SIGN.

THE PETITIONER AND OWNER AGREE THAT PETITIONER AND OWNER SHALL BE JOINTLY AND SEVERALLY LIABLE FOR PAYMENT OF FEES REFERRED TO IN APPLICABLE SECTIONS OF THE ORDINANCES OF THE VILLAGE OF GLEN ELLYN, AND THE OBLIGATIONS FOR PAYMENT RELATING TO THE FILING OF PETITION OR APPLICATION, AS SET FORTH HEREIN.

Jessica Wiebesiek Jessica Wiebesiek Petitioner	Village of Glen Ellyn
Randy Kreigel Owner	By:_____ Planning and Development Director
Date: 4-2-2012 ORIGINAL MODIFIED MAY-2-2012	Date: _____

X:\Plandev\PLANNING\FORMS\RcimOfFeesAgrmt 020410 lg.doc

AFFIDAVIT OF AUTHORIZATION

I, Market Plaza 450 LLC owner of the property described as
Market Plaza Shopping Center
525-599 Roosevelt Road
Glen Ellyn, Illinois 60137

verify that Jessica Wiebesiek of Camburas & Theodore Ltd.
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.

OWNER

Kelly A. Zelenak
NOTARY

KELLY A. ZELENAK
Notary Public, State of Michigan
County of Wayne
My Commission Expires Jun. 15, 2013
Acting in the County of Oakland

Existing Elevation

Proposed Elevation

NEW PAC-CLAD STANDING SEAM ROOF WITH MATCHING CAP TRIM, COLOR SIERRA TAN

EIFS ACCENT BAND AND CORNICE WITH SAND FINISH

NEW PREFINISHED METAL COPING, COLOR SIERRA TAN

NEW ENICOTT THIN BRICK SYSTEM, COLOR ALMOND WITH GROUT COLOR ANTIQUE WHITE TO MATCH EXISTING CENTER

EXISTING FACE BRICK TO BE CLEANED AND TUCK POINTED. BRICK AND MORTAR TO BE STAINED TO MATCH ENICOTT ALMOND BRICK AND NATURAL MORTAR

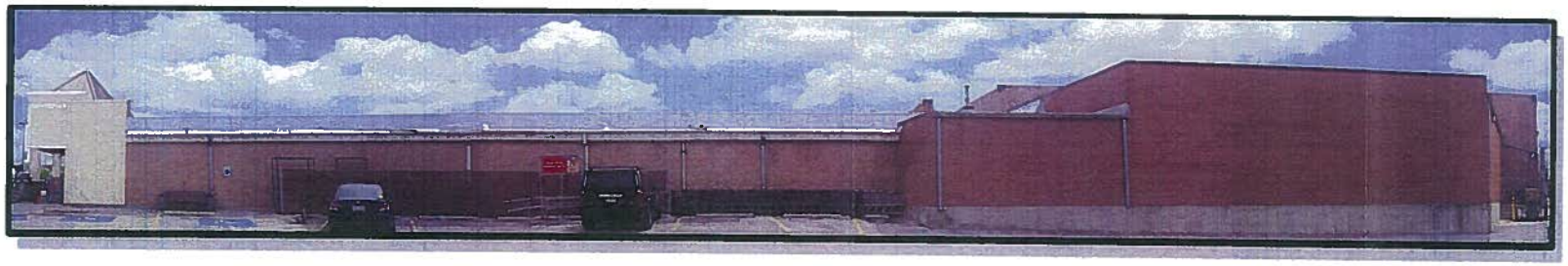
Address
599 East Roosevelt Rd. Glen Ellyn, Illinois 60137

C+T
Camburas + Theodore ltd.
Architecture + Interiors

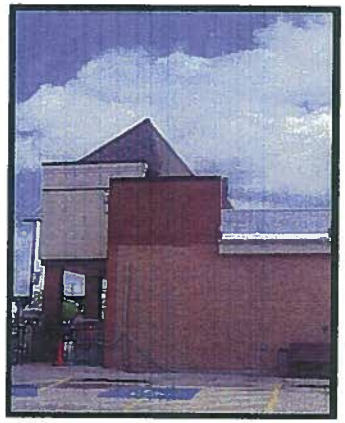
Date
4-30-2012

Store #
3340
RENDERING 1

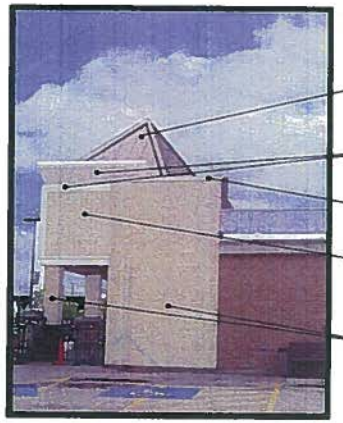
Existing Elevation (West)



Proposed Elevation (West)



Existing



Proposed

NEW PAC-CLAD STANDING SEAM ROOF WITH MATCHING CAP TRIM, COLOR SIERRA TAN

EIFS ACCENT BAND AND CORNICE WITH SAND FINISH

NEW PREFINISHED METAL COPING, COLOR SIERRA TAN

NEW ENICOTT THIN BRICK SYSTEM, COLOR ALMOND WITH GROUT COLOR ANTIQUE WHITE TO MATCH EXISTING CENTER

EXISTING FACE BRICK TO BE CLEANED AND TUCK POINTED. BRICK AND MORTAR TO BE STAINED TO MATCH ENICOTT ALMOND BRICK AND NATURAL MORTAR

Address

599 East Roosevelt Rd. Glen Ellyn, Illinois 60137

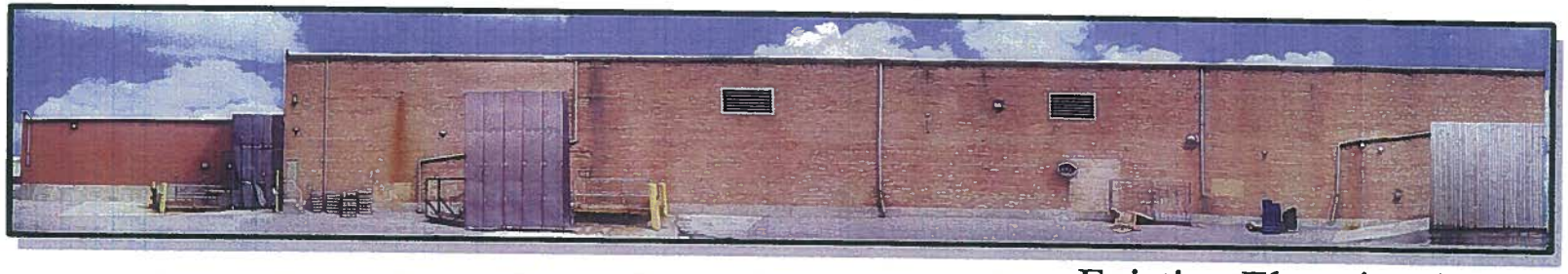
C+T

Camburas + Theodore ltd.
Architecture + Interiors

Date
4-30-2012

Store #
3340

RENDERING 2



Existing Elevation (South)

Proposed Elevation (South)

NEW CEDAR SCREEN FENCE
TO MATCH EXISTING;
REMOVE EXISTING METAL SCREEN

NEW GUTTERS AND
DOWNSPOUTS ON SOUTH FACADE

PAINT PIPE BOLLARDS COLOR CAUTION YELLOW (TYPICAL)

TUCK POINT MASONRY BELOW DOWNSPOUT

Existing Elevation (East)

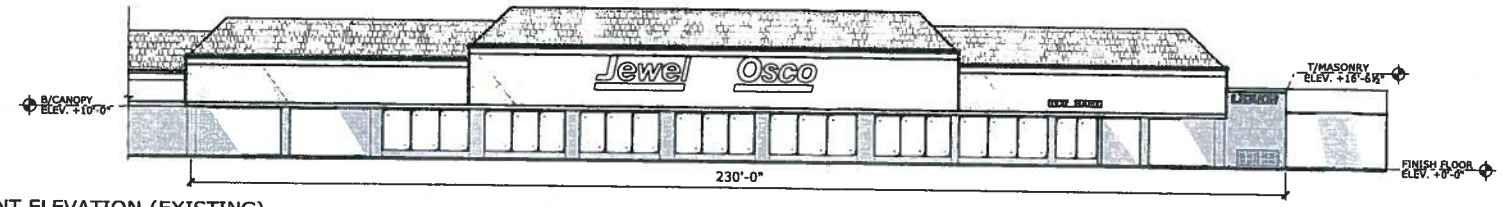
Proposed Elevation (East)

Address
599 East Roosevelt Rd. Glen Ellyn, Illinois 60137

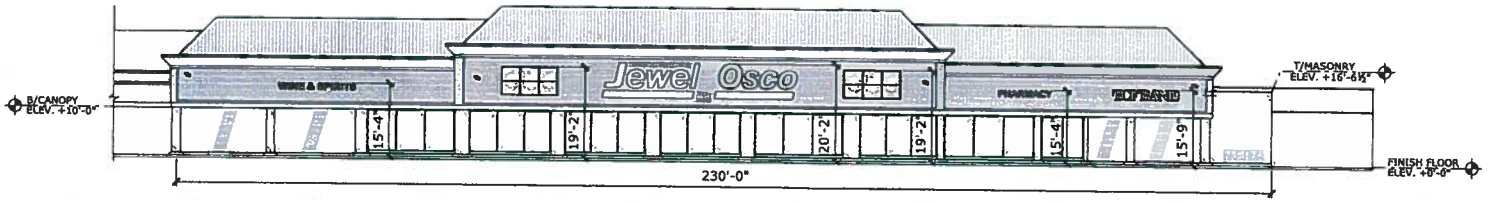
C+T
Camburas + Theodore ltd.
Architecture + Interiors

Date
4-30-2012

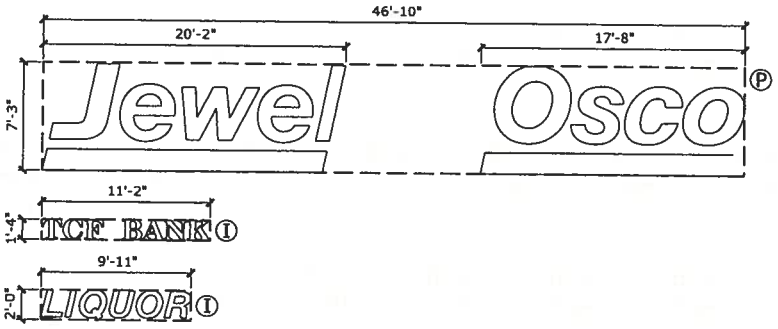
Store #
3340
RENDERING 3



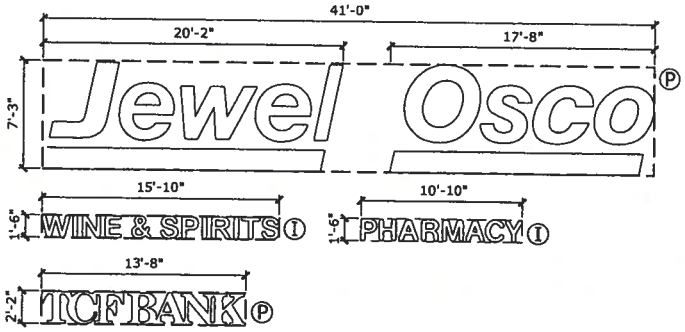
1 FRONT ELEVATION (EXISTING)
SCALE: 1"=25'-0" 10'-0" =



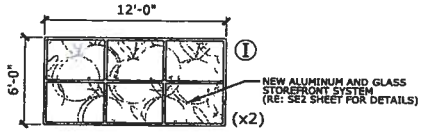
2 FRONT ELEVATION (PROPOSED)
SCALE:1"=25'-0" 10'-0" =



3 REMOVED SIGN DIMENSIONS
⅛"=1'-0"



4 NEW SIGN DIMENSIONS
⅛"=1'-0"



5 GRAPHIC ELEMENT
⅛"=1'-0"

Ⓟ = PRIMARY SIGN
Ⓘ = INCIDENTAL SIGN
— — = SIGNAGE CALCULATION

Signage Area Calculations			
Existing Front Signage		Proposed Front Signage	
Jewel-Osco	339 sq. ft.	Jewel-Osco	297 sq. ft.
TCF Bank	15 sq. ft.	TCF Bank	30 sq. ft.
Liquor	20 sq. ft.	Wine & Spirits	24 sq. ft.
		Pharmacy	16 sq. ft.
		Proposed Total	367 sq. ft.
		Graphics (x2)	72 sq. ft.
Existing Total	374 sq. ft.	Proposed Front Total	511 sq. ft.

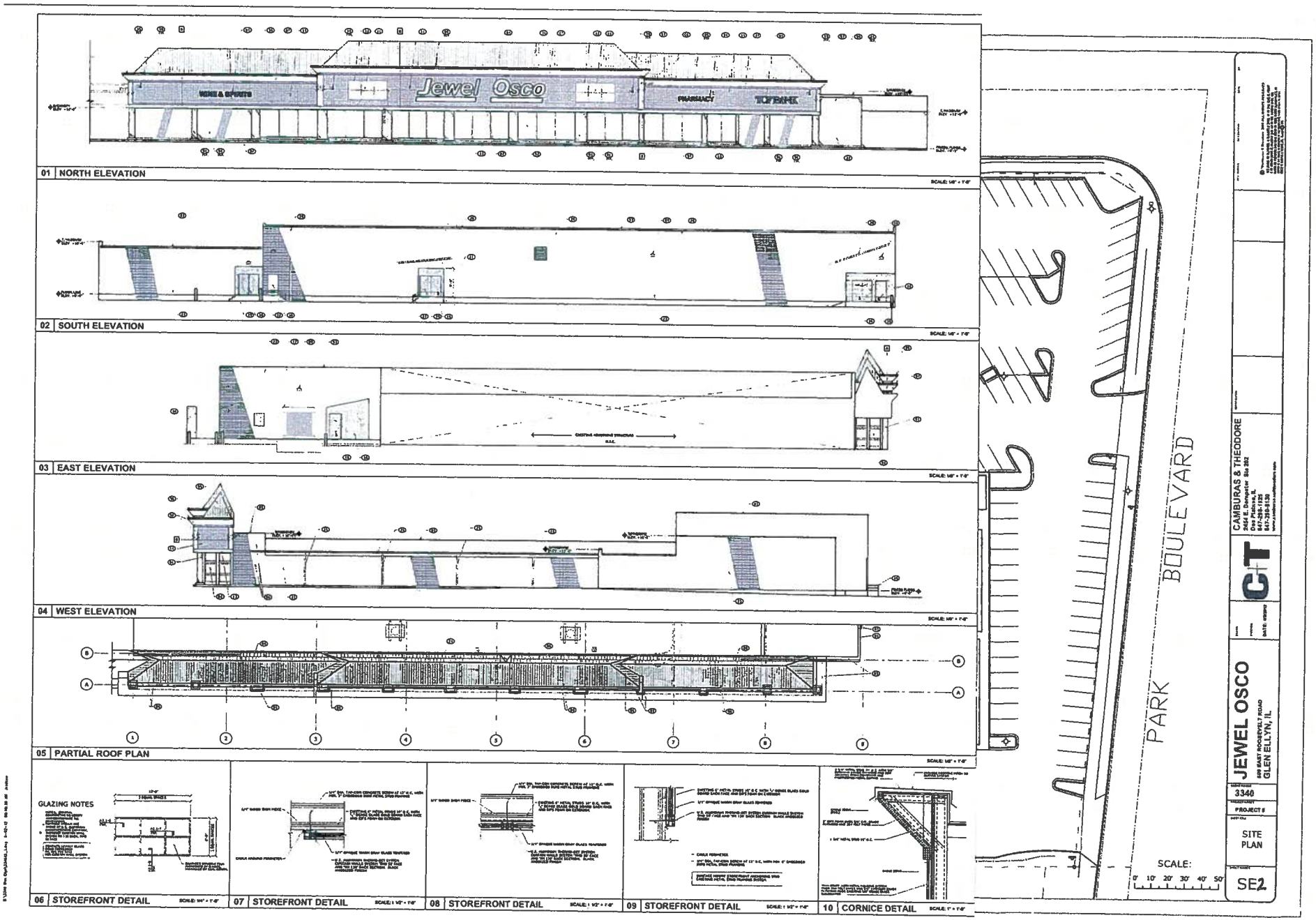
CAMBURAS & THEODORE
2454 E. Dempster Ste 202
Des Plaines, IL
847-298-1525
847-390-8130

C+T

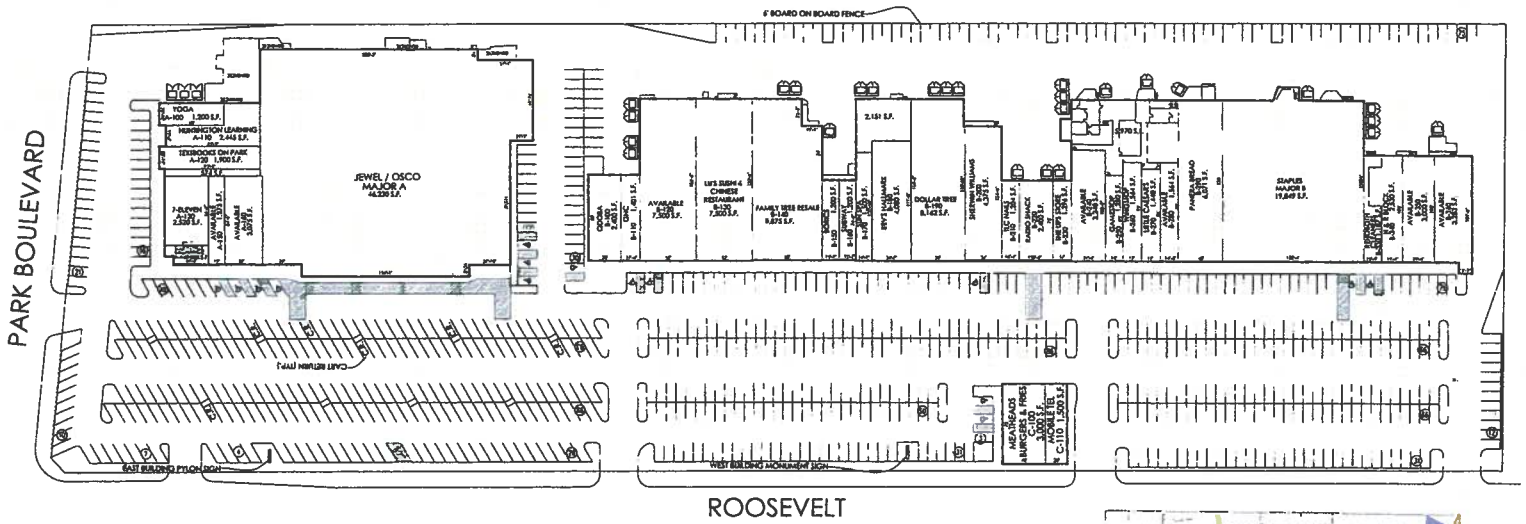
JEWEL OSCO
509 EAST ROOSEVELT ROAD
GLEN ELLYN, IL

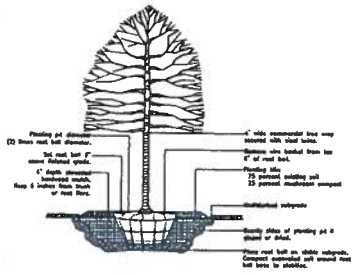
3340
PROJECT #
SIGNAGE ELEVATIONS

SE1

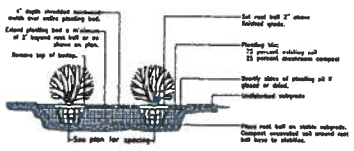


Jewel Osco
WINE & SPIRITS
PHARMACY
TOPBANK
01 NORTH ELEVATION
02 SOUTH ELEVATION
03 EAST ELEVATION
04 WEST ELEVATION
05 PARTIAL ROOF PLAN
GLAZING NOTES
06 STOREFRONT DETAIL
07 STOREFRONT DETAIL
08 STOREFRONT DETAIL
09 STOREFRONT DETAIL
10 CORNICE DETAIL
PARK BOULEVARD
SCALE:
0' 10' 20' 30' 40' 50'
CAMBURAS & THEODORE
2454 E. Dempster Ste 202
Des Plaines, IL
847-298-1125
847-298-8130
JEWEL OSCO
GLEN ELLYN, IL
3340
PROJECT #
SITE PLAN
SE2


PARK BOULEVARD
ROOSEVELT
6' BOARD ON BOARD FENCE
JEWEL / OSCO
MAJOR A
44,330 S.F.
STAPLES
MAJOR B
19,849 S.F.
DOLLAR TREE
B-230
8,125 S.F.
LU'S SUSHI & CHINESE RESTAURANT
B-120
7,500 S.F.
FAMILY TREE RESALE
B-140
9,875 S.F.
2,151 S.F.
SHERWIN WILLIAMS
B-190
3,375 S.F.
RADIO SHACK
B-230
2,800 S.F.
THE UPS STORE
B-240
1,294 S.F.
AVAILABLE
3,348 S.F.
AVAILABLE
3,000 S.F.
AVAILABLE
3,000 S.F.
AVAILABLE
3,000



Detail
Deciduous Tree Planting

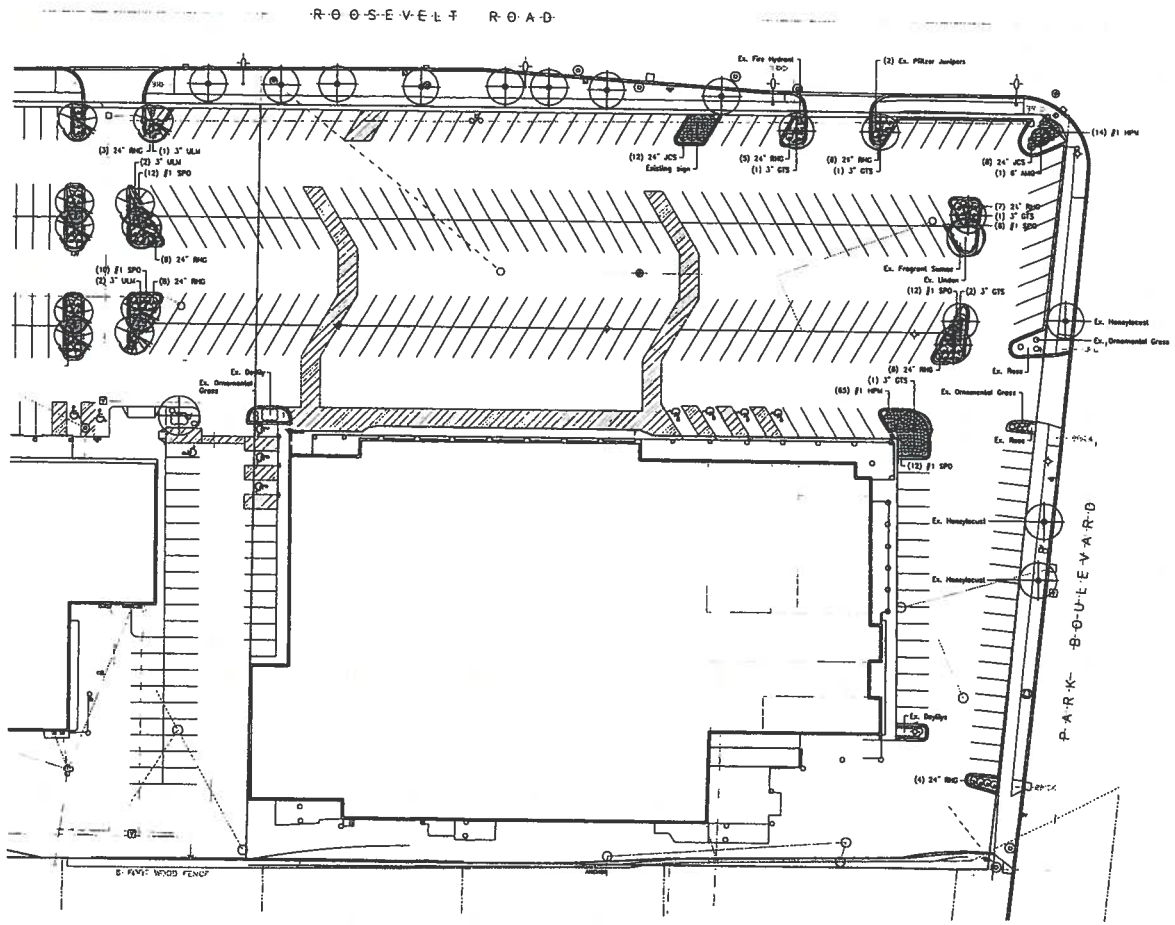


Detail
Shrub Planting

Detail
Perennial Planting

Plant List

QTY.	SIZE	BOTANICAL NAME	COMMON NAME	REMARKS
1	6"	Amelanchier canadensis	Shadblow Serviceberry	BB/Clump
8	3"	Gleditsia triacanthos var. inermis 'Skyline'	Skyline Thornless Honeylocust	BB
79	#1	Hemerocallis 'Pardon Me'	Pardon Me Daylily	Container
20	24"	Juniperus chinensis var. sargentii	Sargent Juniper	BB
51	21"	Rhus aromatica 'Gro-Low'	Gro-Low Fragrant Sumac	BB
52	#1	Sporobolus heterolepis	Prairie Dropseed	Container
5	3"	Ulmus x 'Marion'	Accolade Elm	BB



Market Plaza

Glen Ellyn, Illinois

RAMCO GERSHENSON

DAVID R. McCALLUM ASSOCIATES, INC.
LANDSCAPE ARCHITECTS

McCALLUM ASSOCIATES

Landscape Plan

Mark	Description	Date
1	Village Review	05/08/12

Issuance

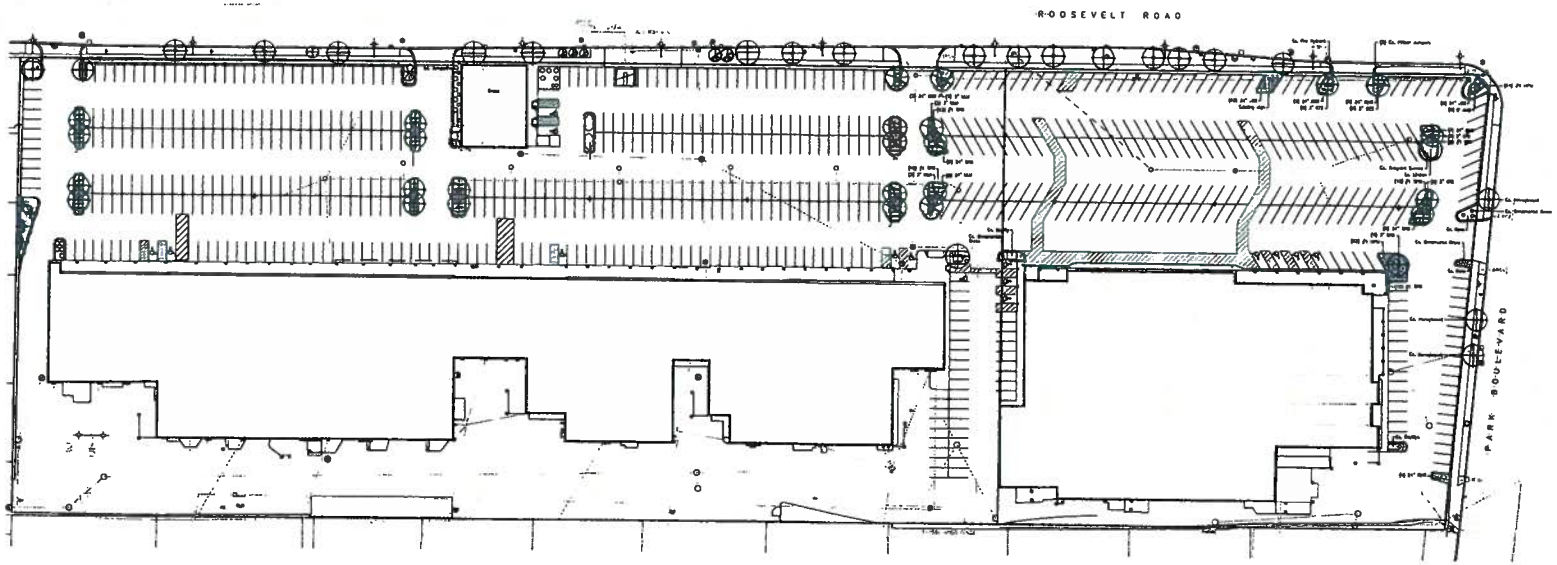
Number
27910800

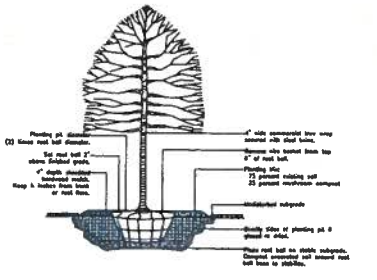
Scale
1" = 30'

North

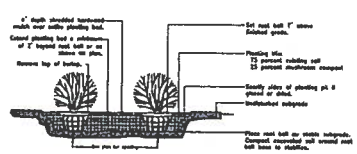
File
27910PPIA

Sheet
L10





Detail
Deciduous Tree Planting



Detail
Shrub Planting

Detail
Perennial Planting

Plant List

KEY	QTY.	SIZE	BOTANICAL NAME	COMMON NAME	REMARKS
AMC	1	6"	Amelanchier canadensis	Shadblow Serviceberry	BB/Clump
GTS	6	3"	Gleditsia triacanthos var. inermis 'Skyline'	Skyline Thornless Honeylocust	BB
HPM	79	#1	Hemerocallis 'Pardon Me'	Pardon Me Daylily	Container
JCS	20	24"	Juniperus chinensis var. sargentii	Sargent Juniper	BB
RNG	51	24"	Rhus aromatica 'Gro-Low'	Gro-Low Fragrant Sumac	BB
SPG	52	#1	Sporobolus heterolepis	Prairie Dropseed	Container
ULM	5	3"	Ulmus x 'Morton'	Accolade Elm	BB

Market Plaza

Glen Ellyn, Illinois

RAMCO GERSHENSON

DAVID R. McCALLUM ASSOCIATES, INC.
LANDSCAPE ARCHITECTS

ASSOCIATES

Landscape Plan

Mark	Description	Date
1	Village Review	05.08.12

Issuance

Number
2790800

Scale
1" = 50'

North

File
2790PPA

Sheet
L10

A-6G

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Staci Hulseberg, Planning & Development Director
Michele Stegall, Village Planner MJS
Kasey Matthews, Planning Intern KM

DATE: June 4, 2012

FOR: June 11, 2012 Village Board Meeting

RE: 536 Crescent Boulevard, School of Rock Special Use Permit

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Background. William Jegen, owner of property located at 536 Crescent Boulevard is requesting approval of a Special Use Permit to allow School of Rock, a music school, to occupy the existing tenant space at 536 Crescent Boulevard. The subject property is located on the north side of Crescent Boulevard between N. Main Street and Forest Avenue in the C5A Central Business District, Central Retail Core Sub-district.

The petitioner intends to lease the tenant space to School of Rock to operate a music school in the existing 3,269 square foot unit on the ground floor of 536 Crescent Boulevard. School of Rock, a performance-based music education company, plans to offer individual and group music lessons in guitar, bass, piano/keyboard, drums and voice, and group performance rehearsals for children age 8 and older, as well as adults. The music school will be open Monday through Saturday. The anticipated hours of operation will be from 2:30pm and 8:30pm, except on Saturdays and during school breaks, when lessons and rehearsals will take place between approximately 9:30am and 4:00pm. Lessons typically last 45 minutes, while group rehearsals typically last 90 to 180 minutes. The average number of people in the facility during rehearsal hours would be 25 students plus 5 staff and during non-rehearsal hours would be 7 students plus 8 staff. School of Rock is familiar with sound attenuation and plans to take necessary measures to prevent sound transmission from the tenant space. Performances will be hosted at various community venues.

Recommendation. The Plan Commission considered the Special Use Permit request at a public hearing on May 31, 2012 and recommended approval by a unanimous vote of 9-0. One member of the public asked a question about the services provided by the business.

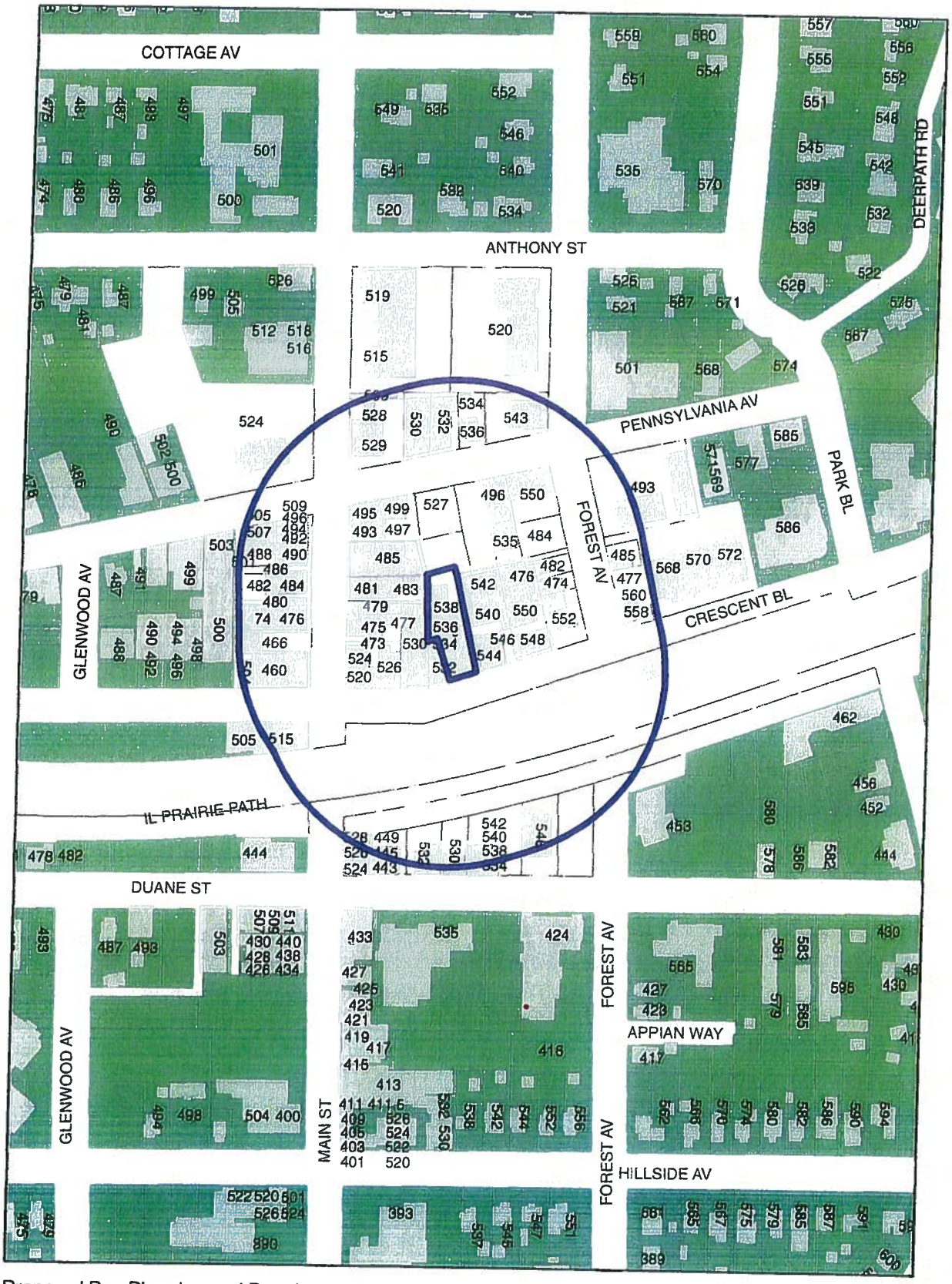
Action Requested. The Village Board may approve, approve with conditions or deny the petitioner's request for approval of a Special Use Permit. An Ordinance approving the requests has been prepared for consideration at the June 11, 2012 Village Board meeting.

Attachments

- Location Map
- Draft Ordinance
- Draft Minutes from May 31, 2012 Plan Commission Meeting
- Petitioner's Special Use Permit Application Packet

cc: Village Board of Trustees
William Jegen, Petitioner

536 Crescent Boulevard



Prepared By: Planning and Development
Date: May 8, 2012

0 175 350 700 Feet

N

Village Of Glen Ellyn

Ordinance No. _____

An Ordinance Granting Approval of a Special Use Permit to Allow a Music School at 536 Crescent Boulevard Glen Ellyn, IL 60137

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

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

Ordinance No. _____

An Ordinance Granting Approval of a Special Use Permit to Allow a Music School at 536 Crescent Boulevard Glen Ellyn, IL 60137

Whereas, William Jegen, owner of the property located at 536 Crescent Boulevard, has petitioned the Village President and Board of Trustees for approval of a Special Use Permit in accordance with Section 10-4-17.1(B)29 of the Glen Ellyn Zoning Code to allow a music school to be located at 536 Crescent Boulevard; and

Whereas, the subject property is located on the north side of Crescent Boulevard between N. Main Street and Forest Avenue in the C5A Central Retail District, Central Retail Core Sub-district and;

Whereas, the property is legally described as follows:

PARCEL I:
LOT 2 OF THE PLAT OF FARNSWORTH AND BROWN'S SUBDIVISION OF LOT 11 IN BLOCK 3 OF COUNTY CLERK'S SECOND ASSESSMENT DIVISION IN THE VILLAGE OF GLEN ELLYN, IN SECTION 11, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN;

PARCEL II:
THE SOUTH 31.44 FEET OF LOT 3 (EXCEPT THE EAST 11 FEET THEREOF) IN BLOCK 3 OF COUNTY CLERK'S SECOND ASSESSMENT DIVISION IN THE VILLAGE OF GLEN ELLYN, IN SECTION 11, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN;

PARCEL III:
THAT PART OF LOT 1 OF THE PLAT OF FARNSWORTH AND BROWN'S SUBDIVISION OF LOT 11 IN BLOCK 3 OF COUNTY CLERK'S SECOND ASSESSMENT DIVISION IN THE VILLAGE OF GLEN ELLYN, IN SECTION 11, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE EASTERLY ON THE NORTHLY LINE OF SAID LOT 1, A DISTANCE OF 2.25 FEET TO A POINT; THENCE SOUTHERLY 51.88 FEET TO A POINT 1.65 FEET EASTERLY OF AND MEASURED AT RIGHT ANGLES TO THE WESTERLY LINE OF LOT 1; THENCE SOUTHERLY 82.6 FEET TO A POINT 9.6 FEET WESTERLY OF AND MEASURED AT RIGHT ANGLES TO THE EASTERLY LINE OF LOT 1; THENCE SOUTHERLY 57.8 FEET TO A POINT

IN THE SOUTHERLY LINE OF LOT 1 WHICH IS 10.4 FEET WESTERLY FROM THE SOUTHEAST CORNER OF LOT 1; THENCE WESTERLY 0.7 FEET TO THE SOUTHWESTERLY CORNER OF LOT 1; THENCE NORTHERLY ALONG THE WESTERLY LINE OF LOT 1 TO THE PLACE OF BEGINNING;

ALL IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 05-11-317-027; and

Whereas, following due and proper publication of notice in the Daily Herald not less than fifteen (15) nor more than thirty (30) days prior thereto, and following written notice to all property owners within 250 feet, and following the placement of a placard on the subject property not less than fifteen (15) days prior thereto, the Plan Commission of the Village of Glen Ellyn conducted a public hearing on May 31, 2012 at which hearing the Plan Commission considered the petitioner's request for approval of a Special Use Permit; and

Whereas, at the May 31, 2012 public hearing, the petitioner presented evidence and testimony in support of the request, and one person asked a question about the request; and

Whereas, after having considered the evidence presented, including the exhibits and materials submitted, the Plan Commission made its findings of fact and recommendations as set forth in the minutes from the May 31, 2012 Plan Commission meeting, a draft of which is attached hereto as *Exhibit "A"*, and pursuant to Section 10-10-14 of the Zoning Code, by a vote of nine (9) "yes" and zero (0) "no," the Plan Commission recommended approval of the requested Special Use Permit; and

Whereas, the Village President and Board of Trustees have reviewed the evidence, exhibits, and materials presented at the May 31, 2012 Plan Commission public hearing and have considered the findings of fact and recommendations of the Plan Commission; and

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

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

Section One: The minutes from the May 31, 2012 Plan Commission meeting, a draft of which is attached hereto as *Exhibit "A"*, and the findings of fact set forth therein and in the preambles above are hereby adopted as the findings of fact of the Village President and Board of Trustees based upon their review of the evidence, exhibits, and materials presented at the May 31, 2012 public hearing before the Plan Commission.

Section Two: Based upon the findings of fact and recommendations of the Plan Commission, as adopted herein, and the findings of fact and conclusions set forth in the preambles above, the Village President and Board of Trustees hereby grant approval of the requested Special Use Permit to allow a music school to be located at 536 Crescent Boulevard.

Section Three: This grant of approval of the requested Special Use Permit is subject to the condition that the use is operated in substantial conformance with the testimony presented at the May 31, 2012 Plan Commission public hearing and the petitioner's application packet stamped received May 9, 2012 including the following plans and documents referenced below, as though they were attached to this Ordinance:

A. Special Use Permit Application stamped received May 9, 2012
B. Narrative Statement, undated
C. Floor Plan, dated February 18, 2012

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

Section Four: This grant of approval of a Special Use Permit shall expire and become null and void within 24 months of the date of this Ordinance if the music school has not

commenced operating within said time period provided, however, that the Village Board, by motion, may extend the time period of approval. 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 a public hearing.

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

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

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

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

Ayes:

Nays:

Absent:

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

_____
Village President of the
Village of Glen Ellyn, Illinois

Attest:

_____
Village Clerk of the
Village of Glen Ellyn, Illinois

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

PLAN COMMISSION
MINUTES
MAY 31, 2012

The meeting was called to order by Chairman Julie Fullerton at 7:38 p.m. Commissioners Todd Buckton, Tim Elliot, Jeff Girling, Tracy Heming-Littwin, Heidi Lannen, Jay Strayer, Ray Whalen and Lyn Whiston were present. Commissioners Craig Bromann and Erik Ford were excused. Also present were Trustee Liaison Robert Friedberg, Village Planner Michele Stegall, Planning Intern Kasey Matthews, Consulting Engineer Bill McGurr and substitute Recording Secretary Debbie Solomon.

Chairman Fullerton stated there were two items on the agenda, both Public Hearings. One Public Hearing is for 536 Crescent Boulevard involving a Special Use Permit for School of Rock. The other Public Hearing concerns Amendments to Preliminary and Final Plats of Subdivision for Phase I, Preliminary and Final Plats for Subdivision Phase II, Variations and a Special Use Permit for the Subdivision of Deer Glen II.

PUBLIC HEARING – 536 CRESCENT BOULEVARD, SCHOOL OF ROCK - SPECIAL USE PERMIT. PUBLIC HEARING WITH DISCUSSION, CONSIDERATION AND RECOMMENDATION REGARDING A REQUEST FOR APPROVAL OF A SPECIAL USE PERMIT TO ALLOW A MUSIC SCHOOL TO OCCUPY A PORTION OF THE EXISTING BUILDING AT 536 CRESCENT BOULEVARD. THE SUBJECT PROPERTY IS LOCATED ON THE NORTH SIDE OF CRESCENT BOULEVARD BETWEEN NORTH MAIN STREET AND FOREST AVENUE IN THE C5A CENTRAL BUSINESS DISTRICT, CENTRAL RETAIL CORE SUB-DISTRICT.

Commissioner Girling made a motion to open the Public Hearing on 536 Crescent Boulevard at 7:40 p.m. The motion was seconded by Commissioner Strayer and carried unanimously by a vote of 9-0.

Staff Introduction

Planning Intern Kasey Matthews stated petitioner William Jegen, owner of the property located at 536 Crescent Boulevard is requesting approval of a Special Use Permit to allow a music school to occupy a portion of the existing building at 536 Crescent Boulevard. Planning Intern Matthews stated in order to accommodate the project, the petitioner is specifically requesting approval of a Special Use Permit in accordance with Section 10-4-17.1(B)29 of the Glen Ellyn Zoning Code to allow a music school at the subject location. Planning Intern Matthews stated the property is located on the north side of Crescent Boulevard between N. Main Street and Forest Avenue in the C5A Central Business District, Central Retail Core Sub-district.

Planning Intern Matthews stated the petitioner has applied on behalf of School of Rock, a business which plans to open a music school in an existing 3,269 square foot tenant space on the ground floor of 536 Crescent Boulevard, between Starbucks Coffee and Fusion Hair Salon. Planning Intern Matthews stated the proposed build out of the tenant space includes 5 individual and 2 drum lesson rooms, 3 group rehearsal rooms, a control room, student lounge with kitchenette, 2 bathrooms, a reception area and a manager's office.

Planning Intern Matthews stated School of Rock plans to offer both individual and group music lessons in guitar, bass, piano/keyboard, drums and voice for adults and children age 8 through 18.

Planning Intern Matthews stated there would also be special programming, such as guest professor and recording workshops, group performance instruction, artist development and auditions for touring groups. Planning Intern Matthews stated classes would be held Monday through Saturday, with most classes taking place in the afternoon and evening, except on Saturdays and school breaks, when the classes would also be held in the morning. Planning Intern Matthews stated lessons typically last 45 minutes, while rehearsals typically last 90 to 180 minutes. Planning Intern Matthews stated the average number of people in the facility during rehearsal hours would be 25 students plus 5 staff and during non-rehearsal hours would be 7 students plus 8 staff so the petitioner does not anticipate the maximum number of students in the facility at any one time will exceed 32. Planning Intern Matthews stated the narrative statement in the application includes several potential strategies to avoid sound transmission. Planning Intern Matthews stated the Commission may wish to consider conditions such as the limit on the number of students permitted in the space at any one time or possible staggering of class times with a minimum of 15 minutes between classes.

Chairman Fuller asked why Staff is recommending placement of the two conditions due to the business needing to comply with the Fire Code, and School of Rock has already established over 80 schools around the country so they would know how to stagger their classes to which Planning Intern Matthews stated the conditions were only suggestions as the Commission may have concerns with traffic and traffic flow due to loading and unloading; however, the conditions do not need to be added if the Commission does not feel they are necessary.

Petitioner's Presentation

William Jegen, petitioner and owner of the existing property at 536 Crescent Boulevard, stated this property is presently titled in a land trust, where it has been for the past 25 years, and the beneficial ownership of that land trust is a Limited Liability Company (LLC) which himself and his wife Linda Jegen have owned since 1988. Mr. Jegen stated the ground floor of the building is more than 9,000 square feet of which 1,850 square feet has been leased to Starbucks Coffee since 1995 and a 1,000 square foot private garage which is for Mr. and Mrs. Jegen. Mr. Jegen stated the balance of the first floor space has been vacant since May 2007. Mr. Jegen stated they were fortunate that realtor Carrie Kenna approached the Jegens with School of Rock.

Mr. Jegen stated they discovered a music school is permitted in the C5A zoning district, but only on the second floor of a building so they would need a Special Use Permit to allow School of Rock to use a first-floor space. Mr. Jegen referred to the proposed floor plan for School of Rock and stated the School of Rock would lease the L-shaped space that is to the west of Starbucks Coffee. Mr. Jegen stated from a sound transmission standpoint, the building's east wall is 10-inch thick brick, and the Glen Theater has another 10-inch thick brick wall so there is 20 inches of brick with a space in-between. Mr. Jegen stated the walls between Starbucks and the proposed School of Rock space is constructed of metal studs from floor to ceiling, double 5/8 dry wall on both sides and insulation. Mr. Jegen stated that between the balance of the empty first floor space to the north and School of Rock will be a composite wall of concrete block and dry wall for sound attenuation.

Mr. Jegen stated there are four tenant spaces on the same block as 536 Crescent Boulevard which have been vacant for a few years so Mr. Jegen is proposing to fill one of those vacancies with this music school.

Mr. Brandon Turner, Chief Operating Officer for School of Rock headquartered in Burr Ridge, Illinois, stated School of Rock is a performance-based music education company which operates over

80 schools around the country. Mr. Turner stated the school primarily serves kids between the ages of 8 to 18 by putting kids in bands and in shows. Mr. Turner stated the school runs three semesters per year and conducts a performance at the end of each semester which helps the kids to spend time together, learn how to work together, make music together and then understand the importance of performing together to a community or crowd. Mr. Turner stated the average school has 120 students with individual instruction or a group of 20-25 kids and 5 instructors will be together for a rehearsal so at any given time, there will be 20-25 kids in the school. Mr. Turner stated parking is rarely an issue, and the flow of traffic for this location is good.

Mr. Turner stated they have several ways to address sound attenuation which include floor planning, wall construction and what can be done to those constructed walls, and operational tactics. Mr. Turner stated being a good neighbor is important to the School of Rock.

Mr. Turner stated the quietest rooms in the facility will be located along the wall shared with Starbucks, and the loudest rooms are located away from the party wall. Mr. Turner stated the wall construction will be from the floor to the deck, putting more materials in such as double drywall, air gaps between walls and putting insulation or absorption materials inside walls. Mr. Turner showed pictures of different types of walls and stated Sound Transmission Class (STC) is a rating the engineers use to measure how much sound transfers through a wall. Mr. Turner stated the school will have a 65+ STC for the walls in the loudest rooms, and the party wall shared with Starbucks already has a 60+ STC wall, and they will add another 65+ STC for a double construction. Mr. Turner showed a detailed picture of the clips that go into the walls and lessen the vibration in the walls. Mr. Turner stated once the walls are up, they attach material that reduces noise and vibration, and use a Noise Reduction Coefficient (NRC) which measures how much noise will be absorbed by the material. Mr. Turner stated they typically use 1and ½ inches or greater of sound blanket or sound panels. Mr. Turner stated the NRC of 80%, or 1 and ½ inches of sound blanket, tells them 85% of the sound or vibration that comes through the air will be absorbed by the material, and 15% of the sound or vibration will be reflected off the material.

Mr. Turner stated some of the operational tactics they use include keeping amplifiers turned low during instruction and using different drum head materials which can quiet the sounds.

Mr. Mark Biondi, Vice President of Marketing for School of Rock headquartered in Burr Ridge, Illinois, had 2 snare drums and stated one drum has a snare head which gives a normal drum sound which he demonstrated. Mr. Biondi also had a drum with a mesh head which gives the drummer the same feel but reduces the volume of the drum about 90%, and they use these mesh heads in lesson rooms to keep the sound down.

Mr. Turner stated they are confident School of Rock can build a successful community-based business in Glen Ellyn, and they believe they can offer a great service to the kids. Mr. Turner stated the school provides a safe place for the kids with adult supervision. Mr. Turner stated they use music as a means of teaching the kids confidence, teamwork and responsibility while having fun.

Mr. Jegen asked if the instructors receive instruction on how to deal with young people in various situations to which Mr. Turner stated all instructors are background checked and safety trained annually and receive training throughout the year as how to deal with the kids and the families.

<u>Responses to Questions from the Plan Commission</u>

Commissioner Buckton stated the basic wall has an STC 60 to which Mr. Turner stated it depended on which wall he was referring to, and the primary walls between Starbucks and School of Rock will have an STC 60 wall and an STC 65+ wall so there will be 2 layers. Commissioner Buckton asked if the sound blankets add to the STC of a wall or if there is a separate calculation of sound attenuation to which Mr. Turner stated STC refers to noise coming through a wall, and NRC refers to sound within a room and what is impacting them so the sound blankets will keep vibration off the walls. Commissioner Buckton asked if there would be secondary attenuation on the party wall shared with Starbucks to which Mr. Turner stated it would. Commissioner Buckton asked if the school had talked to Starbucks to which Mr. Jegen stated Starbucks is aware, and he has had several conversations with the Starbucks facility manager.

Commissioner Strayer asked if there would be merchandise sales at the school to which Mr. Turner stated it would be limited to tee shirts, bracelets, guitar sticks and strings, but no music instruments.

Commissioner Lannen asked if there were any other schools in the western suburbs of Chicago to which Mr. Turner stated there are schools in Naperville, Hinsdale, Elmhurst and Cary. Commissioner Lannen asked if they thought most of the students would primarily be from the Glen Ellyn area to which Mr. Turner stated they typically see 15-minute drive times around the school.

Commissioner Elliott asked how many of the schools are located in the heart of the central business districts to which Mr. Turner stated the majority are as they are a community-based business. Mr. Turner stated there are schools in downtown Naperville and downtown Hinsdale.

Commissioner Strayer asked what the school's hours would be to which Mr. Turner stated the hours would be 2:30 p.m. to 8:30 p.m. Monday through Friday and 10 a.m. to 4 p.m. or 5 p.m. on Saturday. Mr. Turner stated during summer vacations, they would operate camps on week days.

Commissioner Strayer asked what is above the proposed space to which Mr. Jegen stated the building has a partial 2-story section. Mr. Jegen stated in the first 50 feet is the 2-story section which houses Mr. Jegen's law office and two apartments on the north end which would be over the lesson rooms. Mr. Jegen stated there is 4 and 1/2 feet of air space between the existing dropped plaster drywall ceiling and the floor of the 2nd floor. Mr. Jegen stated it is hard to transmit sound up, but they can add sound blankets to 2 different layers.

Mr. Jegen stated realtor Carrie Kenna who is present can testify to the impact this school may make on the neighborhood. Mr. Jegen stated architect Robert Jados is also present to answer any architectural questions. Mr. Jegen stated they have already applied for a building permit to build the perimeter walls, the bathrooms, the mechanical room and the HVAC so they can get a head start.

Commissioner Whiston asked if there has been any litigation against School of Rock to which Mr. Turner stated there is one case pending in New York City where the school operated for several years without any issues, and a new tenant moved in below them who had some issues. Mr. Turner stated they are in litigation with that landlord over what powers they have in the lease and are looking for a new location. Mr. Turner stated that noise complaint was over two and a half years ago, and they have not had another one since as they did some other operating tactics to handle the noise.

<u>Responses to Questions of the Petitioner from the Audience</u>

Luke Koykar, 1N671 River Drive, Glen Ellyn, IL, asked if the school will have programs for special-needs children to whom Mr. Turner stated they do have students who are special-needs students, but they do not have specific programs tailored to special-needs students as they are incorporated with the other kids and perform well.

Persons in Favor of or in Opposition to the Request

None

At 8:15 p.m., Commissioner Whiston made a motion to close the Public Hearing. The motion was seconded by Commissioner Strayer and carried unanimously by a vote of 9-0.

Comments from the Plan Commission

Commissioner Buckton stated he is in favor of granting the Special Use Permit and does not see the need for any conditions to put placed upon the approval. Commissioners Girling, Lannen, Strayer and Whalen concurred with Commissioner Buckton. Commissioner Heming-Littwin stated she was in favor of granting the petition, and there should not be any issues with traffic and drop-offs. Commissioner Elliott stated he is in favor of granting the petition, and he was concerned about the noise, but was impressed with the presentation and the sound attenuation measures. Commissioner Whiston stated he is in favor of granting the petition and was impressed with the drum demonstration. Chairman Fullerton stated she is in favor of the petition and does not think any conditions should be placed on the petition, and she was impressed by the presentation.

Motion

Plan Commissioner Buckton moved, seconded by Plan Commissioner Whalen to recommend Approval of a Special Use Permit to allow a music school, School of Rock, at 536 Crescent Boulevard.

After conducting a public hearing and deliberating on the request of William Jegen, owner of property commonly known as 536 Crescent Boulevard, for an approval of a music school, the Plan Commission hereby makes the following findings of fact:

1. The proposed use will be harmonious and in accordance with the general objectives, or within a specific objective of the Comprehensive Plan and/or the Zoning Code because a main goal of the Comprehensive Plan is to provide "*a system of commercial, retail and office development that provides local residents with employment opportunities and needed goods and services, increases the Village sales and property taxes, and enhances the image and appearance of the community.*" The school will provide local residents with needed services and opportunities that will enrich their lives.

2. The proposed project is designed and shall be maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area because the school will be located within an existing building and no exterior changes are proposed.

3. The proposed use will be not be hazardous or disturbing to existing or future neighborhood

uses because the business will be contained within an existing building and School of Rock is familiar with various sound attenuation techniques.

4. The proposed use will be served adequately by existing public facilities and services such as highways, streets, police and fire protection, drainages structures, refuse disposal, water, sewers and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services because the proposed use is to be located in an existing building with existing public facilities and services.

5. The proposed use will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the Village because no new or additional services will be required.

6. The use will not involve activities, processes, materials, equipment and/or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare and odors because the use does not involve any processes, materials, equipment or conditions that would be detrimental to the neighborhood's general welfare. School of Rock is familiar with various sound attenuation techniques to prevent noise from disrupting neighboring tenants.

7. The project will have vehicular approaches to the property which shall be so designed as not to create an undue interference with traffic on surrounding public streets or roads because the proposed use will be located in an existing building and no changes to the building exterior or land are proposed.

8. The project will not increase the potential for flood damage to adjacent property or require additional public expense for flood protection, rescue or relief because the proposed use will be located in an existing building and no changes to the building exterior or land are proposed.

9. The project will not result in the destruction, loss or damage of natural, scenic or historical features of major importance to the community because the proposed use will be located in an existing building and no changes to the building exterior or land are proposed.

Therefore, the Plan Commission recommends that the Village Board approved a Special Use Permit in accordance with Section 10-4-17.1(B)29 of the Glen Ellyn Zoning Code to allow a music school on property commonly known as 536 Crescent Boulevard subject to the following conditions:

A. The music school operations shall be in substantial conformance with the application materials as submitted and testimony presented.

The motion passed unanimously by a vote of 9-0.

Chairman Fullerton suggested a 10-minute break before the other Public Hearing was opened.

Submitted by: Debbie Solomon, substitute Recording Secretary

RECEIVED
MAY - 9 2012
PLANNING DEPARTMENT
VILLAGE OF GLEN ELLYN

APPLICATION FOR SPECIAL USE PERMIT

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

Date Filed: _____ **Application No:** _____

Name of Applicant: School of Rock and 536 Crescent Building, LLC
Contact Information:
Address of Applicant: 536 Crescent Blvd., Suite 200
Glen Ellyn, IL 60137
Business Phone: 630-858-5550 **Fax:** 630-858-5584
Cell/Home Phone: _____ **Email:** jegenwe@ameritech.net
Property Interest of Applicant: Tenant and beneficiary of owner
(Owner, Contract Purchaser, Owner Representative)

Contact Information:
Name of Owner: North Star Trust, as Trustee u/t/a 3495
Address of Owner: 500 West Madison Street
Chicago, IL 60661
Business Phone: _____ **Fax:** _____
Cell/Home Phone: _____ **Email:** _____

Address and Legal Description of Property: 536 B and C Crescent Blvd, Glen Ellyn, IL 60137
see attached legal description

Permanent Index No. (PIN): 05-11-317-027 **Zoning:** C5A
Lot Dimensions: irregular 50x80x24x31x50x230 **Lot Area:** 12,900 sq.ft.

Present Use: vacant

Requested Use/Construction: music school

Estimated Date to Begin New Use/Construction: upon issuance of special use permit

Name(s), Address(es) and Phone No(s). of Experts (architects, engineers, etc.):
Robet Jaydos, architect 312-944-0860

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

requirements of paragraph (E) of Section 10-10-14 of the Zoning Code:
see attached

Describe How the Special Use:

1. Will be harmonious with and in accordance with the general objectives, or within a specific objective of the Comprehensive Plan and/or this Zoning Code:
See attached Narrative Statement

2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area: See attached Narrative Statement

3. Will not be hazardous or disturbing to existing or future neighborhood uses:
See attached Narrative Statement

4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewers and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services:
To be located within an existing building in downtown Glen Ellyn

5. Will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the Village:
No new or additional services will be required

6. Will not involve uses, activities, processes, materials, equipment and/or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors:
See attached Narrative Statement

7. Will have vehicular approaches to the property, which shall be so designed as not to create an undue interference with traffic on surrounding public streets or roads:
No vehicle approaches required

8. Will not increase the potential for flood damage to adjacent property or require additional public expense for flood protection, rescue or relief: _____
To be located within an existing building in downtown Glen Ellyn

9. Will not result in destruction, loss or damage of natural, scenic or historic features of major importance to the community: _____
To be located within an existing building in downtown Glen Ellyn

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

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

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

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

4/14/2012 _____
Date 4/13/2012 Signature of Applicant

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

LEGAL DESCRIPTION
536 CRESCENT BLVD
GLEN ELLYN, IL

PARCEL I:
Lot 2 of the Plat of Farnsworth and Brown's Subdivision of Lot 11 in Block 3 of County Clerk's Second Assessment Division in the Village of Glen Ellyn, in Section 11, Township 39 North, Range 10 East of the Third Principal Meridian;

PARCEL II:
THE South 31.44 feet of Lot 3 (except the East 11 feet thereof) in Block 3 of County Clerk's Second Assessment Division in the Village of Glen Ellyn, in Section 11, Township 39 North, Range 10, East of the Third Principal Meridian;

PARCEL III:
That part of Lot 1 of the Plat of Farnsworth and Brown's Subdivision of Lot 11 in Block 3 of County Clerk's Second Assessment Division in the Village of Glen Ellyn, in Section 11, Township 39 North, Range 10, East of the Third Principal Meridian, described as follows:
Beginning at the northwest corner of said Lot 1; thence Easterly on the northerly line of said Lot 1, a distance of 2.25 feet to a point; thence Southerly 51.88 feet to a point 1.65 feet Easterly of and measured at right angles to the westerly line of Lot 1; thence Southerly 82.6 feet to a point 9.6 feet Westerly of and measured at right angles to the easterly line of Lot 1; thence Southerly 57.8 feet to a point in the southerly line of Lot 1 which is 10.4 feet Westerly from the southeast corner of Lot 1; thence Westerly 0.7 feet to the southwesterly corner of Lot 1; thence Northerly along the westerly line of Lot 1 to the place of beginning;

All in DuPage County, Illinois. **

NARRATIVE STATEMENT TO SPECIAL USE PERMIT APPLICATION FOR 536 CRESCENT BOULEVARD, GLEN ELLYN, IL.

Proposed Use and its Impact on Surrounding Properties:

General Operation:

Applicants propose using the east approximately 3269 square feet of the ground floor of the building at 536 Crescent Boulevard, Glen Ellyn, Illinois, for a music school. The school will be leased and operated by **School of Rock,** a national company having at least 80 music schools operated by the parent company or franchisees. The music school in Glen Ellyn will be operated by the parent company or a wholly-owned subsidiary thereof.

The School of Rock offers lessons in guitar, bass, piano/keyboard, drums and voice to children ages 8 through 18, and adults. Both private and group lessons will be provided, plus many special programs, such as:

- **Performance Program:** Introduces team work and stage performance to those who know the basics of an instrument;
- **Rock 101:** Teaches basic techniques and music theory, with both individual and group lessons;
- **Artist Development:** Offers advance-level music education classes and workshops for students seeking new experiences to further their music journey;
- **Allstars:** Allows those who have shown progress to audition for an Allstars group, which tours in the summer to give the most serious students a taste of what a musical career may entail;
- **Guest Professor Workshops:** Offers special opportunities to meet and learn from established artists;
- **Recording Workshops:** Allows students to develop specific studio recording skills and techniques.

School of Rock music schools operate as community centers for young people, where they may gather and pursue their favorite music under the supervision of talented instructors. Each instructor is also trained to work with young people and to provide them a safe environment. At

the School of Rock, young people enrich their lives with music and learn self-discipline, which is necessary for a successful life. They also participate in group rehearsals, which teach them to work as team members. The top artists have the opportunity to learn valuable life lessons by participating in Allstar groups, which tour and perform in various venues. Not only does the School of Rock teach music, it teaches young people meaningful life lessons.

Hours of Operation and Traffic Impact:

The average School of Rock has approximately 120 students; however, the potential maximum students in the facility at one time should not exceed 32. This assumes 25 students attending a rehearsal and one student in each lesson room. Typically, for a school of the size being proposed for Glen Ellyn, the average number of students and instructors in the facility during rehearsal hours would be 25 students plus 5 staff, and during non-rehearsal hours would be 7 students and 8 staff.

Individual classes are scheduled between 2:30 pm and 5:30 pm, with group rehearsals between 5:30 pm and 8:30 pm. The lessons are typically scheduled in 15-minute increments, with lessons lasting 30 to 45 minutes, and rehearsals lasting 90 to 180 minutes. Thus, the lessons do not all start at 2:30 pm and end at 5:30 pm.

During the school year, many students may walk from Glenbard West High School or St. Petronille's Catholic School. Students receiving lessons, who do not walk to the school, will be dropped off between 2:30 pm and 8:00 pm and picked up thirty to forty-five minutes later, unless they are staying for a rehearsal. Students participating in a rehearsal need to arrive at about the same time and depart at about the same. During school vacations and on Saturdays, students arrive and leave at various times between 9:30 am and 3:00 pm.

Late afternoon and evening drop off and pick up of students will be accommodated by an existing loading zone located in front of the adjacent Glen Theater. Outbound commuter trains arrive on weekdays in Glen Ellyn at 4:49, 5:19 and 5:43 pm. Being a left-hand railroad, passengers disembark on the south side of the tracks, not across the street from 536 Crescent Boulevard. Based upon several years' observation, few train passengers walk to Crescent Boulevard to be picked up. Instead, most train passengers are either picked up south of the tracks or walk to commuter parking lots along the Prairie Path. The arrival or departure of students of the music school should not cause any interference with commuter travel in the

downtown. Further, since most students do not drive to the school, parking should not be an issue.

Description of Proposed Facility:

As shown on the attached Floor Plan, the lessons and special programs will be offered in a facility containing approximately 3269 square feet and will include:

- 5 individual lesson rooms;
- 2 drum lesson rooms;
- 3 group rehearsal rooms, two of which will be capable of recording from a common control room;
- Student lounge, with kitchenette;
- 2 bathrooms;
- Reception area; and
- Manager's office.

Sound Control:

Having operated or franchised at least 80 music schools throughout North America, School of Rock is familiar with the measures necessary to be a good neighbor. To lessen any intrusion on neighboring properties, School of Rock approaches sound attenuation from several levels. First, the facility layout places the loudest rooms, the drum and rehearsal rooms, where they will cause the least problem. The ground floor of the 536 Crescent Building presently houses (1) Starbucks Coffee Store (2) proposed space for the School of Rock adjacent to Starbucks, (3) approximately 2000 square feet of additional vacant space north of the proposed School of Rock space, and (4) a private garage. Starbucks' space is 75 feet deep, with the public area extending about 40 feet from the sidewalk and with the rear 35 feet providing storage, office and cleanup facilities. The adjoining building to the east is the Glen Theater Building. Two, 10 inch thick masonry walls separate the proposed music school from the theater. The vacant space in the 536 Building north of the School of Rock space is accessible only from Schock Square, and is separated from the school space by a concrete block wall and a new demising wall constructed to provide sound attenuation.

The school layout places three individual lesson rooms adjacent to the Starbucks' demising wall, which is metal stud with two layers of 5/8ths drywall on each side. Three rehearsal, two drum

and two lesson rooms will be located along the east and north walls of the space, where sound should not disturb adjoining occupants.

The next level of sound attenuation results from special construction of the rooms, depending upon their use. Sound insulation is accomplished with special wall construction employing sound insulation between the studs and multiple layers of drywall. For the three lesson rooms adjacent to the Starbucks demising wall, a separate wall will be built parallel with and spaced 1 inch from the existing demising wall. That wall will include sound isolation clips to attach the drywall to the studs and sound insulation. The drum lesson and rehearsal rooms also have walls designed to attenuate sound, depending upon the loudness of the activity. Since most of the music rooms are located in the one-story portion of the building, noise transmission up to the second floor should not be a concern; however sound insulation in the ceiling of the music rooms can be installed to eliminate upward transmission of sound should that become a problem.

The third level of sound control occurs by adding bends into the heating and air conditioning ducts and insulating the ducts to prevent transmission of sound from room to room.

If the layout, room construction and special HVAC ducting is not sufficient, then operating practices are adopted to further control sound from emanating from the space. Those measures may include sound blankets hung on walls, using low volume drums and similar precautions. The School of Rock is very familiar with sound attenuation techniques and operating practices that will avoid interference with other tenants in this building and in adjoining buildings.

Compatibility of the Proposed Use with Adjacent and Other Properties and the Comprehensive Plan:

According to the Glen Ellyn Comprehensive Plan (page 105) downtown includes 150,000 square feet of retail space. Presently, approximately 40,000 square feet, or over twenty-five percent, of downtown retail space is vacant. A twenty-five percent vacancy rate should be unacceptable to the Village of Glen Ellyn.

With a stable population and shopping orientation favoring the Roosevelt Road Corridor, the prospect of filling vacant downtown retail space is not great. Downtown uses have transitioned over the past several years from a mix of service and retail to banking and restaurants. Clothing stores, such as Flemings, Horsley's clothing store, Dean Olsen's Men's Store, Pacesetter and McAllister Wallace have closed in the downtown core or "Pedestrian Shopping Area" and not been replaced. Also, service businesses, including interior design studios, real estate and

insurance brokers, print shops and travel agencies have left the "Pedestrian Shopping Area." What remains are restaurants, banks, locally owned boutique shops and vacant spaces. Any retail or service use seeking to locate in the downtown core should be welcomed.

Crescent Boulevard between Main Street and Forest has rentable space only on the north side, since the south side is occupied by the Train Station and parking. Uses on this block of Crescent include the following, starting at Main Street and progressing east:

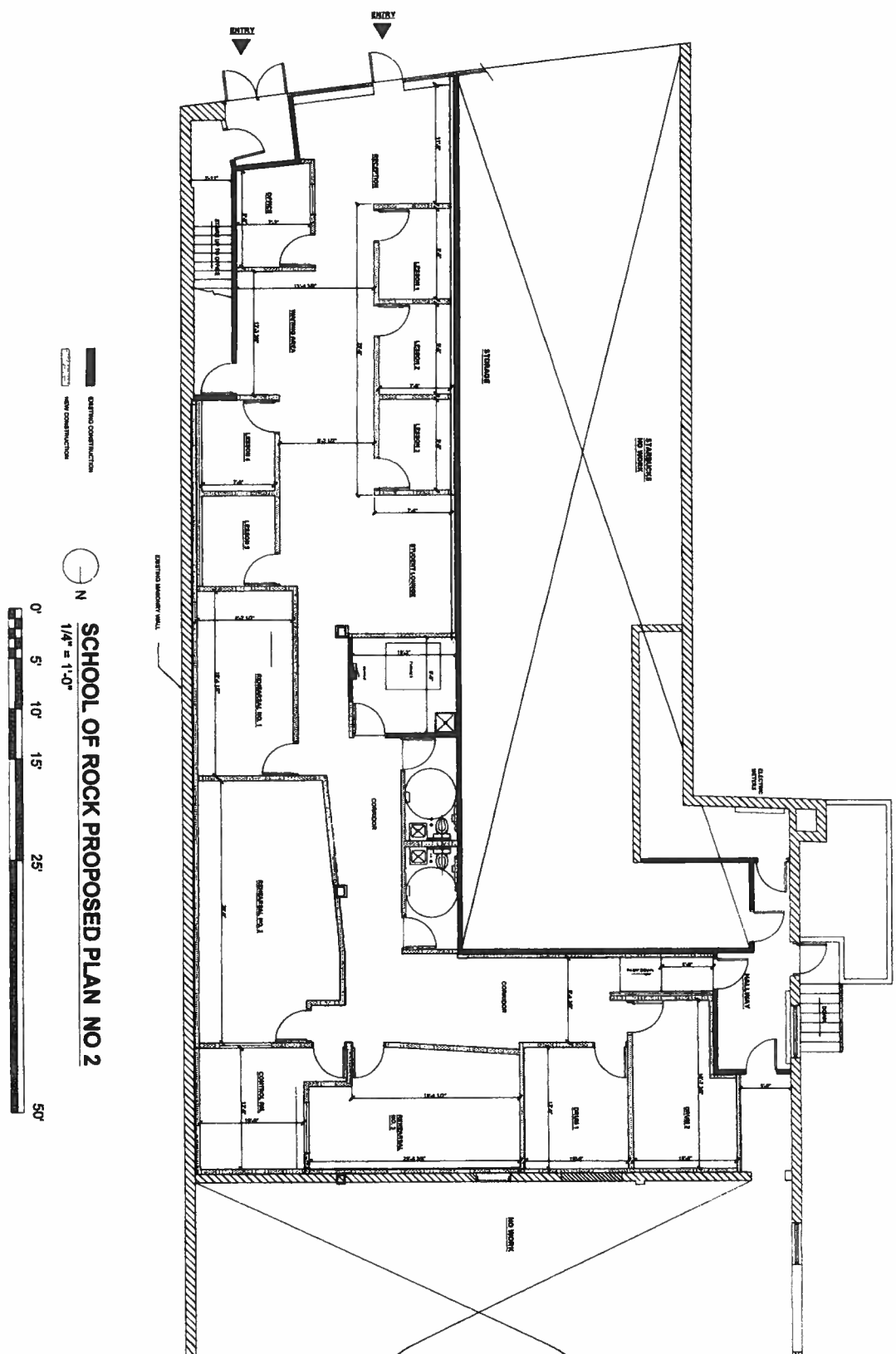
1. Inland Bank;
2. Kitchen remodeling contractor;
3. Village Herbalist -- herb and vitamin shop;
4. Thipi Thai restaurant;
5. 3,200 square foot space that has been vacant for over 3 years and formerly housed Washington Mutual Bank;
6. Enchantments -- a women's accessory shop;
7. Starbucks Coffee Store No. 2205;
8. The Space at issue, plus adjacent space in the same building constituting 5,400 square feet of vacant space formerly occupied as a florist and restaurant, which has been vacant since May 2007;
9. Fusion Beauty Salon in the Glen Theater Building;
10. The Glen Theater;
11. Vacant space formerly occupied by Express Press, a print shop, which has been vacant for over one year;
12. Chin's Chop Suey -- a Chinese carryout restaurant;
13. Vacant space that formerly housed a dessert shop;
14. Skin Solutions -- an establishment selling skin products and providing skin treatments, such as waxing;
15. Candy store;
16. The Patio -- a carryout pizza and sandwich restaurant.

Consistent with the Pedestrian Shopping Area as a whole, about twenty-five percent of the available space on this block of Crescent is vacant and not producing revenue which the building owners can use to maintain their buildings and pay mortgage, utility and real estate tax expenses, all of which continue whether the space is rented or not

One of the main "Goals" of the Glen Ellyn Comprehensive Plan is to provide "A system of commercial, retail and office development that provides local residents with employment opportunities and needed goods and services, increases the Village sales and property taxes, and enhances the image and appearance of the community." (page 8) The first objective to meeting that goal is to maintain and expand the range of retail, commercial and office establishments within the Village.

Approving the requested Special Use Permit will promote the goal of providing local residents, particularly younger residents, with needed services and opportunities that will enrich their lives. Moreover, having the space rented will enhance the property tax revenue and provide pedestrian traffic along Crescent that will provide potential customers for other stores, thereby enhancing sales tax revenues. Moreover, the School of Rock will expand the range of retail and service establishments within the Village.

That music schools and dance studios are compatible with the "Pedestrian Shopping Area" is shown by the Zoning Code, which permits those uses above the ground floor. That music schools and dance studios on the ground floor are compatible with the "Pedestrian Shopping Area" is clearly shown by the existing music school and separate dance studio both located on the ground floor in the 500 block of north Main Street.



SCHOOL OF ROCK PROPOSED PLAN NO 2

1/4" = 1'-0"

1-A	PROPOSED FLOOR PLAN	proposed **SCHOOL OF ROCK** 536 CRESCENT BLVD. GLEN ELLYN, IL 60137	INTERNATIONAL DESIGN ASSOC., LTD. p.c. ARCHITECTS / PLANNERS / INTERIOR DESIGN 70 W. BURTON PL. CHICAGO, ILLINOIS 60610 office (312) 944 0860 cell (312) 339 8827 email - ial@ica.com

DATE: 02/18/12
PROPOSED DESIGN

I. D. No. 30[illegible]OP Nº 001272

POLICY OF TITLE INSURANCE

ISSUED FROM THE OFFICE OF

LAW TITLE INSURANCE CO., INC.

15 North Edgelawn
Aurora, Illinois 60506
Phone: (312) 897-0903

Policy issuing Agent for

SAFECO TITLE INSURANCE COMPANY

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS CONTAINED IN SCHEDULE B AND THE PROVISIONS OF THE CONDITIONS AND STIPULATIONS HEREOF, SAFECO TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the amount of insurance stated in Schedule A, and costs, attorneys' fees and expenses which the Company may become obligated to pay hereunder, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested otherwise than as stated therein;
2. Any defect in or lien or encumbrance on such title;
3. Lack of a right of access to and from the land; or
4. Unmarketability of such title.

In Witness Whereof, SAFECO Title Insurance Company has caused this policy to be signed and sealed by its duly authorized officers as of Date of Policy shown in Schedule A.

Joseph C. Massari
Secretary

Warren E. Gjerholm
President

John F. Ginocchio
Authorized Signature

ALTA OWNER'S POLICY FORM B - 1970 (Revised 10-17-70 and 10-17-84)

SAFECO Stock No. GSP-0219 (Rev. 1-85)

SCHE' 'ILE OF EXCLUSIONS FROM COVE" GE

The following matters are expressly excluded from the coverage of this policy:

1. (a) Governmental police power.
   (b) Any law, ordinance or governmental regulation relating to environmental protection.
   (c) Any law, ordinance or governmental regulation (including but not limited to building and zoning ordinances) restricting or regulating or prohibiting the occupancy, use or enjoyment of the land, or regulating the character, dimensions or location of any improvement now or hereafter erected on the land, or prohibiting a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part.
   (d) The effect of any violation of the matters excluded under (a), (b) or (c) above, unless notice of a defect, lien or encumbrance resulting from a violation has been recorded at Date of Policy in those records in which under state statutes deeds, mortgages, lis pendens, liens or other title encumbrances must be recorded in order to impart constructive notice to purchasers of the land for value and without knowledge; provided, however, that without limitation, such records shall not be construed to include records in any of the offices of federal, state or local environmental protection, zoning, building, health or public safety authorities.

2. Rights of eminent domain unless notice of the exercise of such rights appears in the public records at Date of Policy.

3. Defects, liens, encumbrances, adverse claims or other matters (a) created, suffered, assumed or agreed to by the insured claimant; (b) not known to the Company and not shown by the public records but known to the insured claimant either at Date of Policy or at the date such claimant acquired an estate or interest insured by this policy and not disclosed in writing by the insured claimant to the Company prior to the date such insured claimant became an insured hereunder; (c) resulting in no loss or damage to the insured claimant; (d) attaching or created subsequent to Date of Policy; or (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.

CONDITIONS AND STIPULATIONS

1. Definition of Terms

The following terms when used in this policy mean:

(a) "insured": the insured named in Schedule A, and, subject to any rights or defenses the Company may have had against the named insured, those who succeed to the interest of such insured by operation of law as distinguished from purchase including, but not limited to, heirs, distributees, devisees, survivors, personal representatives, next of kin, or corporate or fiduciary successors.

(b) "insured claimant": an insured claiming loss or damage hereunder.

(c) "knowledge": actual knowledge, not constructive knowledge or notice which may be imputed to an insured by reason of any public records.

(d) "land": the land described, specifically or by reference in Schedule A, and improvements affixed thereto which by law constitute real property; provided, however, the term "land" does not include any property beyond the lines of the area specifically described or referred to in Schedule A, nor any right, title, interest, estate or easement in abutting streets, roads, avenues, alleys, lanes, ways or waterways, but nothing herein shall modify or limit the extent to which a right of access to and from the land is insured by this policy.

(e) "mortgage": mortgage, deed of trust, trust deed, or other security instrument.

(f) "public records": those records which by law impart constructive notice of matters relating to said land.

2. Continuation of Insurance after Conveyance of Title

The coverage of this policy shall continue in force as of Date of Policy in favor of an insured so long as such insured retains an estate or interest in the land, or holds an indebtedness secured by a purchase money mortgage given by a purchaser from such insured, or so long as such insured shall have liability by reason of covenants of warranty made by such insured in any transfer or conveyance of such estate or interest; provided, however, this policy shall not continue in force in favor of any purchaser from such insured of either said estate or interest or the indebtedness secured by a purchase money mortgage given to such insured.

3. Defense and Prosecution of Actions - Notice of Claim to be given by an Insured Claimant

(a) The Company, at its own cost and without undue delay, shall provide for the defense of an insured in all litigation consisting of actions or proceedings commenced against such insured, or a defense interposed against an insured in an action to enforce a contract for a sale of the estate or interest in said land, to the extent that such litigation is founded upon an alleged defect, lien, encumbrance or other matter insured against by this policy.

(b) The insured shall notify the Company promptly in writing (i) in case any action or proceeding is begun or defense is interposed as set forth in (a) above, (ii) in case knowledge shall come to an insured hereunder of any claim of title or interest which is adverse to the title to the estate or interest, as insured, and which might cause loss or damage for which the Company may be liable by virtue of this policy, or (iii) if title to the estate or interest, as insured, is rejected as unmarketable. If such prompt notice shall not be given to the Company, then as to such insured all liability of the Company shall cease and terminate in regard to the matter or matters for which such prompt notice is required; provided, however, that failure to notify shall in no case prejudice the rights of any such insured under this policy unless the Company shall be prejudiced by such failure and then only to the extent of such prejudice.

(c) The Company shall have the right at its own cost to institute and without undue delay prosecute any action or proceeding or to do any other act which in its opinion may be necessary or desireable to establish the title to the estate or interest as insured, and the Company may take any appropriate action under the terms of this policy, whether or not it shall be liable thereunder, and shall not thereby concede liability or waive any provision of this policy.

(d) Whenever the Company shall have brought any action or interposed a defense as required or permitted by the provisions of this policy, the Company may pursue any such litigation to final determination by a court of competent jurisdiction and expressly reserves the right, in its sole discretion, to appeal from any adverse judgment or order.

(e) In all cases where this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding, the insured hereunder shall secure to the Company the right to so prosecute or provide defense in such action or proceeding, and all appeals therein, and permit the Company to use, at its option, the name of such insured for such purpose. Whenever requested by the Company, such insured shall give the Company all reasonable aid in any such action or proceeding, in effecting settlement, securing evidence, obtaining witnesses, or prosecuting or defending such action or proceeding, and the Company shall reimburse such insured for any expense so incurred.

4. Notice of Loss - Limitation of Action

In addition to the notices required under paragraph 3(b) of these Conditions and Stipulations, a statement in writing of any loss or damage for which it is claimed the Company

SCHEDULE A

Agent File No. D-1211

Premium:

Amount of Insurance: $ 300,000.00

Date of Policy: 16 August 1988

1. Name of Insured:

DU PAGE BANK AND TRUST COMPANY, as Trustee under the provisions of a Trust Agreement dated August 5, 1988 and known as Trust #3495

2. The estate or interest in the land described herein and which is covered by this policy is:

FEE SIMPLE

3. The estate or interest referred to herein is at Date of Policy vested in:

DU PAGE BANK AND TRUST COMPANY, as Trustee under the provisions of a Trust Agreement dated August 5, 1988 and known as Trust #3495

4. The land referred to in this policy is described as follows:

** SEE ATTACHED EXHIBIT 'A' **

ISSUED BY:
LAW TITLE INSURANCE COMPANY, INC.
796 Royal St. George Drive, Suite 103
Naperville, Il 60540
(312) 717-7500

EXHIBIT 'A'

PARCEL I:
Lot 2 of the Plat of Farnsworth and Brown's Subdivision of Lot 11 in Block 3 of County Clerk's Second Assessment Division in the Village of Glen Ellyn, in Section 11, Township 39 North, Range 10 East of the Third Principal Meridian;

PARCEL II:
THE South 31.44 feet of Lot 3 (except the East 11 feet thereof) in Block 3 of County Clerk's Second Assessment Division in the Village of Glen Ellyn, in Section 11, Township 39 North, Range 10, East of the Third Principal Meridian;

PARCEL III:
That part of Lot 1 of the Plat of Farnsworth and Brown's Subdivision of Lot 11 in Block 3 of County Clerk's Second Assessment Division in the Village of Glen Ellyn, in Section 11, Township 39 North, Range 10, East of the Third Principal Meridian, described as follows:
Beginning at the northwest corner of said Lot 1; thence Easterly on the northerly line of said Lot 1, a distance of 2.25 feet to a point; thence Southerly 51.88 feet to a point 1.65 feet Easterly of and measured at right angles to the westerly line of Lot 1; thence Southerly 82.6 feet to a point 9.6 feet Westerly of and measured at right angles to the easterly line of Lot 1; thence Southerly 57.8 feet to a point in the southerly line of Lot 1 which is 10.4 feet Westerly from the southeast corner of Lot 1; thence Westerly 0.7 feet to the southwesterly corner of Lot 1; thence Northerly along the westerly line of Lot 1 to the place of beginning;

All in DuPage County, Illinois. **

Policy No. OP 001272 - File No. D-1211

This policy does not insure against loss or damage by reason of the following (all clauses, if any, which indicate any preference, limitation or discrimination based on race, color, religion or national origin are omitted from all building and use restrictions, covenants and conditions, if any, shown herein):

1. Taxes for the second installment of 1987 and subsequent years. Tax ID #05-11-317-027.

2. Trust Deed dated March 2, 1977 and recorded March 14, 1977 as Document R77-17495, made by Neal C. Kordisch, to Chicago Title and Trust Company, an Illinois Corporation, as Trustee to secure a note for $124,000.00.

3. Assignment of Rents recorded March 14, 1977 as Document R77-17496 made by Neal C. Kordisch to First Security Bank of Glen Ellyn.

4. Existing unrecorded leases, if any, and all rights thereunder, and all acts done or suffered by Lessee and the rights of all those claiming by, through or under said Lessee.

5. It appears that the building located on land encroaches over the lines of said premises.

6. Agreement for ingress and egress easement dated January 1, 1982 and recorded March 26, 1982 as Document R82-11598 by and between Bank of Naperville, as Trustee under Trust Agremment dated March 7, 1977 and known as Trust #2649 and The Village of Glen Ellyn over the following described property:
PARCEL I: The West 10 feet of Lot 3 (except the South 31.85 feet thereof) in Block 3, in County Clerk's Second Assessment Division in the Village of Glen Ellyn, in Section 11, Township 39 North, Range 10, East of the Third Principal Meridian, in DuPage County, Illinois.

PARCEL II: The Northerly 14.15 feet of the Southerly 46 feet (except the East 8 feet thereof) in Lot 3 in Block 3 in County Clerk's Second Assessment Division in the Village of Glen Ellyn, in Section 11, Township 39 North, Range 10 East of the Third Principal Meridian, in DuPage County, Illinois.

7. Terms, powers, provisions and limitations of the trust under which title to the premises in question is held.

8. Trust Deed dated August 8, 1988 and recorded August 16, 1988 as Document R88-091676, made by DuPage Bank and Trust Company, as Trustee under the provisions of a Trust Agreement dated August 5, 1988 and known as Trust #3495 to Neal C. Kordisch, as Trustee, to secure a note for $136,741.08.

SAFECO

is liable under this policy shall be furnished to the Company within 90 days after such loss or damage shall have been determined and no right of action shall accrue to an insured claimant until 30 days after such statement shall have been furnished. Failure to furnish such statement of loss or damage shall terminate any liability of the Company under this policy as to such loss or damage.

5. Options to Pay or Otherwise Settle Claims

The Company shall have the option to pay or otherwise settle for or in the name of an insured claimant any claim insured against or to terminate all liability and obligations of the Company hereunder by paying or tendering payment of the amount of insurance under this policy together with any costs, attorneys' fees and expenses incurred up to the time of such payment or tender of payment, by the insured claimant and authorized by the Company.

6. Determination and Payment of Loss

(a) The liability of the Company under this policy shall in no case exceed the least of:

(i) the actual loss of the insured claimant; or

(ii) the amount of insurance stated in Schedule A

(b) The Company will pay, in addition to any loss insured against by this policy, all costs imposed upon an insured in litigation carried on by the Company for such insured, and all costs, attorneys' fees and expenses in litigation carried on by such insured with the written authorization of the Company.

(c) When liability has been definitely fixed in accordance with the conditions of this policy, the loss or damage shall be payable within 30 days thereafter.

7. Limitation of Liability

No claim shall arise or be maintainable under this policy (a) if the Company, after having received notice of an alleged defect, lien or encumbrance insured against hereunder, by litigation or otherwise, removes such defect, lien or encumbrance or establishes the title, as insured, within a reasonable time after receipt of such notice; (b) in the event of litigation until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals therefrom, adverse to the title, as insured, as provided in paragraph 3 hereof; or (c) for liability voluntarily assumed by an insured in settling any claim or suit without prior written consent of the Company.

8. Reduction of Liability

All payments under this policy, except payments made for costs, attorneys' fees and expenses, shall reduce the amount of the insurance pro tanto. No payment shall be made without producing this policy for endorsement of such payment unless the policy be lost or destroyed, in which case proof of such loss or destruction shall be furnished to the satisfaction of the Company.

9. Liability Noncumulative

It is expressly understood that the amount of insurance under this policy shall be reduced by any amount the Company may pay under any policy insuring either (a) a mortgage shown or referred to in Schedule B hereof which is a lien on the estate or interest covered by this policy, or (b) mortgage hereafter executed by an insured which is a charge or lien on the estate or interest described or referred to in Schedule A, and the amount so paid shall be deemed a payment under this policy. The Company shall have the option to apply to the payment of any such mortgages any amount that otherwise would be payable hereunder to the insured owner of the estate or interest covered by this policy and the amount so paid shall be deemed a payment under this policy to said insured owner.

10. Apportionment

If the land described in Schedule A consists of two or more parcels which are not used as a single site, and a loss is established affecting one or more of said parcels but not all, the loss shall be computed and settled on a pro rata basis as if the amount of insurance under this policy was divided pro rata as to the value on Date of Policy of each separate parcel to the whole, exclusive of any improvements made subsequent to Date of Policy, unless a liability or value has otherwise been agreed upon as to each such parcel by the Company and the insured at the time of the issuance of this policy and shown by an express statement herein or by an endorsement attached hereto.

11. Subrogation Upon Payment or Settlement

Whenever the Company shall have settled a claim under this policy, all right of subrogation shall vest in the Company unaffected by any act of the insured claimant. The Company shall be subrogated to and be entitled to all rights and remedies which such insured claimant would have had against any person or property in respect to such claim had this policy not been issued, and if requested by the Company, such insured claimant shall transfer to the Company all rights and remedies against any person or property necessary in order to perfect such right of subrogation and shall permit the Company to use the name of such insured claimant in any transaction or litigation involving such rights or remedies. If the payment does not cover the loss of such insured claimant, the Company shall be subrogated to such rights and remedies in the proportion which said payment bears to the amount of said loss. If loss should result from any act of such insured claimant, such act shall not void this policy, but the Company, in the event, shall be required to pay only that part of any losses insured against hereunder which shall exceed the amount, if any, lost to the Company by reason of the impairment of the right of subrogation.

12. Liability Limited to this Policy

This instrument together with all endorsements and other instruments, if any, attached hereto by the Company is the entire policy and contract between the insured and the Company.

Any claim of loss or damage, whether or not based on negligence, and which arises out of the status of the title to the estate or interest covered hereby or any action asserting such claim, shall be restricted to the provisions and conditions and stipulations of this policy.

No amendment of or endorsement to this policy can be made except by writing endorsed hereon or attached hereto signed by either the President, a Vice President, the Secretary, an Assistant Secretary, or validating officer or authorized signatory of the Company.

13. Notices, Where Sent

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at the office which issued this policy or to:

SAFECO Title Insurance Company
National Claims Department
P.O. Box 2233
Los Angeles, California 90051

OWNERSHIP BY LAND TRUST

Date: 4/14/2012

Address: 536 Crescent Boulevard

Legal Description: See attached

TRUSTEE: North Star Trust Company TRUST NO.: 3495

Address: 500 West Madison Street, Chicago, IL 60661

LIST ALL BENEFICIARIES:

Name: 536 Crescent Building LLC Address: 536 Crescent Blvd., Suite 200 Glen Ellyn, IL 60137

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

LEGAL DESCRIPTION
536 CRESCENT BLVD
GLEN ELLYN, IL

PARCEL I:
Lot 2 of the Plat of Farnsworth and Brown's Subdivision of Lot 11 in Block 3 of County Clerk's Second Assessment Division in the Village of Glen Ellyn, in Section 11, Township 39 North, Range 10 East of the Third Principal Meridian;

PARCEL II:
THE South 31.44 feet of Lot 3 (except the East 11 feet thereof) in Block 3 of County Clerk's Second Assessment Division in the Village of Glen Ellyn, in Section 11, Township 39 North, Range 10, East of the Third Principal Meridian;

PARCEL III:
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All in DuPage County, Illinois. **

OWNERSHIP BY A CORPORATION

Date: 4/14/2012

Address: 536 Crescent Blvd., Glen Ellyn, IL 60137

Legal Description: See attached

LIST ALL SHAREHOLDERS AND OFFICERS/DIRECTORS (AND % OF INTEREST OWNED IN EXCESS OF 5% OF STOCK)

Name: William E. Jegen Address: 1937 Nottingham Lane Wheaton, IL 60189 %50

Name: Linda L. Jegen Address: 1937 Nottingham Lane Wheaton, IL 60189 %50

Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____

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Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____

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536 CRESCENT BLVD
GLEN ELLYN, IL

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All in DuPage County, Illinois. **

AFFIDAVIT OF AUTHORIZATION

I, William E. Jegen, Manager of 536 Crescent Building, LLC, owner of the property described as

536 Crescent Boulevard, Glen Ellyn, IL 60137

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

OWNER

NOTARY

NOTARY PUBLIC OFFICIAL SEAL STATE OF ILLINOIS
JENNIFER A LIACE
MY COMMISSION EXPIRES
NOVEMBER 24, 2014

REIMBURSEMENT OF FEES AGREEMENT

Village of Glen Ellyn Acct: #_____
Initial Deposit Amount: $1,000.00

I. DESCRIPTION OF PROJECT: Special use permit for 536 Crescent Blvd., Glen Ellyn

II. OWNER:
- A. Owner of Property: North Star Trust Company u/t/a 3495
- B. Owner's Address: 500 West Madison Street, Chicago, IL 60661
- C. Owner's Home Phone Number:_____ Fax: _____
- D. Owner's Work Phone Number:_____
- E. Owner's E-mail: _____
- F. If Owner is a Land Trust or Corporation, the attached disclosures of interest should be filled out.

III. PERSON MAKING REQUEST (Petitioner):
- A. Name of Petitioner: 536 Crescent Building LLC
- B. Petitioner's Address: 536 Crescent Blvd., Suite 200, Glen Ellyn, IL 60137
- C. Petitioner's Home Phone Number: 630-858-5550
- D. Petitioner's Work Number: 630-858-5584
- E. Petitioner's E-mail: jegenwe@ameritech.net

IV. LOCATION OF PROPERTY:
- A. General Location of Property: 536 Crescent Boulevard
- B. Acreage of Parcel: 0.29
- C. Permanent Index Number(s): 05-11-317-027
- D. Legal Description (Please attach)

V. REIMBURSEMENT OF FEES:

The Ordinances of the Village require the owners of property, or individuals seeking to utilize property, to receive approval by ordinance or the issuance of a permit to undertake various uses or improvements of property in the Village. These uses can include requests for textual or map changes in the Zoning Ordinance, applications for building permits, requests for zoning relief and other similar requests. The Village has established a fee schedule for the anticipated use of staff time in processing such petitions or applications. In many cases, however the Village cannot reasonably evaluate the validity or compliance of the petition or application with the Ordinances of the Village without the use of reports from various consultants. In some cases, the application or petition requires among other things, public hearings and associated public notice costs, preparation of minutes or transcripts from the public hearing or meeting, recording costs of Ordinances and the preparation of reports by consultants whose services require the payment of out-of-pocket expenses by the Village. These expenses would not have been incurred but for the petition or application. The Village does not intend to seek to make a profit on its utilization of such consultants, but requires that the applicant, or the person receiving benefit, shall be obligated to reimburse the out-of-pocket expenses incurred by the Village. The Village shall seek to employ consultants who shall charge rates consistent with those paid by private parties who seek similar consulting services. The Village intends, through this Agreement, to cause the payment of out-of-pocket expenses and to require the creation of an escrow fund to guarantee that the petition or application will not result in the citizens of the Village being required to pay for costs incurred at the request of the owner or applicant.

execution or recording of any documents, until all such outstanding fees are paid in full and/or the initial deposit is restored to its full amount. Upon any failure to reimburse the Village in accordance with this Section, the Village may in its discretion, apply any or all of the initial deposit to the outstanding balance due.

The remedies available to the Village as set forth hereinabove are non-exclusive and nothing herein shall be deemed to limit or waive the Village's right to seek relief of such fees against any or all responsible parties in a court of competent jurisdiction.

Any remaining balance of any funds deposited pursuant to this Agreement shall be refunded at such time as the completion of Village deliberation on the petition or application, recordation of all necessary documents associated with the petition or application, issuance of a building permit, approval of a final inspection, or issuance of a final certificate of occupancy upon the real property in question whichever occurs later.

BY SIGNING BELOW, THE PETITIONER AND OWNER ACKNOWLEDGE THAT EACH OF THEM HAS READ THE FOREGOING PARAGRAPHS AND EACH OF THEM FULLY UNDERSTANDS AND AGREES TO COMPLY WITH THE TERMS SET FORTH HEREIN. FURTHER, BY SIGNING BELOW, EACH SIGNATORY WARRANTS THAT HE/SHE/IT POSSESSES FULL AUTHORITY TO SO SIGN.

THE PETITIONER AND OWNER AGREE THAT PETITIONER AND OWNER SHALL BE JOINTLY AND SEVERALLY LIABLE FOR PAYMENT OF FEES REFERRED TO IN APPLICABLE SECTIONS OF THE ORDINANCES OF THE VILLAGE OF GLEN ELLYN, AND THE OBLIGATIONS FOR PAYMENT RELATING TO THE FILING OF PETITION OR APPLICATION, AS SET FORTH HEREIN.

Petitioner	Village of Glen Ellyn
Owner	By:_____ Planning and Development Director
Date: 4-13-2012	Date: _____

X:\Plandev\PLANNING\FORMS\ReimOfFeesAgrmt 020410 lg.doc

LEGAL DESCRIPTION
536 CRESCENT BLVD
GLEN ELLYN, IL

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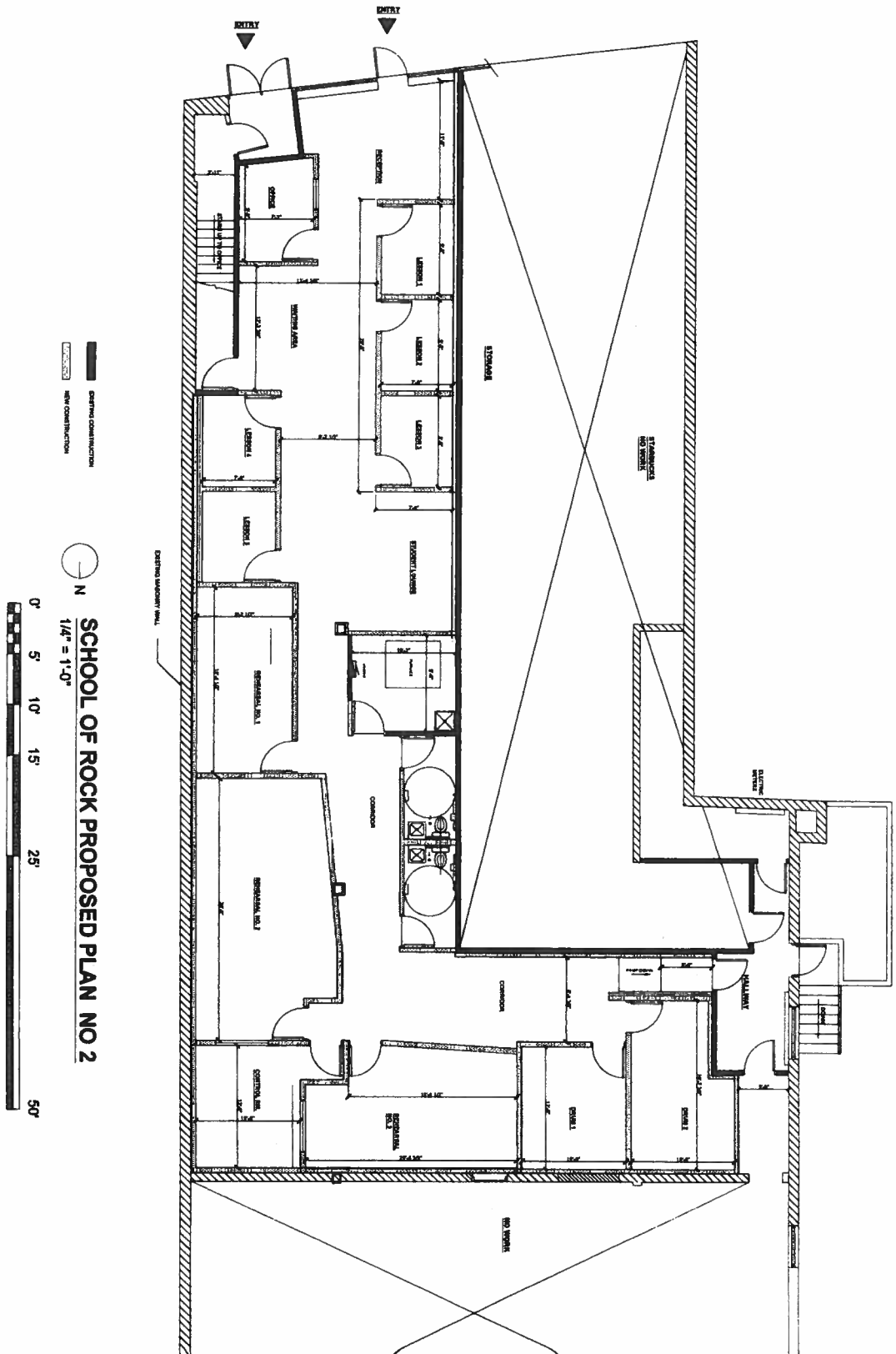
All in DuPage County, Illinois. **



SCHOOL OF ROCK PROPOSED PLAN NO 2

1/4" = 1'-0"

1-A	PROPOSED FLOOR PLAN	proposed **SCHOOL OF ROCK** 536 CRESCENT BLVD. GLEN ELLYN, IL 60137	**INTERNATIONAL DESIGN ASSOC., LTD. p.c.** ARCHITECTS / PLANNERS / INTERIOR DESIGN 70 W. BURTON PL. CHICAGO, ILLINOIS 60610 office (312) 944 0660 cell (312) 339 8627 email- id@rcn.com

DATE: 02/15/12
PROPOSED DESIGN

A-6H

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Danamarie Izzo – Assistant to the Village Manager - HR
Patti Underhill – Administrative Services Coordinator

DATE: June 5, 2012

RE: Issuing two Class B-5 Public Sidewalk Liquor License

Background

As you know, last year the Village established the Class B-5 Public Sidewalk Liquor License. The Class B-5 Liquor License is a supplemental license to the Tables & Chairs License Agreement processed through the Planning & Development Department. So far this year we have approved four Class B-5 Public Sidewalk Liquor Licenses. We have received applications from two more businesses in the downtown area that are interested in receiving approval for these licenses.

Cab's Wine Bar Bistro and Santa Fe Restaurant are included in the June 11, 2012 agenda to receive approval of their Tables & Chairs License Agreement. Attached is their signed application for Class B-5 Public Sidewalk Liquor License. All applications have been processed and appropriate fees have been paid.

Recommendation

Approve the Ordinance and the issuing of two (2) Class B-5 Public Sidewalk Liquor Licenses

Action Requested

Approve the Ordinance and the issuing of two (2) Class B-5 Public Sidewalk Liquor Licenses

Attachments

Ordinance
Cab's Wine Bar Bistro application for Class B-5 Public Sidewalk Liquor License
Sante Fe Restaurant application for Class B-5 Public Sidewalk Liquor License

X:\Admin\AGENDA ITEMS\agenda item-Class B-5 June 11.doc

Ordinance No. _____ - VC

An Ordinance to Amend the Liquor Control Code
Chapter 19 of Title 3, Section 12
(Restriction on Number of Licenses)
of the Village Code of Glen Ellyn, Illinois,
Increase the Number of Permitted Class B-5 Public Sidewalk Liquor Licenses

Whereas, the Village of Glen Ellyn is an Illinois home rule municipal corporation; and

Whereas, pursuant to the Illinois Liquor Control Act, 235 ILCS 5/1-1 et seq., the Village of Glen Ellyn has the statutory authority by general ordinance to determine the kinds and classifications of liquor licenses to be issued for the sale of alcoholic liquor at retail in the Village as well as the number of permitted licenses within each classification, as set forth in Chapter 19 of Title 3 (Liquor Control Code) of the Village Code of the Village of Glen Ellyn; and

Whereas, the President and Board of Trustees of the Village of Glen Ellyn deem it to be in the best interest of the Village to periodically review and update the liquor control ordinance of the Village as well as to, when appropriate, change the number of permitted liquor licenses in various classifications; and

Whereas, the President and Board of Trustees have determined that it is in the best interest of the Village amend Chapter 19 of Title 3, Section 12 to increase by two the number of permitted Class B-5 liquor licenses, which shall authorize holder of a Class A-1, A-2 or B-1 license to sell alcoholic liquor on public sidewalks adjacent to the specified premises; so that a license can be issued to Cab's Wine Bar Bistro located at 430 N. Main Street and Sante Fe Restaurant located at 426 N. Main Street, Glen Ellyn, Illinois;

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 findings of fact and conclusions set forth hereinabove are hereby adopted by the President and Board of Trustees as the findings of fact and conclusions of the corporate authorities of the Village of Glen Ellyn.

Section Two: Chapter 19 of Title 3, Section 12 of the Glen Ellyn Village Code (Liquor Control Code) is hereby amended so that reference to Class B-5 within this Section shall henceforth read as follows:

Class B-5 no more than 6

Section Three: This Ordinance shall be in full force and effect following 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 _____.

Ayes:

Nays:

Absent:

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

_____
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:\Admin\CLERK\LIQUOR\Ordinances\June 2012 Class B-5.doc

PUBLIC SIDEWALK SUPPLEMENTAL LIQUOR LICENSE CLASS B-5
APPLICATION FORM
Village of Glen Ellyn

(July 2011)

Date Application Received 5/31/12

Name of Business: Cab's Wine Bar Bistro Contact Person: Lisa Ayllon

Address of Business: 430 N. Main St G.E.

Telephone No. (630) 942 9463 Fax No. (630) 942 8755

( ) Property Owner ( ) Property Occupant

Required Submittals – please include:

(X) A valid License Agreement for tables and chairs to be placed on the public sidewalk approved by the Village Board.

(X) Dimensioned drawing showing the sidewalk adjacent to the business, any street lights, signs, planters, trees, tree grates, the curb, on street parking or any other public appurtenances, location of tables and chairs, and if applicable, the proposed fencing. The drawing must detail the distance from the proposed table, chairs, and fence to the curb.

(X) Annual Fee - $100. Paid 05/31/12

RECEIVED
MAY 31 2012
PLANNING DEPARTMENT
VILLAGE OF GLEN ELLYN

INDEMNIFICATION STATEMENT

I, Lisa Ayllon representing Cab's Wine Bar Bistro

As its owner agree to hold harmless and indemnify the Village, its directors, officers, employees and agents, from and against any and all liabilities, losses, claims, demands, damages, fines, penalties, costs, and expenses, including, but not limited to, reasonable attorney's fees and costs of litigation, and all causes of action of any kind or character resulting from my use of the public sidewalk as a café.

I certify that I have read and understand Section 3-19-11 of the Glen Ellyn Village Code which sets the requirements for the Class B-5 Public Sidewalk Supplemental Liquor License.

Signature 5/31/12
Date

The above application for a Class B-5 liquor license has been approved by the Local Liquor Control Commissioner acting under the provisions of the Glen Ellyn Liquor Control Code as contained in the Village Code of the Village of Glen Ellyn, Illinois.

Village President/Local Liquor Control Commissioner Date

Planning and Development -
Inspection of public improvements completed - Date _____ By: _____

X:\Admin\CLERK\LIQUOR\LIQUOR LICENSES\Public Sidewalk Supplemental Liquor Application Form.docx

PUBLIC SIDEWALK SUPPLMENTAL LIQUOR LICENSE CLASS B-5
APPLICATION FORM
Village of Glen Ellyn

(July 2011)

Date Application Received 5/8/12

Name of Business: Santa Fe Restaurant Contact Person: Olga & Reyna Jimenez

Address of Business: 426 N. Main St Glen Ellyn IL 60137

Telephone No. 630 790-3311 Fax No. 630-790-3364

(X) Property Owner ( ) Property Occupant

PAID
JUN 05 2012
$100.00 CK 3836
VILLAGE OF GLEN ELLYN

Required Submittals – please include:

(✓) A valid License Agreement for tables and chairs to be placed on the public sidewalk approved by the Village Board.

(✓) Dimensioned drawing showing the sidewalk adjacent to the business, any street lights, signs, planters, trees, tree grates, the curb, on street parking or any other public appurtenances, location of tables and chairs, and if applicable, the proposed fencing. The drawing must detail the distance from the proposed table, chairs, and fence to the curb.

(✓) Annual Fee - $100.

INDEMNIFICATION STATEMENT

I, Olga Jimenez representing Santa Fe Restaurant

As its vice president agree to hold harmless and indemnify the Village, its directors, officers, employees and agents, from and against any and all liabilities, losses, claims, demands, damages, fines, penalties, costs, and expenses, including, but not limited to, reasonable attorney's fees and costs of litigation, and all causes of action of any kind or character resulting from my use of the public sidewalk as a café.

I certify that I have read and understand Section 3-19-11 of the Glen Ellyn Village Code which sets the requirements for the Class B-5 Public Sidewalk Supplemental Liquor License.

Signature Olga Jimenez Date 5/30/12

RECEIVED
MAY 30 2012
PLANNING DEPARTMENT
VILLAGE OF GLEN ELLYN

The above application for a Class B-5 liquor license has been approved by the Local Liquor Control Commissioner acting under the provisions of the Glen Ellyn Liquor Control Code as contained in the Village Code of the Village of Glen Ellyn, Illinois.

Village President/Local Liquor Control Commissioner Date

Planning and Development -
Inspection of public improvements completed - Date _____ By: _____

X:\Admin\CLERK\LIQUOR\LIQUOR LICENSES\Public Sidewalk Supplemental Liquor Application Form.docx

A-6I

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Staci Hulseberg, Director of Planning & Development

DATE: June 5, 2012

FOR: June 11, 2012 Village Board Meeting

RE: Sidewalk Café License Agreements

Background

Since 1995, the Village Board has authorized one or more License Agreements for tables and chairs, hot dog and gelato sales, wind enclosures and related items to be located on the public sidewalk in the central business district.

Last year, the Village Board approved an amendment to the Village Code to allow restaurants with liquor licenses the ability to serve alcohol at tables and chairs on the public sidewalk subject to certain conditions and approvals. Eligible restaurants have been notified of this opportunity. The Alliance is working with downtown restaurant owners to encourage and assist them with starting these sidewalk cafés. As a result of the Alliance's efforts, we have a number of new sidewalk cafés in the downtown this year.

Issues

So far this year, seven (7) businesses (Einstein Bros. Bagels, Starbucks, Vitorio's Ristorante, Heaven-Lee Hot Dogs, Tap House Grill, Shannon's Irish Pub and Flour + Wine), have been granted license agreements by the Village. Four (4) businesses (Vitorio's, Flour + Wine, Shannon's Irish Pub and Tap House Grill) have received approval of a Public Sidewalk Liquor License.

At this time, we have received license agreement applications for tables and chairs and public sidewalk liquor licenses for Santa Fe Restaurant and Cab's Wine Bar Bistro. These applications are ready for Village Board consideration.

Recommendation

Draft license agreements are attached to allow tables and chairs in the public right-of-way for Santa Fe Restaurant and Cab's Wine Bar Bistro. Liquor license approvals are included on the agenda as separate action items.

Action Requested

It is requested that the Village Board approve a motion to approve license agreements for Santa Fe Restaurant and Cab's Wine Bar Bistro.

Attachments: License Agreements for Santa Fe Restaurant and Cab's Wine Bar Bistro

cc: Phil Norton, Police Chief
Patti Underhill, Administrative Services Coordinator
Carol White, Executive Director, Alliance of Downtown Glen Ellyn
Olga Jimenez, Santa Fe Restaurant
Lisa Ayllon, Cab's Wine Bar Bistro

License Agreement

This Agreement, made and entered into as of this 30rd day of May, 20 12, effective the _____ day of _____, 20_____, by and between the Village of Glen Ellyn ("Licensor") and SANTA FE RESTAURANT ("Licensee") pertaining to the property located at 426 N. MAIN ST. Glen Ellyn, Illinois 60137.

1. **Purpose**: Licensor hereby grants to Licensee, and Licensee hereby accepts, a license to (a) install, maintain and operate for the term hereof, tables and chairs in compliance with the site plan approved by the Village and attached hereto as Exhibit "A", including the agreed upon number and location of tables and chairs on the sidewalk and the right-of-way in front of the above listed address, the licensed area, (b) maintain a trash receptacle in accordance with the standards contained below, and (c) install and maintain landscape planters in accordance with the standards contained below and with the following terms, covenants and conditions.

2. **Terms**: This Agreement shall expire December 31, 20 12 or the date the insurance required hereunder expires, whichever comes first. This Agreement may be renewed only through the action of the Village Board of the Village of Glen Ellyn. Licensee may terminate this Agreement immediately by providing written notice to Licensor. Licensor may terminate this Agreement at any time during the term of this Agreement by notifying Licensee of this intention at least 7 days prior to the termination date.

3. **Rent and License Fee**: For the purposes of this license, no rent will be paid by Licensee to Licensor. A fee of $50.00 has been paid by Licensee to Licensor for the issuance of this License Agreement.

4. **Permits and Licenses**: Licensee, at its sole effort and expense, shall conform to the Village Code and DuPage County Health Department regulations.

5. **Installation of Street Furniture**:

a. Tables and Chairs: Licensee is permitted to locate on the sidewalk portion of the right-of-way the number of tables and chairs specified in the site plan for this location. The table tops shall not exceed the diameter and size indicated on the site plan. Tables and chairs shall be located so that a five-foot wide passage is maintained along the sidewalk at all times. Use of the public right-of-way shall be conducted in a manner that does not interfere with pedestrian use of the sidewalk. All items placed on the sidewalk shall not obstruct ingress to and egress from the licensed business or any other business. Licensee shall allow restaurant patrons to dine on tables and chairs in the licensed area described above, but at no time shall cooking or food preparation be permitted on the public right-of-way. At a minimum, the public right-of-way shall be cleaned once daily. Umbrellas, approved for use as part of this license agreement, shall be removed from the public sidewalk at the end of each business day.

b. Trash Receptacle: Licensee shall maintain the trash receptacle(s) located in proximity to the tables and chairs in a neat and orderly manner, and the Licensor shall ensure that a garbage hauling firm removes the trash from the receptacle on a regular schedule. However, **it shall be the responsibility of Licensee to empty the receptacle(s) more frequently, if necessary.** Licensor is the owner of the trash receptacle(s).

c. Landscape Planters: Licensee shall install and maintain a minimum of two (2) landscape planters, planted with flowering annuals and/or perennials, located in conformance with the site plan. The planters shall contain a minimum total of 432 square inches (3 square feet) of planted landscaping. The planters shall be a minimum of 10 inches in height, shall not exceed 30 inches in height

and shall be constructed of metal, terra cotta, masonry, wood or similar materials; plastic planters shall be prohibited. The planters shall be placed up against building in a location that does not obstruct the public right-of-way and sidewalk. At all times, a minimum 5-foot wide pathway on the sidewalk shall remain free and clear of obstructions. All items placed on the sidewalk shall not obstruct ingress to and egress from the licensed business or any other business. Licensee shall replace dead landscape plants as needed to maintain the planters in a clean and neat manner and shall water plants on an as-needed basis during the entire period of time that table and chairs are located on the public sidewalk. Failure to maintain live plants as required by this agreement may result in licensor terminating this agreement with 7 days written notice to licensee, and the tables and chairs shall be immediately removed from the public sidewalk.

6. **Maintenance**: Licensee shall agree to maintain the licensed area and the nearby sidewalk in a clean, healthy and attractive condition. If Licensee ceases to so maintain the licensed area and the nearby sidewalk, Licensor may require Licensee to pay for additional cleanup costs. Further, Licensor may, upon notice as set forth below, terminate this agreement and require the permanent removal of the tables and chairs from the licensed area in advance of the expiration date of this Agreement. No furniture or other structures shall be affixed or attached to the public sidewalk. The licensee shall be responsible to the Village for any damage occurring to the public sidewalk or public improvements where such damage arises from or occurs as a consequence of the presence and/or operation of structures, equipment or furniture permitted by this license agreement. The Village may repair or replace such improvement in its discretion and shall charge the cost of such repair or replacement to the permit holder.

7. **Removal**: Upon the expiration or the termination of this License, Licensee shall remove the tables and chairs from the licensed area.

8. **Termination**: If Licensee fails in any respect to perform any agreements, covenants or obligations in this License, then and in such event, Licensor, after providing at least 7 days written notice to Licensee, may terminate this License Agreement or may cure such failure or default on behalf of and at the expense of Licensee.

9. **Notice**: Notice hereunder shall be in writing and effected either by personal delivery or by depositing the same in an official U.S. mail receptacle as certified mail, return receipt requested, postage paid, addressed to:

If to Licensor:
Village Manager
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, IL 60137

If to Licensee:
To the above-listed applicant and business address

or to such other address as either party may from time to time designate. Any notice given under this Agreement shall be in writing and deemed received when personally delivered or, if mailed, three days after placing same in an official U.S. mail receptacle.

10. **Assignment**: Licensee may not assign or transfer this License without prior written consent of Licensor. Any attempted assignment or transfer in violation of this paragraph shall be void and confer no rights upon any third person. This license agreement shall not confer any property rights in the underlying Village right-of-way.

11. **Defend and Hold Harmless**: Licensee shall be required to hold harmless Licensor, its officers, employees and independent contractors from any claim or demand or damage to property or injury, including death to persons, which arise out of in any way the exercise by Licensee of its rights under this License. Licensee shall be required to pay for the cost of defense and hold harmless Licensor, its officers, employees and independent contractors against any judgment and to pay any settlement

arising out of such claim or demand, including but not limited to, the full costs of the defense of Licensor, its employees, officers and independent contractors through the employment of experts approved by the parties defended, provided, however, that such approval shall not be unreasonably withheld.

12. **Liability Insurance**: Licensee shall purchase and maintain comprehensive general liability insurance of $2 million each occurrence, providing occurrence coverage for Licensee from claims for damages because of bodily injury, death of any person, or property damage resulting from the use of the public right-of-way. Licensor shall be named, by endorsement, as an additional insured on the policy. The policy of insurance and certificates thereof shall contain provision or endorsement that the coverage reported will not be canceled, materially changed, or renewal refused, until at least 30 days prior written notice shall be given by certified mail to the insured and Licensor. Licensee shall deliver a duplicate of the policy or certificate of insurance acceptable to Licensor prior to the execution of this Agreement by the Village Board.

13. **Miscellaneous**:

a. This Agreement constitutes the entire understanding of the parties and supersedes any prior written or oral negotiations or understandings.

b. It is the intention of the parties hereto that this License shall be construed and enforced in accordance with the laws of the State of Illinois.

c. If any provision of this License is held invalid or unenforceable, the remainder of this License shall not be affected thereby, and each other provision of this License shall be valid and enforceable to the fullest extent permitted by law.

d. Licensee shall pay any expenses incurred by Licensor in defending the validity of its right to enter into a License Agreement for the use of sidewalk premises by a private party.

DATED as of the date first set forth above.

LICENSOR:

Village President

Village of Glen Ellyn

535 Duane Street

Glen Ellyn, Illinois 60137

By: _____

Name: _____

Title: _____

LICENSEE:

OLGA JIMENEZ, V.P.

SANTA FE RESTAURANT

426 N. MAIN ST.

GLEN ELLYN, IL 60137

By: Olga Jimenez

Name: Santa Fe Restaurant

Title: VP

License Agreement

This Agreement, made and entered into as of this 30 day of May, 2012, effective the _____ day of _____, 20_____, by and between the Village of Glen Ellyn ("Licensor") and Cab's Wine Bar Bist ("Licensee") pertaining to the property located at 430 N Main St Glen Ellyn, IL Glen Ellyn, Illinois 60137.

1. **Purpose**: Licensor hereby grants to Licensee, and Licensee hereby accepts, a license to (a) install, maintain and operate for the term hereof, tables and chairs in compliance with the site plan approved by the Village and attached hereto as Exhibit "A", including the agreed upon number and location of tables and chairs on the sidewalk and the right-of-way in front of the above listed address, the licensed area, (b) maintain a trash receptacle in accordance with the standards contained below, and (c) install and maintain landscape planters in accordance with the standards contained below and with the following terms, covenants and conditions.

2. **Terms**: This Agreement shall expire December 31, 20____ or the date the insurance required hereunder expires, whichever comes first. This Agreement may be renewed only through the action of the Village Board of the Village of Glen Ellyn. Licensee may terminate this Agreement immediately by providing written notice to Licensor. Licensor may terminate this Agreement at any time during the term of this Agreement by notifying Licensee of this intention at least 7 days prior to the termination date.

3. **Rent and License Fee**: For the purposes of this license, no rent will be paid by Licensee to Licensor. A fee of $50.00 has been paid by Licensee to Licensor for the issuance of this License Agreement.

4. **Permits and Licenses**: Licensee, at its sole effort and expense, shall conform to the Village Code and DuPage County Health Department regulations.

5. **Installation of Street Furniture**:

a. Tables and Chairs: Licensee is permitted to locate on the sidewalk portion of the right-of-way the number of tables and chairs specified in the site plan for this location. The table tops shall not exceed the diameter and size indicated on the site plan. Tables and chairs shall be located so that a five-foot wide passage is maintained along the sidewalk at all times. Use of the public right-of-way shall be conducted in a manner that does not interfere with pedestrian use of the sidewalk. All items placed on the sidewalk shall not obstruct ingress to and egress from the licensed business or any other business. Licensee shall allow restaurant patrons to dine on tables and chairs in the licensed area described above, but at no time shall cooking or food preparation be permitted on the public right-of-way. At a minimum, the public right-of-way shall be cleaned once daily. Umbrellas, approved for use as part of this license agreement, shall be removed from the public sidewalk at the end of each business day.

b. Trash Receptacle: Licensee shall maintain the trash receptacle(s) located in proximity to the tables and chairs in a neat and orderly manner, and the Licensor shall ensure that a garbage hauling firm removes the trash from the receptacle on a regular schedule. However, **it shall be the responsibility of Licensee to empty the receptacle(s) more frequently, if necessary.** Licensor is the owner of the trash receptacle(s).

c. Landscape Planters: Licensee shall install and maintain a minimum of two (2) landscape planters, planted with flowering annuals and/or perennials, located in conformance with the site plan. The planters shall contain a minimum total of 432 square inches (3 square feet) of planted landscaping. The planters shall be a minimum of 10 inches in height, shall not exceed 30 inches in height and shall be constructed of metal, terra cotta, masonry, wood or similar materials; plastic planters shall be

prohibited. The planters shall be placed up against building in a location that does not obstruct the public right-of-way and sidewalk. At all times, a minimum 5-foot wide pathway on the sidewalk shall remain free and clear of obstructions. All items placed on the sidewalk shall not obstruct ingress to and egress from the licensed business or any other business. Licensee shall replace dead landscape plants as needed to maintain the planters in a clean and neat manner and shall water plants on an as-needed basis during the entire period of time that table and chairs are located on the public sidewalk. Failure to maintain live plants as required by this agreement may result in licensor terminating this agreement with 7 days written notice to licensee, and the tables and chairs shall be immediately removed from the public sidewalk.

6. **Maintenance**: Licensee shall agree to maintain the licensed area and the nearby sidewalk in a clean, healthy and attractive condition. If Licensee ceases to so maintain the licensed area and the nearby sidewalk, Licensor may require Licensee to pay for additional cleanup costs. Further, Licensor may, upon notice as set forth below, terminate this agreement and require the permanent removal of the tables and chairs from the licensed area in advance of the expiration date of this Agreement. No furniture or other structures shall be affixed or attached to the public sidewalk. The licensee shall be responsible to the Village for any damage occurring to the public sidewalk or public improvements where such damage arises from or occurs as a consequence of the presence and/or operation of structures, equipment or furniture permitted by this license agreement. The Village may repair or replace such improvement in its discretion and shall charge the cost of such repair or replacement to the permit holder.

7. **Removal**: Upon the expiration or the termination of this License, Licensee shall remove the tables and chairs from the licensed area.

8. **Termination**: If Licensee fails in any respect to perform any agreements, covenants or obligations in this License, then and in such event, Licensor, after providing at least 7 days written notice to Licensee, may terminate this License Agreement or may cure such failure or default on behalf of and at the expense of Licensee.

9. **Notice**: Notice hereunder shall be in writing and effected either by personal delivery or by depositing the same in an official U.S. mail receptacle as certified mail, return receipt requested, postage paid, addressed to:

If to Licensor:
Village Manager
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, IL 60137

If to Licensee:
To the above-listed applicant and business address

or to such other address as either party may from time to time designate. Any notice given under this Agreement shall be in writing and deemed received when personally delivered or, if mailed, three days after placing same in an official U.S. mail receptacle.

10. **Assignment**: Licensee may not assign or transfer this License without prior written consent of Licensor. Any attempted assignment or transfer in violation of this paragraph shall be void and confer no rights upon any third person. This license agreement shall not confer any property rights in the underlying Village right-of-way.

11. **Defend and Hold Harmless**: Licensee shall be required to hold harmless Licensor, its officers, employees and independent contractors from any claim or demand or damage to property or injury, including death to persons, which arise out of in any way the exercise by Licensee of its rights under this License. Licensee shall be required to pay for the cost of defense and hold harmless Licensor, its officers, employees and independent contractors against any judgment and to pay any settlement arising out of such claim or demand, including but not limited to, the full costs of the defense of Licensor,

its employees, officers and independent contractors through the employment of experts approved by the parties defended, provided, however, that such approval shall not be unreasonably withheld.

12. **Liability Insurance**: Licensee shall purchase and maintain comprehensive general liability insurance of $2 million each occurrence, providing occurrence coverage for Licensee from claims for damages because of bodily injury, death of any person, or property damage resulting from the use of the public right-of-way. Licensor shall be named, by endorsement, as an additional insured on the policy. The policy of insurance and certificates thereof shall contain provision or endorsement that the coverage reported will not be canceled, materially changed, or renewal refused, until at least 30 days prior written notice shall be given by certified mail to the insured and Licensor. Licensee shall deliver a duplicate of the policy or certificate of insurance acceptable to Licensor prior to the execution of this Agreement by the Village Board.

13. **Miscellaneous**:

a. This Agreement constitutes the entire understanding of the parties and supersedes any prior written or oral negotiations or understandings.

b. It is the intention of the parties hereto that this License shall be construed and enforced in accordance with the laws of the State of Illinois.

c. If any provision of this License is held invalid or unenforceable, the remainder of this License shall not be affected thereby, and each other provision of this License shall be valid and enforceable to the fullest extent permitted by law.

d. Licensee shall pay any expenses incurred by Licensor in defending the validity of its right to enter into a License Agreement for the use of sidewalk premises by a private party.

DATED as of the date first set forth above.

LICENSOR:

Village President

Village of Glen Ellyn

535 Duane Street

Glen Ellyn, Illinois 60137

By: _____

Name: _____

Title: _____

LICENSEE:

LISA Ayllon

Cab's Wine Bar Bistro

430 N. Main St

GLEN Ellyn, IL

By: [signature]

Name: LISA Ayllon

Title: owner/manager

A-6J

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Julius Hansen, Director of Public Works

DATE: June 1, 2012

SUBJECT: MFT Resolution for 2011 Estimates of Expenditure

Background:

Each year the Village of Glen Ellyn receives a share of the State of Illinois revenue generated by the Motor Fuel Tax based on the population of the Village. The money from this tax can only be utilized by the Village for authorized expenditures as required by I.D.O.T. Certain recordkeeping requirements are necessary to justify to the State auditors that the money is spent accordingly. The Illinois Highway Code requires that the Village approve, by resolution, the expenditure of these funds according to Illinois Department of Transportation guidelines on the appropriate IDOT form on a calendar year basis.

Issues:

Each calendar year the Public Works Department must compile data to document the expenditures that meet the I.D.O.T. criteria to validate the use of MFT funds. The department tracks the cost of labor per employee and each piece of equipment utilized to perform snow removal operations for this purpose. In addition, labor and equipment expenditures associated with the task of street sweeping are also calculated for the same reason. The cost of salt for snow removal and the cost of electricity supplied for street lighting are two other expenditures that are paid with MFT funds.

Recommendation:
Approve the resolution set forth.

Action Requested:
Motion to approve the Resolution for calendar year 2011-
Resolution No._____ for the expenditure of Motor Fuel Tax funds for the purpose of maintaining streets and highways under the applicable provisions of the Illinois Highway Code in the amount of $675,000 for the time period of January 1, 2011 to December 31,2011.

Attachments:

- I.D.O.T. document BLR 14230 (Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code).
- I.D.O.T. document BLR 14231 (Municipal Estimate of Maintenance Cost).

Illinois Department of Transportation

Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code

BE IT RESOLVED, by the President and Board of Trustees (Council or President and Board of Trustees) of the Village (City, Town or Village) of Glen Ellyn (Name), Illinois, that there is hereby appropriated the sum of $675,000.00 of Motor Fuel Tax funds for the purpose of maintaining streets and highways under the applicable provisions of the Illinois Highway Code from January 1, 2011 (Date) to December 31, 2011 (Date).

BE IT FURTHER RESOLVED, that only those streets, highways, and operations as listed and described on the approved Municipal Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that the Clerk shall, as soon a practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department , a certified statement showing expenditures from and balances remaining in the account(s) for this period; and

BE IT FURTHER RESOLVED, that the Clerk shall immediately transmit two certified copies of this resolution to the district office of the Department of Transportation, at Schaumburg, Illinois.

I, Suzanne Connors Clerk in and for the Village (City, Town or Village) of Glen Ellyn, County of DuPage

hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by

the President and Board of Trustees (Council or President and Board of Trustees) at a meeting on June 11, 2012 (Date)

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this _____ day of _____.

(SEAL) _____ Village (City, Town or Village) Clerk

Approved

_____
Date
Department of Transportation

_____
Regional Engineer

Illinois Department of Transportation

Municipal Estimate of Maintenance Cost

Period from 01/01/11 to 12/31/11

Section Number 11-00000-00-GM

Municipality Glen Ellyn

Estimated Cost of Maintenance Operations

Maintenance Operation (No. - Description)	Group (I, II, III, IV)	For Group I, II or III (Material, Equipment or Labor) Item	Unit	Quantity	Unit Price	Cost	Operation Cost
1. Snow and Ice Control	IIA	Labor - See Attached	Hour	4499.75	22.41	100,827.50	
	IIA	Materials - SALT - State Bid	Ton	2269.98	70.73	160,555.41	
	I	10 whl w/plow/spreader	Hour	233	44.56	10,382.48	
	I	10 whl w/ 2plows/spreader	Hour	220	56.71	12,476.20	
	I	6 whl w/plow/spreader	Hour	178	44.56	7,931.68	
	I	6 whl w/2plows/spreader	Hour	146	41.61	6,075.06	
	I	1 t pickup w/plow/spreader	Hour	551.5	30.41	16,771.12	
	I	1.5 t dump w/plow/spreader	Hour	199.5	30.41	6,066.80	
	I	1 t dump - plow only	Hour	369	18.18	6,708.42	
	I	1.5 t pickup plow only	Hour	93	27.41	2,549.13	
	I	10 whl dump	Hour	66	44.56	2,940.96	
	I	End loader & snow blower	Hour	32	94.08	3,010.56	
	I	End loader 3cy/180 hp	Hour	112	39.00	4,368.00	
	I	Loader/Tractor 6,000 lb	Hour	33	21.81	719.73	
	I	Skid Steer Loader	Hour	5.5	23.19	127.55	
	I	Tractor/snow blower	Hour	42	9.30	390.60	
	I	F350 pickup (Sign Truck)	Hour	2	16.23	32.46	
							341,933.65
2. Street Sweeping	IIA	Labor - See Attached	Hour	2400.1	20.33	48,787.50	
	I	Dump trucks 13-15 cy	Hour	610.25	45.22	27,595.51	
	I	Pickup Trucks	Hour	106	11.19	1,186.14	
	I	1 Ton Dumps	Hour	25.25	20.52	518.13	
	I	Dump - 1.5 ton	Hour	28.5	22.97	654.65	
	I	Sweepers	Hour	1565.5	54.24	84,912.72	
	I	Pickup F450 Utility Truck	Hour	1	23.84	23.84	
	I	Pickup F450 Sign Truck	Hour	4	31.26	125.04	163,803.52
3. Street Light Electricity	I	ComEd/Exelon	Each	1		154,774.86	154,774.86
						Total Day Labor Costs	
						Total Estimated Maintenance Operation Cost	660,512.03
						Preliminary Engineering	
						Engineering Inspection	
						Material Testing	
						Total Estimated Engineering Cost	
						Total Estimated Maintenance Cost	660,512.03

Submitted : _____ Approved : _____

By : _____ Julius Hansen, Dir of Public Works _____

Municipal Official — Title — Regional Engineer

Submit Four (4) Copies to Regional Engineer

BLR 14231 (Rev. 2/23/06)

A-7

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Kristen Schrader, Assistant to the Village Manager – ADM

DATE: June 6, 2012

RE: Village/Chamber License Agreement – 810 N. Main Street

Background

The 810 N. Main Street Task Force was formed by the Village to determine the highest and best use of the 810 N. Main Street property. After reviewing the property, development alternatives, and the larger plans of the Village, the Task Force provided a recommendation to the Village Board in March 2011. The recommendation stated that the residential structure (stonehaus) be demolished due to the current condition of the building and the high renovation cost, while the commercial building remain after some renovation investment, due to potential generation of rent.

Throughout the Task Force review process the Chamber of Commerce expressed interest in partnering with the Village on the use of the commercial building for their offices and a visitor center. The Chamber's interest was officially expressed to the Village Board in June 2011. During this meeting the Village Board provided direction that they would like the Village to continue working towards a license agreement with the Chamber for this building as the partnership presented a great opportunity to expand the Village's northern gateway as a Glen Ellyn information center.

The Village Board found that a partnership would benefit both parties in that the Chamber would be provided an ideal location to conduct their business without a monthly rental payment, while the Village's 810 N. Main Street building would be maintained and improved by an outside party. In addition, the Village was interested in taking this partnership approach for a variety of other reasons: A. Village has minimal funds for these improvements; B. Villages are atypical landlords; C. Any market rental stream would be marginal at best; D. Retail, if it could be satisfactorily recruited there, would diminish the community 'campus' setting; E. The Chamber could engage contractors faster and cheaper than could the Village'; F. This approach is consistent with the Task Force Report and the Historical Society's recommendations.

Issues

With Village Board direction to continue negotiating a license agreement with the Chamber, several rounds of negotiations and legal review began in the summer of 2011. A final draft of the license agreement is now ready for Village Board review. The Chamber Board reviewed the proposed agreement at their May 15, 2012 meeting and approved the agreement.

General Agreement Provisions:

- **Term:** Initial term of 5 years, with possibility of 5 year extension;

- **License Fee:** Chamber shall pay annual fees of $3,125 for the licensing of licensed premises during term of agreement;
- **Management Fee:** Village shall pay annual fees of $3,125 for the management of licensed premises during term of agreement;
- **Habitability/Improvements:** Village shall deliver a habitable building to the Chamber at start of agreement, and Chamber shall make improvements to the property at a cost of $16,105 annually during term of agreement and a minimum of $30,000 must be spent in the first six months; further details on improvements are noted below and in Exhibit B;
- **Maintenance:** Chamber shall be responsible for all general and custodial maintenance of licensed premises;
- **Income:** Any income derived from the operation of the licensed premises (including rental of second floor units) shall be used by the Chamber to cover all expenses arising from ongoing maintenance and operation of the licensed premises;
- **Termination:** Either party may terminate agreement without cause, on 90 days notice.

The agreement also ensures that all final decisions with regard to the licensed premises remain with the Village, and that all Village Codes be upheld at the property. The proposed license agreement is attached for your review. Village Attorney Stewart Diamond has reviewed the terms of the license agreement and is comfortable with it as proposed.

Improvement Costs/Funding

Per the agreement, the Village has agreed to deliver a functional 810 N. Main Street building to the Chamber, while the Chamber will be responsible for upgrade of the façade and interior of the building.

The Task Force Report originally estimated renovation costs at approximately $240,000. At this point however, the Village estimates it would cost $75,000 to make the building operational. These renovation costs would be funded through Economic Development funds budgeted but not expended in FY2012. The Chamber would then be responsible for all façade and interior upgrades (approximate price range of $90,000-100,000), as well as all future maintenance costs over the next five years. All improvements will be reviewed by the Architectural Review Committee and approved by the Village.

Action Requested

This item will be presented to the Village Board at the June 11, 2012 Village Board Meeting: Motion to approve a license agreement between the Village of Glen Ellyn and the Glen Ellyn Chamber of Commerce for the property at 810 N. Main Street and approve reimbursement of up to $75,000 to the Chamber for improvements to 810 Main Street to make the property operational.

Recommendation

Staff recommends approval of the license agreement as proposed.

Attachments

- Task Force Executive Summary
- Proposed License Agreement with exhibits

A LICENSE AGREEMENT FOR THE PROPERTY KNOWN AS 810 N. MAIN STREET, GLEN ELLYN ILLINOIS

THIS LICENSE AGREEMENT is made and entered into by and between the VILLAGE OF GLEN ELLYN OF DUPAGE COUNTY, ILLINOIS, a body corporate and politic, hereinafter referred to as **"VILLAGE"** and the GLEN ELLYN CHAMBER OF COMMERCE, an Illinois not-for-profit corporation, hereinafter referred to as **"LICENSEE."**

WITNESSETH:

WHEREAS, the VILLAGE owns a certain property in DuPage County commonly known as 810 N. Main Street; Glen Ellyn, Illinois; and

WHEREAS, there is located on said property a building commonly known as the 810 Building; and

WHEREAS, the LICENSEE desires to operate the 810 Building as its office headquarters and information center; and manage the surrounding property; and

WHEREAS, due to its limited resources, the VILLAGE has determined that the most efficient and cost-effective manner of managing and operating the 810 N. Main Street property is through an outside organization; and

WHEREAS, VILLAGE and LICENSEE desire to engage in the operation and management of the 810 N. Main Street property; and

WHEREAS, the VILLAGE is authorized to issue a license for any activity reasonably connected with VILLAGE purposes; and

NOW, THEREFORE, in consideration of the mutual promises, terms and conditions set forth herein, the parties agree as follows:

1.00 LICENSE GRANTED

1.01 Purpose: LICENSEE is exclusively authorized to operate and manage the LICENSED PREMISES, as their official office and information center.

1.02 Licensed Premises: The LICENSED PREMISES shall consist of a two story building known as the 810 Building and the site as defined in the plat of survey attached as Exhibit A (not including rear 50 feet of property).

1.03 Use of Parking Areas and Driveways: The LICENSEE shall have use of all parking available on the property, together with the driveway servicing the 810 N. Main Street premises and 7 spaces located at the North East corner of 800 N. Main Street.

1.04 Condition of Licensed Premises: LICENSEE accepts the LICENSED PREMISES in the condition it exists as of the date of this agreement and with those exceptions as noted in section 5.01 of this agreement, and further agrees to make no demands on the VILLAGE for any improvements, modifications or alterations.

1.05 License Fee: The LICENSEE shall pay an annual license Fee of $3,125.00 to the VILLAGE for use of the LICENSED PREMISES.

1.06 Term: This agreement shall be for a term of five (5) years commencing on approval of occupancy permit issued by the Village of Glen Ellyn and ending on that same date in 2017. If LICENSEE wishes to renew this agreement for an additional five-year term, under the same terms and conditions of this License, the LICENSEE shall send a written request to the Village Manager at least ninety (90) days prior to the expiration of the original term. The Village Board will consider whether it wishes to approve the requested extension or to offer alternate terms and conditions. Unless a new License is approved, the License shall terminate on its expiration date.

2.00 LICENSEE RIGHTS

2.01 Coordination and Scheduling: LICENSEE shall have responsibility for scheduling activities on the LICENSED PREMISES.

2.02 Use Limits: LICENSEE shall use the 810 Building for its office space and informational center and manage the entire LICENSED PREMISES. Uses in the building and on the property shall at all times be in accordance with the Building and Zoning Codes of the Village.

2.03 Sublet: LICENSEE, with the prior written approval of the Village Manager, shall have the authority to sublet any area of the LICENSED PREMISES. Such approval shall not be unreasonably withheld or delayed.

2.04 Improvements: LICENSEE will, at its expense, make or construct or cause to be constructed alterations, repairs or other improvements to the LICENSED PREMISES, with written consent of Village Manager. LICENSEE will make improvements at a cost of $16,105.00 annually ($10.00 per square foot for a total of 1,610.50 square feet). A total of $30,000 must be spent within the first six months following approval of this license agreement. Absent a written agreement to the contrary, LICENSEE shall not be entitled to reimbursement of the value of any improvements made to LICENSED PREMISES.

2.05 Management Fee: The VILLAGE shall pay to the LICENSEE a management fee of $3,125.00 annually for the sole purpose of managing the LICENSED PREMISES and improvements as defined in Section 2.04 of this agreement.

2.06 Sales: LICENSEE may sell items appropriate to its programs and events that are consistent with authority granted in this agreement. Such sales must be in accordance with all applicable local, state and federal laws.

2.07 Income: Any income generated by the operation of the LICENSED PREMISES shall be used by LICENSEE to cover all expenses arising from the operation of the LICENSED PREMISES, including but not limited to utilities, leasehold taxes or other assessments (if any), supplies, rentals, service fees and building or site repairs and maintenance or improvements. The expenses associated with the operation of the LICENSED PREMISES shall, however, be the responsibility of the LICENSEE without regard to the level of income generated. The VILLAGE shall have no responsibility to perform any improvements, maintenance or repairs on the building or site except as otherwise agreed in section 5.01.

2.08 Signs: LICENSEE shall obtain necessary sign permit(s) and shall only erect signage in full conformance with the Sign Code. LICENSEE shall pay costs related to the erection and maintenance of any sign.

2.09 Security Devices: LICENSEE may, at its expense, install any legal security system or equipment designed for the purpose of protecting LICENSEE'S property (trade fixtures/personal property) from theft, burglary, vandalism, smoke or fire. Expenses for maintaining or repairing any such system or equipment, or any false alarm charges related thereto, shall be paid by LICENSEE.

3.00 LICENSEE RESPONSIBILITIES

3.01 Compliance with Laws: LICENSEE shall comply with all applicable municipal, county and Village ordinances, with state and federal laws and regulations, and with all Village rules and regulations now in force or hereafter promulgated. LICENSEE shall obtain from the appropriate regulatory authority all necessary permits prior to beginning the operation of the LICENSED PREMISES or the construction of any improvements permitted under Section 2.04. LICENSEE shall fully comply with any requirements for commission, board or zoning reviews required by any action proposed by them. LICENSEE shall also obtain a certificate of occupancy.

3.02 Insect and Rodent Abatement: LICENSEE shall be responsible for any insect and rodent abatement that occurs on the LICENSED PREMISES.

3.03 Payment and Collection of Taxes: LICENSEE shall collect and pay any sales tax or other required taxes in connection with the operation of the LICENSED PREMISES. The parties believe and intend that this LICENSE AGREEMENT will not result in the obligation of the LICENSEE to pay any real estate taxes regarding the LICENSED PREMISES. If real estate taxes are assessed against the LICENSED PREMISES or the LICENSEE'S interest or use of the LICENSED PREMISES, the LICENSEE shall pay such taxes. In the event that the property or this license should be subject to real estate taxes, however, the LICENSEE may cancel this lease on thirty (30) days notice, but it shall be responsible for all obligations, including incurred real estate taxes associated with its period of occupancy.

3.04 Disorderly Persons: LICENSEE shall not allow any disorderly person to remain on the LICENSED PREMISES.

3.05 Illegal Activities: LICENSEE shall not permit any illegal activity to be conducted upon the LICENSED PREMISES and shall promptly notify the VILLAGE'S Police Department to assist in the removal of disorderly persons if necessary.

3.06 Habitation: LICENSEE shall not use the first floor of the LICENSED PREMISES for living quarters. The LICENSEE will have the option to determine the use of the second floor of LICENSED PREMISES for living quarters or other related activities, provided such uses are in full compliance with the provisions of the Zoning Code and all other applicable regulations, and are approved by the Village Manager. Such approval shall not be unreasonably withheld or delayed.

3.07 Maintenance:

A. LICENSED PREMISES Maintenance: LICENSEE shall be responsible for all general maintenance and repairs of the LICENSED PREMISES after completion of Village items in Exhibit B. General maintenance of premises shall include, but not be limited to, structural integrity, brick repairs, heating system, roof, exterior walls, doors and lights; walls; concealed utility lines and pipes; hot water heater; heating equipment, sewer, sump pump water drainage system; electric power system, gutters and downspouts; exterior painting; and the surface of the driveways, parking areas, walks and steps. All general maintenance and repairs must be made within a reasonable time frame. The VILLAGE shall have no responsibility to perform any ongoing improvements, maintenance or repairs on the building or site.

B. Custodial Maintenance: LICENSEE shall be responsible for maintaining the LICENSED PREMISES in a reasonably clean, safe and sanitary condition and for performing normal custodial maintenance.

C. LICENSED PREMISES Inspection: The VILLAGE will inspect LICENSED PREMISES on a periodic basis and may require general maintenance or repairs to the property. These repairs must be made within a reasonable time frame.

3.08 Utility and Service Charges: LICENSEE shall be responsible for providing and paying for telephone service to the LICENSED PREMISES. In addition, LICENSEE shall be responsible for paying for all utility services to the LICENSED PREMISES, including charges for gas, electric, water and sewer. All utility and telephone service shall be in LICENSEE'S name.

3.09 Safety: LICENSEE shall be solely responsible for the safety of all persons working on or utilizing the LICENSED PREMISES and for ensuring that the LICENSED PREMISES is maintained at all times in a reasonably safe condition. LICENSEE shall promptly correct any unsafe condition or practice under its control and shall promptly notify the VILLAGE of any such condition under the VILLAGE'S control. Until the unsafe condition or practice is corrected, the affected area shall be closed to the public. LICENSEE shall make reasonable efforts to obtain emergency medical care for any person requiring such care as a result of illness or injury occurring on the LICENSED PREMISES. LICENSEE shall also use its best efforts to fully cooperate with the VILLAGE in the investigation of any illness, injury or death occurring on the LICENSED PREMISES, including providing a prompt written report thereof to the Village Manager.

4.00 VILLAGE RIGHTS

4.01 Easements: The VILLAGE reserves the right to establish, grant or utilize easements or rights-of-ways over, under, along and across the LICENSED PREMISES where there are no buildings, for utilities or public access to any portion of the property, provided that the VILLAGE shall exercise such rights in a manner which, if possible, will minimize interference with the operation of the LICENSED PREMISES.

5.00 VILLAGE RESPONSIBILITIES

5.01 Habitability: The VILLAGE will deliver the 810 Building as an operational building as outlined in Exhibit B attached to this agreement and in compliance with Village codes.

6.00 HOLD HARMLESS AND INDEMNIFICATION

6.01 Personal Injury, Death of Property Damage-Indemnification by Licensee: LICENSEE shall defend, save, indemnify, keep and hold harmless the VILLAGE and all of its elected officials, officers, servants, agents and employees from all damages, suits, liabilities, causes of action, costs and expenses, in law or equity, including costs of suit and reasonable attorney and expert witness fees, that may at any time arise or be claimed by any person, including the agents, servants, employees or contractors of LICENSEE or the VILLAGE, on account of personal injury, sickness, death or property damage arising out of LICENSEE'S rights, responsibilities or actions under this Agreement when caused by an act or omission to act on the part of LICENSEE or its agents, servants, employees or contractors that allegedly constitutes, without limitation:

a. Negligence;

b. Creation or maintenance of a dangerous condition on LICENSED PREMISES;

c. Intentional infliction of harm.

In the event any person or any partnership, corporation, company or other entity recovers a judgment or settlement against the VILLAGE or any of its elected officials, officers, agents or employees by reason of any aforementioned acts or omissions, LICENSEE shall pay on behalf of the party required to pay in an amount equal to the judgment or settlement; and for all related costs and expenses, provided timely notice of the suit or claim giving rise to the judgment or settlement was given to LICENSEE and LICENSEE was given a reasonable opportunity to defend the suit or claim.

6.02 Foreclosure: LICENSEE shall defend, indemnify and hold harmless the VILLAGE from all damages, suits, liabilities, costs and expenses, in law or equity, including reasonable attorney fees, arising from any action brought by any mechanic, laborer or material man in an action for foreclosure of mechanic's liens filed upon the LICENSED PREMISES as a result of providing labor or materials thereon at the request of LICENSEE. In the event a judgment or settlement is rendered in favor of the claimant in any such action, LICENSEE shall promptly obtain full satisfaction thereof through payment of all sums due thereon, provided LICENSEE was given timely notice of such lien or claim and a reasonable opportunity to defend said suit or claim.

6.03 Acts of God: The LICENSEE shall not be responsible for any damages, losses, claims of liabilities created by any act of God, such as, but not limited to, flood, earthquake, wind, rain or storm, or created by forces beyond the control of the LICENSEE.

6.04 Personal Injury, Death or Property Damage-Indemnification by Village: The VILLAGE shall defend, save, indemnify, keep and hold harmless LICENSEE and all of its officers, servants, agents and employees from all damages, suits, liabilities, causes of action, costs and expenses, in law or equity, including costs of suit and a reasonable attorney and expert witness fee that may at any time arise or be claimed by any person, including the agents, servants and employees of the VILLAGE or LICENSEE, on account of personal injury, sickness, death or property damage arising out of the VILLAGE'S rights, responsibilities or actions under the Agreement, when caused by an act or omission to act on the part of the VILLAGE or its agents, servants and employees that allegedly constitutes, without limitation:

a. Negligence;

b. Creation or maintenance of a dangerous condition on the LICENSED PREMISES; or

c. Intentional infliction of harm.

In the event any person recovers a judgment or settlement against LICENSEE or any of its officers, agents or employees by reason of any of the aforementioned acts or omissions, the VILLAGE shall pay on behalf of the party required to pay in an amount equal to the judgment or settlement and for all related costs and expenses, provided timely notice of the suit or claim giving rise to the judgment or settlement was given to the VILLAGE and the VILLAGE was given a reasonable opportunity to defend said suit or claim.

6.05 Foreclosure: The VILLAGE shall defend, indemnify and hold harmless LICENSEE from all damages, suits, liabilities, costs and expenses, in law or equity, including reasonable attorney fees, arising from any action brought by any mechanic, laborer or material man in an action for foreclosure of mechanic's liens filed upon the LICENSED PREMISES as a result of providing labor or materials thereon at the request of the VILLAGE. In the event a judgment or settlement is rendered in favor of the claimant in any such action, the VILLAGE shall promptly obtain full satisfaction thereof through payment of all sums due thereon provided the VILLAGE was given timely notice of such lien or claim and a reasonable opportunity to defend said suit or claim.

6.06 Acts of God: The VILLAGE shall not be responsible for any damages, losses, claims or inabilities created by any act of God, such as, but not limited to, earthquake, flood, storm, wind or rain, or created by any forces beyond the control of VILLAGE.

7.00 DESTRUCTION OF THE LICENSED PREMISES

7.01 Election by the Village: If the LICENSED PREMISES are totally or partially destroyed by fire, earthquake, flood, storms, insurrection, riot, public disorder or any other casualty, the VILLAGE may, at its option, either restore the LICENSED PREMISES or terminate this Agreement. If the VILLAGE elects to restore the LICENSED PREMISES, this Agreement shall continue in full force and effect, except that License operations may, as determined by the VILLAGE, be suspended during the period of restoration. LICENSEE shall cooperate in the restoration of the LICENSED PREMISES by vacating and removing therefore all trade fixture and personal property for such periods as are required for the restoration.

8.00 INSURANCE

8.01 General Requirements: LICENSEE shall procure, maintain and keep in force for the term of this Agreement policies of personal property, liability and, if applicable, workers' compensation and employer's liability insurance. Such policies shall be issued by companies authorized to do business in the State of Illinois and approved by the VILLAGE. The amount of personal property insurance shall be adequate to cover all of the personal property owned by the LICENSE, and no claim shall be made against the Village for destruction of personal property which would be covered under such insurance. The amount of general liability insurance shall not be in an amount of less than One Million Dollars ($1,000,000.00) per occurrence or in the aggregate.

8.02 Additional Insured: LICENSEE shall obtain endorsements specifically naming the VILLAGE as an additional insured. The endorsements shall protect and insure to the benefit of the VILLAGE and its representatives, including, but not limited to, its officers, elected officials and employees.

8.03 Evidence of Insurance: LICENSEE shall furnish the VILLAGE with a certificate of insurance for each policy required herein. In addition, when requested by the VILLAGE, LICENSEE shall furnish copies of the actual policies and endorsements showing the coverage as enumerated herein to be provided by LICENSEE. All such certificates and policies shall provide that no change, modification or cancellation of any insurance shall become effective until the expiration of 30 days after written notice thereof shall have been given by the insurance company of companies to the VILLAGE.

8.04 Fire and Casualty Insurance: LICENSEE shall not be responsible for insuring any of the buildings on the LICENSED PREMISES for damages caused by fire or other casualties.

9.00 TERMINATION

9.01 Termination: Either the VILLAGE or LICENSEE may terminate the Agreement without cause. Such termination shall be effective not sooner than ninety (90) days after written notice has been served. All terms and conditions of this Agreement shall terminate upon such notice being given, but both parties shall be responsible for their obligations that occurred prior to termination.

10.00 SURRENDER

10.01 Vacation of Premises: Upon the expiration or termination of the Agreement, LICENSEE shall peaceably vacate the LICENSED PREMISES and any and all improvements located thereon and deliver up the same to the VILLAGE in a reasonably good condition, ordinary wear and tear excepted.

11.00 INTERPRETATION

11.01 Headings: The headings herein contained are for convenience and reference only and are not intended to limit the scope of any Section.

12.00 ENFORCEMENT

12.01 Responsibility: The Village Manager shall be responsible for the enforcement of this Agreement on behalf of the VILLAGE and shall be assisted therein by such officers and employees of the VILLAGE as the Manager deems necessary.

13.00 ATTORNEY FEES AND COSTS

13.01 Recovery of Costs: Each party to this agreement shall pay for its individual legal costs in any legal proceeding or action instituted to enforce any provision of the Agreement. The VILLAGE will not bear any financial responsibility related to the eviction of tenants at the 810 building.

14.00 NOTICES

14.01 Mailing Requirements: All notices required to be given under the terms of this Agreement or any applicable law shall be served either (a) personally during regular business hours; (b) by facsimile during regular business hours; or (c) by certified or registered mail, return receipt requested, placed in a sealed envelope with postage prepaid and deposited in the United States mail. Notices served upon the VILLAGE shall be addressed to the Village Manager, 535 Duane St., Glen Ellyn, IL, 60137. Notices served upon LICENSEE shall be addressed to the Glen Ellyn Chamber of Commerce, 810 N. Main St. Glen Ellyn, IL 60137. Notices served personally or by facsimile transmission shall be effective upon receipt, and notices served by mail shall be effective upon receipt as verified by the United States Postal Service.

15.00 CONFLICT OF INTEREST

15.01 Financial Interest: No VILLAGE elected official or employee shall have any financial interest, directly or indirectly, in this Agreement.

16.00 ENTIRE AGREEMENT

16.01 Modifications: This document may be modified only by further written agreement specifically referring to this Section. Any such modification shall not be effective unless approved and executed by LICENSEE and, in the case of the VILLAGE, until approved by the Board of Trustees and executed by the President thereof.

IN WITNESS WHEREOF, the parties have entered into this Agreement as of the_____2012.

VILLAGE OF GLEN ELLYN

GLEN ELLYN CHAMBER OF COMMERCE

PLAT OF SURVEY

Exhibit A

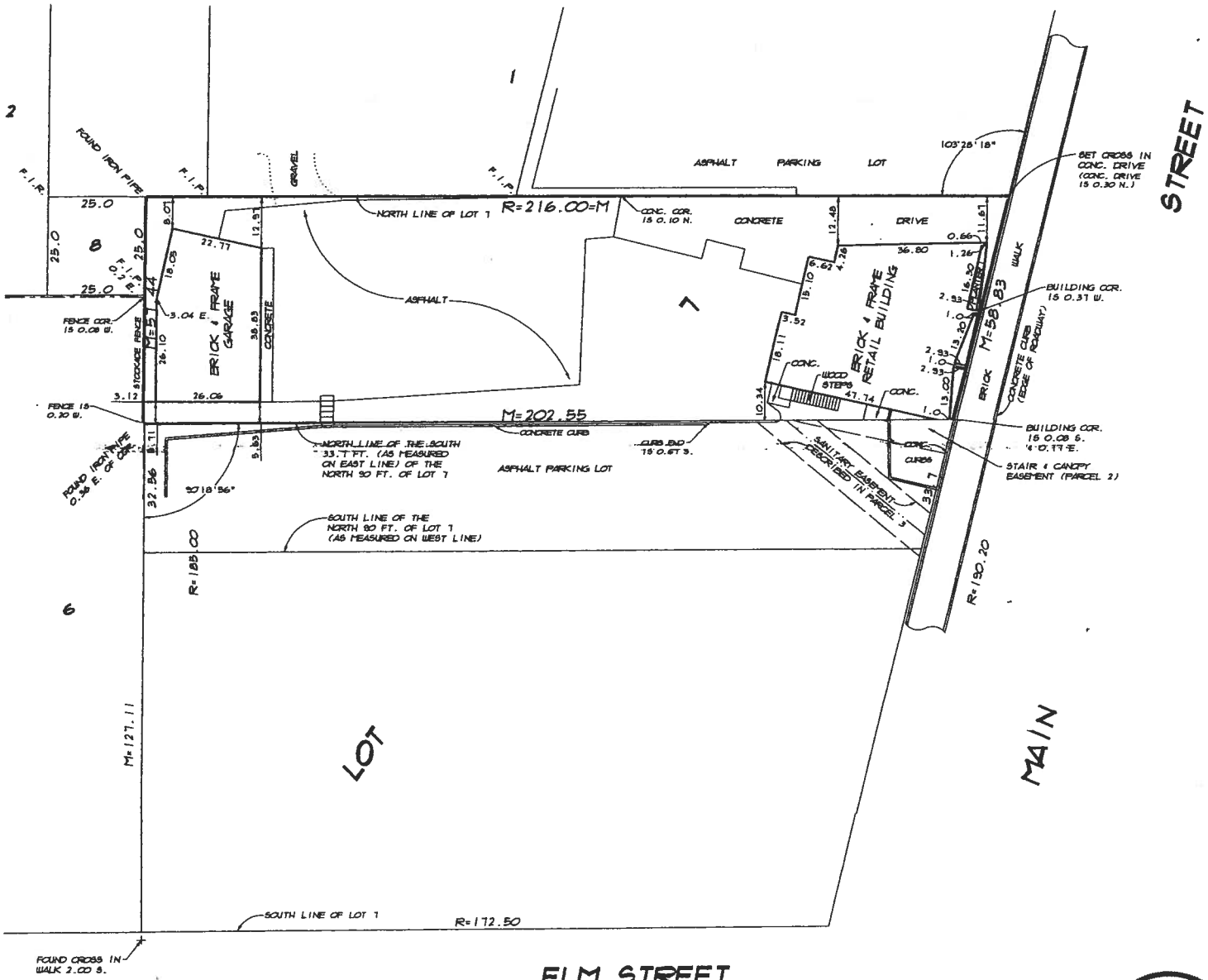
PARCEL 1: THE NORTH 90 FEET (AS MEASURED ON THE WEST LINE) EXCEPT THE SOUTH 33.7 FEET THEREOF (AS MEASURED ON THE EAST LINE) OF LOT 7 IN COUNTY CLERK'S ASSESSMENT DIVISION OF BLOCK 1 OF P.W. STACY'S ADDITION TO GLEN ELLYN. IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 2. TOWNSHIP 39 NORTH. RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN. ACCORDING TO THE PLAT OF SAID COUNTY CLERK'S ASSESSMENT DIVISION OF BLOCK 1. RECORDED JULY 3. 1906 AS DOCUMENT 88058. IN DU PAGE COUNTY. ILLINOIS.

PARCEL 2: EASEMENT FOR THE BENEFIT OF PARCEL 1 FOR THE PURPOSE OF MAINTAINING AND REPAIRING AND FOR ACCESS TO A STAIRWAY AND CANOPY ATTACHED TO THE BUILDING LOCATED MAINLY ON PARCEL 1 AFORESAID. OVER. ACROSS. AND UPON THAT PART OF SAID LOT 7 DESCRIBED AS COMMENCING ON THE EAST LINE OF SAID LOT 7 AT THE SOUTHEAST CORNER OF SAID PARCEL 1. AND PROCEEDING THENCE SOUTH ALONG SAID EAST LINE 9 FEET MORE OR LESS TO A POINT IN A LINE DRAWN PARALLEL TO THE SOUTHERLY FACE OF SAID STAIRWAY AND CANOPY: THENCE NORTHWESTERLY ALONG SAID PARALLEL LINE TO THE SOUTH LINE OF SAID PARCEL 1: THENCE EAST ALONG SOUTH LINE OF SAID PARCEL 1 TO THE PLACE OF BEGINNING. IN DU PAGE COUNTY. ILLINOIS.

PARCEL 3: EASEMENT FOR THE BENEFIT OF PARCEL 1 AFORESAID FOR MAINTENANCE AND REPAIR OF SANITARY SEWER OVER. ACROSS AND UPON A 10 FOOT STRIP LYING 5 FEET ON EACH SIDE OF A LINE DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 7 AFORESAID AND RUNNING THENCE NORTHEASTERLY ON THE EASTERLY LOT LINE OF SAID LOT 7 A DISTANCE OF 131 FEET 3 1/8 INCHES: THENCE WEST PARALLEL WITH THE SOUTH LINE OF LOT 7 A DISTANCE OF 42 FEET FOR A PLACE OF BEGINNING: THENCE SOUTHEASTERLY TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID LOT 7 WHICH POINT OF INTERSECTION IS 101 FEET 3 1/8 INCHES NORTHEASTERLY OF SAID LOT 7. IN DU PAGE COUNTY. ILLINOIS.

This property is known as 810-816 N. Main Street. Glen Ellyn. Illinois

Prepared for The Village Of Glen Ellyn



LEGEND

P. = FOUND IRON PIPE
R. = FOUND IRON ROD
= RECORDED DISTANCE
= MEASURED DISTANCE
= DEED
V. = RIGHT OF WAY
D. = RADIUS
NC. = CONCRETE
= MANHOLE
V = WATER VALVE VAULT
= INVERT
= POLYVINYL CHLORIDE PIPE
= REINFORCED CONCRETE PIPE
= TOP OF CURB
= EDGE OF PAVEMENT

RICHARD J. STEINBRECHER PROFESSIONAL LAND SURVEYOR CERT. 3583 WEST CHICAGO, IL

STATE OF ILLINOIS)
(S. S.
COUNTY OF DUPAGE)

This is to certify that Steinbrecher Land Surveyors. Inc.. Registered Professional Land Surveying Design Firm Corporation No. 184-003126. has surveyed the property shown and described hereon. which is to the best of our knowledge and belief. a correct representation thereof. This professional service conforms to the current Illinois minimum standards for a boundary survey.

West Chicago. Illinois. May 4. 2012

ıbrecher Land Surveyors, Inc.
Professional Land Surveying
Design Firm Corporation No. 184-003126
141 S. Neltnor Blvd.. West Chicago. IL 60185-2844
(630) 293-8900 Fax 293-8902
E-mail: rich@slandsurveyors.com

Richard J. Steinbrec
Professional Land Surveyor 3
License expires Nov. 30. 2

Exhibit B – Initial Property Improvements

Village Responsibilities

Exterior Items:

- Structural repairs to the rear of the building
- Repairs to the roof on the first level and the upper southside level
- 2nd floor decking on the back of the roof for access to 2nd floor apartments
- Gutters and downspouts
- Parking lot repair/replacement to include re-grading and replacing with gravel

Interior Items:

- HVAC (both floors)
- Water heater replacement
- All utilities to the building (sanitary, gas, electric, etc)
- Fire alarm system

Chamber Responsibilities

Exterior Items

- Structural repairs to north, east and south side of the building
- Removal of overhang
- Roof repairs on the north side
- Roof repairs (coping, etc) on the 2nd floor
- Installation of stairway

Interior Items

- All repairs, painting, demolition of 2nd story apartments to comply with Village codes
- Interior demolition
- Interior build out
- Electrical service
- Plumbing for bathrooms
- All Architectural Services

A-8

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Kristen Schrader, Assistant to the Village Manager – ADM
Michael Strong, Administrative Intern

DATE: June 7, 2012

RE: Residential Solid Waste Collection Services Contract & Rate Structure

BACKGROUND

The Village entered into a five-year contract for the collection and disposal of solid waste and recycling with Allied Waste in 2005. The contract was extended by the Village Board for an additional two-year period through July 31, 2012. Pursuant to this contract deadline, the Village issued a request for proposals (RFP) in mid-February for a new contract to begin on August 1, 2012.

Prior to the announcement of the RFP, the Village conducted a survey of surrounding communities to determine the terms of other municipal residential solid waste and recycling contracts. The survey demonstrated that the Village's current program is comparable to what residents from other communities receive. Terms such as the bi-annual clean sweep event and internal billing are unique to Glen Ellyn. The Village Board expressed interest in maintaining the current level of refuse service, and suggested that the current program serve as the basis for the RFP.

The RFP was sent to six waste hauling companies, five of which attended a required pre-proposal meeting. During the meeting, three vendors expressed concerns that they would not be able to provide a competitive bid based on a few of the RFP guidelines, such as single-day collection. However, these vendors were encouraged to submit a proposal that they felt could make them the most competitive, even if their proposal deviated from the RFP guidelines. Village staff wanted to ensure that the current program structure did not detract from receiving the most competitive prices, and wanted to ensure a competitive bidding process.

On April 12, 2012, the Administration Department held a proposal opening to accept and review proposals for the Village's Residential Refuse and Recycling Program. Two vendors submitted proposals: Republic Services (Formerly Allied Waste) and Waste Management. Village staff contacted the other vendors that did not submit proposals and the consensus was that these vendors felt that the Village's program did not fit into their organizational plans at the time and that they had concerns realizing competitiveness with the Village's current program structure.

ISSUES

Residential Solid Waste Collection Services Program Terms and Proposals

The main terms outlined in the RFP guidelines are summarized below:

- **Collection Schedule:** Single-day collection schedule preferred.
- **Contract Term:** Five year contract (Two year extension option available) beginning August 1, 2012.
- **Annual Increase Terms:** Annual increase for years 2-5 will be equal to the most recent CPI for Chicago (Not greater than 5% over previous year).
- **Annual Clean Sweep Events:** A tonnage-based rate for bi-annual clean sweep events rather than a flat fee.
- **Recycling Rebates:** Vendor will remit 100% of all recycling revenues directly to the Village.
- **Refuse/Yard Waste/Leaf Stickers:** Vendor will offer a refuse and yard waste sticker along with a reduced sticker cost for leaf waste during the fall season. Sticker revenue will be provided directly to the vendor.
- **Service Billing:** Staff requested rates from vendor comparing Village managed billing and vendor managed billing to determine if cost savings would occur if refuse/recycling billing were outsourced.

Republic Services submitted a proposal that met the basic terms of the RFP. Waste Management's proposal also generally met the basic terms of the RFP, but deviated from the single-day collection to a four-day collection schedule. After reviewing the basic terms of each proposal, service rates were compared between Republic Services and Waste Management, as well as for Village managed billing versus vendor managed billing. Overall, the proposal from Republic Services was most competitive, and continuing with Village managed billing provided the best service rates.

Republic Services' rates average an approximate 10% increase for collection services from the last contract for a total annual cost of $1.13 million, while Waste Management's rates average an approximate 20% increase for a total annual cost of $1.23 million (based on village managed billing). In addition to the more competitive prices received from Republic Services, residents will realize a cost savings of about $1.00/month per account, if the Village continues with Village managed billing. Village managed billing also ensures that the billing process is not complicated for residents by requiring them to pay multiple bills (Village would continue to separately bill for branch and brush and other utility services). The attached spreadsheet provides a detailed analysis and breakdown of the costs for collection services between these two vendors, as well as Village managed vs. vendor managed billing.

With this information in hand, Village staff is recommending award of a contract to Republic Services based on several criteria:

- The contract with Republic Services maintains the current refuse/recycling services that are provided to Villagers.
- The contract will continue to offer refuse stickers with a reduced rate for leaf stickers to residents.
- Republic Services also agrees to a tonnage-based price for the clean sweep events, which is expected to reduce the cost of this service to the Village.
- Republic Services Inc., formerly Allied Waste, has been providing services to the Village for the past twenty years and is familiar with the particulars of service delivery in Glen Ellyn.

- The Village receives very few complaints about the current service and Allied has been an easy company to work with in addressing issues or problems that arise.

Village staff has also been in communication with the Environmental Commission regarding the RFP and submitted proposals. The Environmental Commission was provided a copy of the RFP and proposals from Republic Services and Waste Management and discussed the proposals at the April 2012 Commission meeting. Overall, the Commission was in favor of recommending that a contract with Republic Services be approved as their proposal did not provide much deviation from the current service.

Rate Structure

One significant policy issue that arises from the increased rates of the proposed contract is the proposed rate structure. The residential solid waste bill is made up of four main components, waste hauling, clean sweep, brush and branch, and other costs termed "Administration" or "Service" (i.e. printing, postage, overhead, etc.). Village staff is proposing to alter this structure to include a "Toter Replacement" fee. Staff is recommending a flat fee of $1.00 per account per month be implemented with the new contract to account for toter replacement expenses. This fee allows the Village to set aside funds to purchase and replace toters for residents given their average lifespan of twelve years.

Additionally, staff is proposing to adjust the administration or service fee to cover the true cost of administering these services to residents. Staff is proposing that the service fee be $1.45 per account per month with a slight discount for seniors. This fee is based on refuse and recycling expenditures within the Solid Waste Fund, including banking services, postage, printing, professional services and service charges.

In order to help mitigate the proposed rate increases for this year and future years under this contract, staff is recommending a change in the way recycling rebates are allocated to residents on an annual basis. Over the life of the past contract, recycling rebates were used to offset the annual contract cost increases for refuse and recycling. Staff is now recommending that in lieu of subsidizing contract cost increases with recycling rebates, the Village directly rebate to residents the previous year's recycling rebates. For FY11/12 the rebate is estimated at $185,000, which would provide a rebate of $25.56 to each account, or about a $2.13 per month reduction. As recycling rebates fluctuate each year, so will the credit that is provided to residents. The added benefit is that these rebates create a potentially very effective incentive to recycle even more.

The overall net impact to refuse and recycling service rates of this contract and proposed fee restructuring with the recycling rebates is an 8% increase for 35-gallon cart account holders, a 6% for 65-gallon cart accounts and a 4% for 95-gallon cart accounts. The attached spreadsheet, "Net Impact of Republic Contract with Recycling Rebate," provides more detailed analysis on the net cost of these services to residents. Overall, staff finds that the restructuring of the fees will more accurately account for the expenses of this service and provide more transparency to residents. This fee structure will also ensure the long-term sustainability of the Solid Waste Fund by more accurately covering expenditures, while the recycling rebate credit will incentivize recycling for residents and keep rate increases current with contract rates.

Vacation Holds

In addition to the proposed fee restructure under the new contract, a second issue affecting the administration of the residential solid waste collection service is the vacation hold program. The Village currently offers a vacation hold to residents that will be gone for three weeks or more. This hold brings a resident's refuse rate to the minimum charge of $2.70 per month (current charge for clean sweep, brush and branch pickup, and administration) for weeks that they are gone. The Finance Department has requested that the Village Board consider eliminating this program, as it is very difficult to manage and provides an opportunity for misuse by residents. It also requires significant staff time to monitor, track, and administer. Additionally, the elimination of this program would not affect the projected fees under the new contract. A memorandum dated May 30, 2012 has been attached which further outlines the difficulties in overseeing this program.

RECOMMENDATION

Village staff recommends that the Village Board approve a five-year contract with Republic Services for residential solid waste collection services and enter into an agreement beginning August 1, 2012. The proposed contract will continue to offer many advantages including single day service on Mondays, bi-annual clean sweep events, refuse, yard waste and leaf stickers for residents, senior discounts and offers a lower rate increase than Waste Management. Additionally, staff recommends that billing be maintained by the Village for refuse/recycling services, and that the Board consider the proposed rate restructuring outlined above, including directly crediting recycling rebates to residents. Staff believes that this recommendation will ensure that residential solid waste service delivery remains consistent for the length of this contract, while reducing its economic impact on residents.

An Ordinance has also been drafted for Village Board consideration that outlines the updated solid waste collection and disposal rates for residents beginning August 1, 2012. These rates are based on the contract rates proposed by Republic Services, including the proposed rate restructuring (toter replacement, service fees). The rates outlined in the ordinance do not include the recycling rebate credits proposed as the rebate will change on an annual basis.

ACTION REQUESTED

It is requested that the Village Board make a motion to award a five-year contract to Republic Services for residential solid waste removal services from August 1, 2012 through July 31, 2017 and approve the attached Ordinance amending Chapter Six of Title Seven of the Village Code to approve new rates for residential solid waste collections. It is also requested that the Village Board opine on the vacation hold program that is currently offered by the Village.

ATTACHMENTS

- Republic Services and Waste Management Base Quote Comparison Sheet with Submittals
- Billing Cost Comparison Chart
- Net Impact of Republic Contract with Recycling Rebate
- Vacation Refuse Hold Program Memorandum dated 5/30/12
- Draft Ordinance

cc: Kevin Wachtel, Finance Director

Republic Services and Waste Management Base Quote Comparison

	Current Contract			Republic[1]				Waste Management[2]			
	Number of Accounts	Village Manages Billing (Base Rate)	Total Current Rate[3]	Village Manages Billing	% Increase from Current Base Rate	Hauler Manages Billing	% Increase from Current Base Rate	Village Manages Billing	% increase from Current Base Rate	Hauler Manages Billing	% increase from Current Base Rate
Curbside											
35 Gallon	3,163	$ 10.20	$ 12.90	$ 11.45	12%	$ 12.35	21%	$ 12.17	19%	$ 12.67	24%
65 Gallon	2,089	$ 13.80	$ 16.50	$ 14.95	8%	$ 15.85	15%	$ 16.46	19%	$ 16.96	23%
95 Gallon	918	$ 16.00	$ 18.70	$ 16.95	6%	$ 17.85	12%	$ 19.09	19%	$ 19.59	22%
Reor Door											
35 Gallon	7	$ 20.15	$ 22.85	$ 19.00	-6%	$ 20.00	-1%	$ 24.03	19%	$ 24.53	22%
65 Gallon	5	$ 23.70	$ 26.40	$ 25.00	5%	$ 26.00	10%	$ 28.31	19%	$ 28.81	22%
95 Gallon	2	$ 25.90	$ 28.60	$ 25.00	-3%	$ 26.00	0%	$ 30.93	19%	$ 31.43	21%
Senior											
35 Gallon (cs)	1,036	$ 9.20	$ 11.90	$ 10.42	13%	$ 11.49	25%	$ 10.95	19%	$ 11.40	24%
35 Gallon (rd)	21	$ 18.15	$ 20.85	$ 17.29	-5%	$ 18.60	2%	$ 21.63	19%	$ 22.08	22%
Total Annual Cost	7,241	$ 1,027,456.20		$ 1,133,678.52	10%	$ 1,214,058.94	18%	$ 1,230,916.38	20%	$ 1,273,728.18	24%

[1] Monday Collection

[2] Four Day Collection

[3] Includes Admin Fee, Clean Sweep, and Branch and Brush Fee

Cost Comparison of Village vs. Republic Billing

Breakdown of Monthly Fees (Current)

Cart Size/ Service Option	Refuse/ Recycle	Clean Sweep	Branch/ Brush	Admin Fee	Total
			Curbside		
35 Gallon	$ 10.20	$ 0.50	$ 1.93	$ 0.27	$ 12.90
65 Gallon	$ 13.80	$ 0.50	$ 1.93	$ 0.27	$ 16.50
95 Gallon	$ 16.00	$ 0.50	$ 1.93	$ 0.27	$ 18.70
			Rear Door		
35 Gallon	$ 20.15	$ 0.50	$ 1.93	$ 0.27	$ 22.85
65 Gallon	$ 23.70	$ 0.50	$ 1.93	$ 0.27	$ 26.40
95 Gallon	$ 25.90	$ 0.50	$ 1.93	$ 0.27	$ 28.60
			Senior		
35 Gallon (cs)	$ 9.20	$ 0.50	$ 1.93	$ 0.27	$ 11.90
35 Gallon (rd)	$ 18.15	$ 0.50	$ 1.93	$ 0.27	$ 20.85

Republic - Village Bills

Cart Size/ Service Option	Refuse/ Recycle	Clean Sweep	Branch/ Brush	Toter Replacement	Service Fee	Total
			Curbside			
35 Gallon	$ 11.45	$ 0.50	$ 1.75	$ 1.00	$ 1.45	$ 16.15
65 Gallon	$ 14.95	$ 0.50	$ 1.75	$ 1.00	$ 1.45	$ 19.65
95 Gallon	$ 16.95	$ 0.50	$ 1.75	$ 1.00	$ 1.45	$ 21.65
			Rear Door			
35 Gallon	$ 19.00	$ 0.50	$ 1.75	$ 1.00	$ 1.45	$ 23.70
65 Gallon	$ 25.00	$ 0.50	$ 1.75	$ 1.00	$ 1.45	$ 29.70
95 Gallon	$ 25.00	$ 0.50	$ 1.75	$ 1.00	$ 1.45	$ 29.70
			Senior			
35 Gallon (cs)	$ 10.42	$ 0.50	$ 1.75	$ 1.00	$ 1.43	$ 15.10
35 Gallon (rd)	$ 17.29	$ 0.50	$ 1.75	$ 1.00	$ 1.41	$ 21.95

Republic - Republic Bills

Cart Size/ Service Option	Refuse/ Recycle	Clean Sweep	Branch/ Brush	Toter Replacement	Service Fee	Total
			Curbside			
35 Gallon	$ 12.35	$ 0.50	$ 1.75	$ 1.00	$ 1.45	$ 17.05
65 Gallon	$ 15.85	$ 0.50	$ 1.75	$ 1.00	$ 1.45	$ 20.55
95 Gallon	$ 17.85	$ 0.50	$ 1.75	$ 1.00	$ 1.45	$ 22.55
			Rear Door			
35 Gallon	$ 20.00	$ 0.50	$ 1.75	$ 1.00	$ 1.45	$ 24.70
65 Gallon	$ 26.00	$ 0.50	$ 1.75	$ 1.00	$ 1.45	$ 30.70
95 Gallon	$ 26.00	$ 0.50	$ 1.75	$ 1.00	$ 1.45	$ 30.70
			Senior			
35 Gallon (cs)	$ 11.49	$ 0.50	$ 1.80	$ 1.00	$ 1.43	$ 16.22
35 Gallon (rd)	$ 18.60	$ 0.50	$ 1.80	$ 1.00	$ 1.41	$ 23.31

Net Impact of Republic Contract with Recycling Rebate

Breakdown of Monthly Fees (Current)

Cart Size/ Service Option	Refuse/ Recycle	Clean Sweep	Branch/ Brush	Admin Fee	Total
			Curbside		
35 Gallon	$ 10.20	$ 0.50	$ 1.93	$ 0.27	$ 12.90
65 Gallon	$ 13.80	$ 0.50	$ 1.93	$ 0.27	$ 16.50
95 Gallon	$ 16.00	$ 0.50	$ 1.93	$ 0.27	$ 18.70
			Rear Door		
35 Gallon	$ 20.15	$ 0.50	$ 1.93	$ 0.27	$ 22.85
65 Gallon	$ 23.70	$ 0.50	$ 1.93	$ 0.27	$ 26.40
95 Gallon	$ 25.90	$ 0.50	$ 1.93	$ 0.27	$ 28.60
			Senior		
35 Gallon (cs)	$ 9.20	$ 0.50	$ 1.93	$ 0.27	$ 11.90
35 Gallon (rd)	$ 18.15	$ 0.50	$ 1.93	$ 0.27	$ 20.85

Republic - Village Bills

Cart Size/ Service Option	Refuse/ Recycle	Clean Sweep	Branch/ Brush	Toter Replacement	Service Fee	Total	Bill Increase over current	% Increase over current	Recycling Rebate of $185,000: Monthly Recycling Rebate	Net Monthly cost to resident	Net % Bill Increase
			Curbside								
35 Gallon	$ 11.45	$ 0.50	$ 1.75	$ 1.00	$ 1.45	$ 16.15	$ 3.25	25.2%	$2.13	$14.02	8.68%
65 Gallon	$ 14.95	$ 0.50	$ 1.75	$ 1.00	$ 1.45	$ 19.65	$ 3.15	19.1%	$2.13	$17.52	6.18%
95 Gallon	$ 16.95	$ 0.50	$ 1.75	$ 1.00	$ 1.45	$ 21.65	$ 2.95	15.8%	$2.13	$19.52	4.39%
			Rear Door								
35 Gallon	$ 19.00	$ 0.50	$ 1.75	$ 1.00	$ 1.40	$ 23.65	$ 0.80	3.5%	$2.13	$21.52	-5.82%
65 Gallon	$ 25.00	$ 0.50	$ 1.75	$ 1.00	$ 1.40	$ 29.65	$ 3.25	12.3%	$2.13	$27.52	4.24%
95 Gallon	$ 25.00	$ 0.50	$ 1.75	$ 1.00	$ 1.40	$ 29.65	$ 1.05	3.7%	$2.13	$27.52	-3.78%
			Senior								
35 Gallon (cs)	$ 10.42	$ 0.50	$ 1.75	$ 1.00	$ 1.43	$ 15.10	$ 3.20	26.9%	$2.13	$12.97	8.99%
35 Gallon (rd)	$ 17.29	$ 0.50	$ 1.75	$ 1.00	$ 1.41	$ 21.95	$ 1.10	5.3%	$2.13	$19.82	-4.94%

MEMORANDUM

TO: Mark Franz, Village Manager
Kevin Wachtel, Finance Director

FROM: Michelle Urbina, Accounts Manager MU

DATE: May 30, 2012

RE: Vacation Refuse Hold

Background

The Village currently offers a vacation hold to residents that will be gone for 3 weeks or more. This vacation hold brings their refuse rate to the minimum charge, $2.70 a month, for the weeks they are gone. This policy has been in place longer than anyone in the department has been here.

Issues

Offering vacation holds creates an administrative burden because of the issues it creates.

1. Residents call for a vacation hold and frequently do not give an end date. When asked for one they say they will call before they come back. This must be manually tracked on a check list and water usage monitored. We often see water usage at properties and then need to call and see if they have returned.

2. Residents call and change the dates. They sometimes call and say they did not leave when they said they would or they came back early. This creates billing issues since we are not able to go back in time and redo their bill and charge them for that usage.

3. During a vacation hold it frequently crosses more than one bill, so we have to maintain multiple billing cycles to make sure their credit is correct. This also creates additional resident calls because we have to explain their vacation dates and how it crosses multiple bills and how that was calculated.

4. We must monitor these accounts outside of the normal billing cycle because of the account maintenance required. These are manual adjustments that need to be made because we bill refuse at a monthly rate. The accounts are also monitored for water usage as a means to indicate if the resident has returned.

5. This policy puts the billing department in a position of having to question residents if there is water usage at the property. There are different reasons that are given in each situation, but often it is questionable if garbage was put out. There is not a viable way to protect against misuse.

6. Allied has no way to monitor or maintain a list to make sure they are not picking up refuse for these vacation holds.

7. The Village is reviewing the option of giving an annual recycling rebate toward the refuse portion of the water bill. Due to the amount of the rebate this year it would be spread over more than one bill. This would create a billing issue because they are being charged a minimum amount. The account would have to be tracked and manually adjusted until the entire rebate amount was credited to the account.

VILLAGE OF GLEN ELLYN

ORDINANCE NO. _____-VC

AN ORDINANCE AMENDING CHAPTER SIX OF TITLE SEVEN
(SOLID WASTE COLLECTION AND DISPOSAL)
OF THE VILLAGE OF GLEN ELLYN, ILLINOIS

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. _____ -VC

AN ORDINANCE AMENDING CHAPTER SIX OF TITLE SEVEN

(SOLID WASTE COLLECTION AND DISPOSAL)
OF THE VILLAGE CODE OF GLEN ELLYN, ILLINOIS

WHEREAS, the President and Board of Trustees of the Village of Glen Ellyn have deemed it to be in the best interest of the Village to request proposals for solid waste collection and disposal services from time-to-time; and

WHEREAS, the President and Board of Trustees on May 9, 2005, approved an agreement for solid waste collection and disposal services and this agreement was extended for an additional two years through July 31, 2012; and

WHEREAS, with the agreement extension ending in 2012, a new Request for Proposals was sent out and proposals received in the spring of 2012; and

WHEREAS, a new solid waste collection and disposal services contract was approved following the request for proposals process by the Village Board on June 11, 2012; and

WHEREAS, subject to the new solid waste collection and disposal services contract, service rates should be updated; and

WHEREAS, as rebate revenue permits, new solid waste collection and disposal services rates will be credited with recycling revenue rebates on a monthly basis.

NOW, THEREFORE, BE IT HEREBY 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 7-6-3(F) of the Glen Ellyn Village Code is herby deleted in its entirety and replaced with the following:

(F) Special Haul Service for the Village: The contractor, as provided for in subsection (C) of this section, will furnish refuse trucks and drivers for special ("natural disaster") cleanup activities on the following basis:

8/1/2012: $145.00/hr/2 men/1 truck

SECTION TWO: Section 7-6-4(A) of the Glen Ellyn Village Code is hereby updated as follows:

(A) Residential Collections: Effective August 1, 2012 the fees to be charged for residential solid waste collection and disposal services shall be as follows:

Monthly Refuse Collection Program	**Monthly Total**
Curbside collection of one Village provided 35-gallon wheeled cart	$16.15
Curbside collection of one Village provided 65-gallon wheeled cart	$19.65
Curbside collection of one Village provided 95-gallon wheeled cart	$21.65
Senior rate for curbside collection of one Village provided 35-gallon wheeled cart	$15.10
Rear door collection of one Village provided 35-gallon wheeled cart	$23.70
Rear door collection of one Village provided 65-gallon wheeled cart	$29.70
Rear door collection of one Village provided 95-gallon wheeled cart	$29.70
Senior rate for rear door collection of one Village provided 35-gallon wheeled cart	$21.95

Individual Sticker Prices

Refuse Sticker	$2.35
Yard Waste Sticker	$2.35

Leaf Sticker	$1.50
Large Household Items	One (1) Refuse Sticker

SECTION THREE: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

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

AYES:

NAYS:

ABSENT:

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

_____
Village President of the
Village of Glen Ellyn, Illinois

ATTEST:

_____
Village Clerk of the
Village of Glen Ellyn, Illinois

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

A-9

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Frank Frasco, Fleet/Equipment Services Superintendent
Julius Hansen, Public Works Director

DATE: June 04, 2012

RE: Underground Storage Tank (UST) System and Fuel Dispensing Island Replacement

CC: Kevin Wachtel

Background

Annually, the Equipment Services Division of the Public Works Department purchases and dispenses approximately 100,000 gallons of fuel. This total includes 70,000 gallons of unleaded gasoline and 30,000 gallons of diesel fuel. Fuel is provided to all Village Departments; the Glen Ellyn Volunteer Fire Company; the Glenbard Wastewater Authority; and the Glen Ellyn Park District. The Village's self service fuel island is operational 24 hours a day, 365 days a year and is electronically monitored within the secure Public Works equipment yard at the Reno Center. The Reno Center and the fuel island are equipped with a standby diesel powered generator that provides electricity to the fuel pumps during power outages and ensures that emergency vehicles can always refuel.

The Village buys bulk fuel at wholesale prices based on OPIS (Oil Price Information Service) rack pricing. This ensures that the Village is getting the best price throughout the year and on the specific day an order is placed within our wholesale market. The Village is also exempt from federal gas tax and state sales tax. Annual savings when compared to retail gas station pump prices and based on our current usage is approximately $45,000 year. Operating a Village fuel island provides a cost savings to the Village and allows for the best possible control over our supply of fuel.

The Village currently owns and operates a 15,000 gallon fiberglass reinforced plastic (FRP) double wall unleaded underground storage tank (UST) and a 10,000 gallon FRP double wall diesel UST at the Reno Center. The Illinois State Fire Marshall and the Illinois EPA requires that these tanks be equipped with electronic leak detection systems. The electronic sensors currently show that our 20 year old tanks are not performing as designed and have reached the end of their useful life and need to be replaced. The required annual tank testing was also performed by an independent professional tank investigation company and confirmed the failure.

Issues

The secondary containment wall of the unleaded UST has failed and is allowing ground water to enter the interstitial cavity. If the inner tank develops a leak; the outer tank of the UST is the safety vessel that prevents the release of fuel into the environment. The electronic sensors within our unleaded tank have detected liquid in the interstitial cavity and the monitoring system is in alarm. Proactive action to replace the UST will eliminate the possibility of further contaminating nearby soils; Lambert Lake; Water Well #6; and the Nature Preserve surrounding Lambert Lake.

The Public Works Department has retained the services of Integrity Environmental Services Inc. to investigate the current soil conditions in and around the existing tank field. A soil boring investigation was performed and soil samples were sent to a laboratory for analysis. The results showed that minor contamination exists and that both surface releases and possible UST system releases have occurred. The necessary reports have been filed with the Illinois EPA and the Illinois Emergency Management Agency has been notified. Proactive actions taken by the Village will qualify for reimbursement of certain costs through the Illinois EPA Leaking Underground Storage Tank (LUST) fund. The project engineer estimates that the Village can reasonably expect to recover approximately $68,000 from the IEPA LUST fund.

Integrity Environmental was also retained to design and create specifications for a replacement UST system and fuel island. Public bidding documents were prepared; an invitation to bid was advertised; a mandatory pre-bid meeting was held; and bids were publicly opened on May 28, 2012. Eleven qualified tank contractors displayed interest in the project by attending the mandatory pre-bid meeting. Of the eleven qualified contractors, three ultimately participated in the bidding process by submitting a bid. The bid results are as follows.

Contractor	Old UST System Removal	Estimated Soil Remediation	UST System Installation	Concrete Work	New Fuel Island Canopy	Total
Stenstrom Petroleum	$17,900.00	$61,500.00	$295,175.00	$23,768.00	$21,000.00	**$419,343.00**
J&D Mech. Industries	$15,000.00	$79,000.00	$330,900.00	$17,500.00	$34,500.00	**$476,900.00**
Accurate Tank Const.	$25,235.00	$66,355.00	$326,380.00	$39,740.00	$28,700.00	**$486,410.00**

In FY13, according to original engineer estimates, Equipment Services budgeted $330,000 for this project. After the engineers estimate and budget were finalized, the scope of work was expanded based on need to include a diesel exhaust fluid (DEF) tank and dispenser; an increase in the size of the canopy; additional concrete above the UST's; and accommodations for a future alternative fuel dispenser. The expanded scope of work added approximately $40,000 to the original engineer's estimate of $330,000, for a total of $370,000. Despite this increase in scope of services, bids did come in higher than originally anticipated at no less than $419,000 as demonstrated in the above chart.

Despite the bid prices increases over the engineers estimate, several funding reimbursements can be factored in to bring the overall net project cost to the Village back to the original estimate. Funding reimbursements include the $68,000 from the IEPA LUST Fund, as well as $20,000 off the total bid amount due to reduced amounts of contaminated soils that need to be removed. The net cost of the project after recovery of funds and cost decrease for contaminated soils is projected to be $331,000 or about the originally budgeted amount. The attached letter from Integrity Environmental Services details the scope of work adjustments, as well as other adjustments to the final price.

Recommendation

Remove the existing UST system; remediate contaminated soils; install a single 2 compartment FRP UST; install a Diesel Exhaust Fluid UST; and install a new fuel dispensing island and canopy according to specifications.

Action Requested

A motion to approve a contract with the lowest responsible bidder Stenstrom Petroleum of Rockford, Illinois to replace the UST system and fuel dispensing island and to remove the old UST system in the amount of $419,343 to be expensed to the Equipment Services Capital Equipment fund 65000-580110.

Attachments

1. Annual tank test report from Protanic Inc.
2. Letter dated 05/30/2012 from Integrity Environmental Services Inc.
3. FY13 Equipment Services Budget

Protanic, Inc. **Professional Tank Investigation Corp.**
658 N. Progress Drive, P.O. Box 80265, Saukville, WI 53080
Phone: 262-268-1150 FAX: 262-268-1170
www.protanicinc.com

METRO TANK AND PUMP COMPANY
1111 W. DUNDEE, WHEELING, IL 60090-3936
TELE. (847) 465-4000 FAX (847) 465-1884

April 27, 2012

Customer Name and Address	Facility ID Facility Name and Address	Test Date
Metro Environmental	#2025810	April 25, 2012
Attn: Hajlije Memia	Glen Ellyn Renu Service Center	
1111 W. Dundee Road	30 S. Lambert Road	
Wheeling, IL 60090	Glen Ellyn, IL 60137	

Sensor Inspection/Certification

Sensor Location	Type	Sensor in proper position when ARRIVED?	Sensor in Alarm when ARRIVED?	Functionality Test Result (Pass/Fail)	Sensor in proper position when LEFT site?	Sensor in Alarm when LEFT site?	Water present below sensor?	Positive shutdown of sub motor?
Regular Unleaded STP	Tri-State	YES	NO	PASS	YES	NO	NO	NO
Diesel Fuel STP	Tri-State	YES	NO	PASS	YES	NO	NO	NO
Regular Unleaded Interstitial	Tri-State	YES	NO	FAIL	YES	NO	NO	NO
Diesel Fuel Interstitial	Tri-State	YES	NO	PASS	YES	NO	NO	NO

Comments

The Regular Unleaded Interstitial sensor failed the inspection; does not go into alarm when tested.

Technician Signature: Andreas Grebas

INTEGRITY
ENVIRONMENTAL SERVICES, INC.

1240 IROQUOIS DRIVE
SUITE 102
NAPERVILLE, IL 60563

630-718-9133
FAX 630-718-9114

May 30, 2012

C-10362

Mr. Julius Hansen
Public Works Director
Village of Glen Ellyn
30 South Lambert Road
Glen Ellyn, Illinois 60137

Dear Julius:

Bid Review and Contractor Recommendation Letter
UST System Removal/ UST System Installation Project
Public Works Facility
Village of Glen Ellyn
30 South Lambert Road
Glen Ellyn, Illinois
IES No. 875-01

On Wednesday, May 30, 2012, bids for the above referenced project were publicly opened and read aloud at the Village of Glen Ellyn's Civic Center Building, 535 Duane Street, Glen Ellyn, Illinois. The Bid Tabulation Sheet is enclosed for your review and reference. In addition, enclosed you will find copies of the original contractor bid packages, as received and opened.

As you know, eleven (11) qualified tank contractors originally displayed interest in this project by attending the mandatory Pre-Bid Meeting held on May 21, 2012. Of the eleven (11) contractors present at the Pre-Bid Meeting, we are aware of at least two (2) contractors that intended to submit bids as sub-contractors to others attending and bidding. Of the nine (9) remaining contractors, three (3) ultimately participated in the bidding process by submitting a bid.

The lowest bid was received by Stenstrom Petroleum Services Group (Stenstrom), Rockford, Illinois in the Base Bid sum amount of $419,343.00. The second and third low bids were submitted by J & D Mechanical Industries, Union, Illinois ($476,900.00) and Accurate Tank Construction, North Aurora, Illinois ($486,410.00).

We have verified with a representative of Stenstrom that their bid is sound and accounts for all scope of work tasks and items. We have also verified that Stenstrom will be utilizing the services of R.W. Collins Company (Collins) for the underground storage tank (UST) removal work, soil remediation, and removal of the existing pump island and canopy structure. As we briefly discussed, due to a misunderstanding, Stenstrom's bid did not include a price for Unit Price E.3, the requested per gallon price for the pumping, transport, and disposal of additional impacted water from the UST removal excavation beyond the 3,000 gallon base bid estimate.

We have verified however, that Stenstrom's Base Bid (Item No. D.2) does include the 3,000 gallon impacted water removal estimate. The representative of Stenstrom indicated to our office that this "missing" Unit Price E.3 will be submitted to the Village at a fair rate at our request.

In addition, please recall that Stenstrom did not include a price for Alternate Bid F.1 (solar lighting addition/alternate). The Stenstrom representative indicated to our office that they did not receive a sub-contractor price quote for this lone alternate bid item in time for the bid opening. The Stenstrom representative further indicated that, if awarded the project, they will seek a fair, quality proposal from a solar lighting provider/supplier for the Village's review and evaluation. Please note, being an Alternate Bid request only, we do not believe that the omission of a price for this item constitutes cause for rejection.

As you are well aware, Stenstrom's base bid sum amount was considerably higher than the original budgetary estimates for this project. As we have been discussing, the reasons for this are many, including the addition of the diesel exhaust fluid (DEF) independent UST, its piping and dispenser, the slight increase to the size of the canopy, an increase in concrete installation, and the base bid sum including the removal, transport, and manifested disposal of 825 tons (550 cubic yards) of impacted soil from the UST removal area. As you know, based on our late-January 2012 soil boring investigation findings, it is unlikely that this volume of petroleum-impacted soil will ultimately be removed during this project. It is our belief at this time that approximately 50% of this volume will be removed during this project (approximately 412.5 tons).

As discussed after the bid opening, we have provided below a listing of scope of work additions that added to the original budgetary estimate, as well as cost contingencies where overall project costs will be reduced or can be reduced to off-set the lowest bidder's elevated base bid sum. These addition and deduction items are presented below for your further review and evaluation.

Additions to Bid Total:

- It has been estimated that the installation of the 600 gallon DEF UST, its piping the dispenser, the additional excavation material removed and replaced, additional labor, etc. added approximately $29,000.00 to the overall project cost.

- It has been estimated that the increase in canopy size from 20' x 25' to 25' x 25' increased its cost by 20% or approximately $3,600.00.

- An increase in the sizes (square footages) of concrete slabs above the new USTs and on either side of the new pump island (vehicle approach aprons). It has been estimated that approximately $6,000.00 in concrete costs were added by these concrete slab increases.

Deductions to Bid Total:

- As noted above, we do not anticipate having to remove 825 tons of contaminated soil during the course of this project. When multiplying the per ton unit rate provided by Stenstrom in their bid with the estimated volume of impacted soil not expected to be removed during the project, we estimate that as much as $19,387.50 (412.5 tons x $47/ton) will be subtracted from their bid.

- As detailed in a separate letter to your office listing the estimated costs to be incurred by the Village of Glen Ellyn during the above referenced project that are also expected to be eligible for recovery through the Illinois Environmental Protection Agency's (IEPA's) Leaking UST (LUST) Fund Reimbursement Program, we anticipate that as much as $51,512.50 will be returned.

  The above figure was arrived at as follows: $80,900.00 (expected eligible reimbursement recovery for the tank contractor's work), less the $19,387.50 (as noted prior for impacted soil not removed from the site), less the expected $10,000.00 deductible = $51,512.50.

- Additional contractor cost reductions may include less impacted groundwater removal than specified and less backfill material needed.

- Also, the Village will be able to recover nearly all of our professional environmental services fees incurred for environmental project design and planning, consulting, testing, management, and reporting services in association with the IEPA's requirements. This additional reimbursement total has been estimated at $16,640.00.

In summary, the scope of work additions added as much as $38,600.00 to the lowest bid. Further, the reduction in the volume of impacted soil removed from the project site will reduce the bid by approximately $19,387.50. And lastly, the Village should reasonable expect to recover a total of $68,152.50 through the IEPA's LUST Fund. The charted math appears as follows:

• Lowest Base Bid Sum =	$419,343.00
• Less the Scope of Work Additions =	($ 38,600.00)
• Less the Reduction of Impacted Soil =	($ 19,387.50)
• Less the Reimbursement Cost Recovery =	($ 68,152.50)
Difference =	$293,203.00

With regards to Stenstrom and their bid, please note the following. Stenstrom has a solid reputation and has provided similar services for many other public and municipal fueling facilities throughout northern Illinois. As illustrated on Bid Form Document H, Contractor's Information Report, Stenstrom's UST system installation work includes the City of Naperville Public Works facility, Winnebago County Highway Department, and the new Lake County Forest Preserve Operations and Maintenance facility in Lindenhurst, Illinois, a long-standing client of Integrity Environmental Services, Inc.

With regards to Collins, the UST removal, soil remediation, and fuel island/canopy removal sub-contractor retained by Stenstrom, please note the following. Collins is most likely the largest, most experienced, and most qualified tank removal/environmental remediation contractor in the Chicago area today. Integrity Environmental Services, Inc. has worked with Collins on countless public and private projects over the years, all concluding successfully, cost effectively, and in a timely manner. We expect Collins to perform similarly for/on this important Village project.

In summary, we strongly believe that the team of Stenstrom and Collins provides the Village with the best combination of UST system installation and UST system removal contractors for this project. We therefore recommend that the Village move forward with the approval of this bid and an award of a contract to Stenstrom, while considering the cost reductions detailed earlier in this letter.

We trust that this letter and its content will further assist your office with the evaluation of this project and these bid results. We look forward to a successful, timely, and cost effective completion to this project.

As always, if you have any questions, please feel free to contact the undersigned at (630) 718-9133.

INTEGRITY ENVIRONMENTAL SERVICES, INC.

Mark J. Ravanesi
President

Enclosures

cc: Mr. Frank Frasco

BID TABULATION SHEET

UST SYSTEM REMOVAL AND UST SYSTEM INSTALLATION WORK
VILLAGE OF GLEN ELLYN
PUBLIC WORKS FACILITY
30 SOUTH LAMBERT ROAD
GLEN ELLYN, ILLINOIS
IES NO. 875-01

BIDS DUE/BID OPENING:
MAY 30, 2012, 10:30 A.M.

Bidding Contractor	Bid Bond/ Security (5%)	Add. No. 1	Add. No. 2	Add. No. 3	Base Bid D.1	Base Bid D.2	Base Bid D.3	Base Bid D.4	Base Bid D.5	Total Base Bid Sum (D.1 - D.5)
Stenstrom Petroleum	Rec'd.	Yes	Yes	Yes	$17,900.00	$61,500.00	$295,175.00	$23,768.00	$21,000.00	**$419,343.00**
J & D Mechanical Industries	Rec'd.	Yes	Yes	Yes	$15,000.00	$79,000.00	$330,900.00	$17,500.00	$34,500.00	**$476,900.00**
Accurate Tank Construction	Rec'd.	Yes	Yes	Yes	$25,235.00	$66,355.00	$326,380.00	$39,740.00	$28,700.00	**$486,410.00**

BID TABULATION SHEET

UST SYSTEM REMOVAL AND UST SYSTEM INSTALLATION WORK
VILLAGE OF GLEN ELLYN
PUBLIC WORKS FACILITY
30 SOUTH LAMBERT ROAD
GLEN ELLYN, ILLINOIS
IES NO. 875-01

BIDS DUE/BID OPENING:
MAY 30, 2012, 10:30 A.M.

Bidding Contractor	Unit Price E.1	Unit Price E.2	Unit Price E.3	Alternate Bid F.1	Non-Collusion Certificate	Subcontractor's Certificate	Contractor's Information Report	Insurance Certification Letter
Stenstrom Petroleum	$47/ton	$28/cubic yd.	Blank	No Bid	Rec'd.	Rec'd.	Rec'd.	Rec'd.
J & D Mechanical Industries	$58/ton	$21/cubic yd.	$0.75/gallon	$10,000.00	Rec'd.	Rec'd.	Rec'd.	Rec'd.
Accurate Tank Construction	$43/ton	$23/cubic yd.	$0.60/gallon	$17,410.00	Rec'd.	Rec'd.	Rec'd.	Rec'd.

EQUIPMENT SERVICES FUND

Village of Glen Ellyn
FY 2012/13 Budget

Org 6500
Org 65000

Object Code	Account Description	FY08/09 Actual	FY09/10 Actual	FY10/11 Actual	FY11/12 Revised Budget	FY11/12 Estimated Actual	FY12/13 Budget	
530315	Tires	16,001	14,267	14,282	14,000	14,000	14,000	
530445	Uniforms	1,501	1,499	1,571	2,100	2,100	2,100	
		413,043	356,618	425,535	427,200	427,400	486,200	
	CAPITAL OUTLAY:							
570155	Vehicles	838,461	645,115	608,773	291,500	225,000	494,800	12
580110	Equipment	80,863	1,643	2,708	2,100	2,100	330,250	13
		919,324	646,758	611,481	293,600	227,100	825,050	
	TOTAL EXPENDITURES	$ 1,846,421	$ 1,455,591	$ 1,511,171	$ 1,219,300	$ 1,145,400	$ 1,808,250	
	OPERATING EXPENDITURES (excludes vehicle purch.	$ 1,007,960	$ 810,476	$ 902,398	$ 927,800	$ 920,400	$ 1,313,450	
FUND INCREASE (DECREASE)		$ (216,828)	$ (20,278)	$ 118,530	$ 475,900	$ 606,300	$ (64,102)	

Available Cash Analysis (000's)	
Available, May 1, 2011	$ 2,558
Estimated FY12 Inflow/(Outflow)	606
Budgeted FY13 Inflow/(Outflow)	(64)
Projected Available, April 30, 2013	$ 3,100

A-10

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Julius Hansen, Public Works Director
Bob Minix, Professional Engineer

DATE: June 4, 2012

SUBJECT: Lambert Road Right-Turn Lane at Roosevelt Road Project Recommendations to Appropriate Funds to Pay for the Local Agency Share of Construction Costs and for Approval of Construction Phase Engineering Services Agreement and an Amendment to the Design Engineering Services Agreement

The construction of a northbound exclusive right-turn lane on Lambert Road will include roadway widening and resurfacing; curb and gutter and driveway replacement on both sides of the street; traffic signal and street lighting modifications; sidewalk upgrades and other improvements necessary to install the turning lane on the east side of Lambert between Taft and Roosevelt Road (see attached plan sheet with the turn lane highlighted). Total length of the improvement is 475 ft. The project has qualified and been selected for federal funding assistance through the Surface Transportation Program (STP) for 70% of eligible construction costs, with the total federal contribution capped at $286,000.

The Illinois Department of Transportation (IDOT) is the contracting agency for the project. The project was let on April 27, 2012 culminating a long journey that included funding applications in 2003 and 2004, the start of engineering in 2005 and many years and efforts devoted to land acquisition and utility undergrounding. This memorandum will include a discussion of the bid results, project costs and recommendations for project funding of the local share by the Village Board.

A second item requiring Board action prior to the start of construction is the hiring of a consultant to provide resident engineering services to oversee the project contractor (Phase III services). This project provides an opportunity to audition a new firm for these services, Thomas Engineering Group, and details will be provided associated with retaining this firm.

Finally, this memorandum will cover a request for additional design engineering fees for the project incurred by Hampton, Lenzini and Renwick. The protracted time frame of the project, due primarily to land acquisition issues, required the design consultant to make multiple submittals to IDOT including re-submittal of the Preliminary Environmental Site Assessment.

AGENDA ITEM(S) DESCRIPTION

Professional Engineer Bob Minix will present information for actions associated with the pending construction of a northbound, right-turn lane on Lambert Road at Roosevelt Road (IL Route 38). The project will receive federal Surface Transportation Program (STP) funds covering 70% of eligible roadway costs up to a maximum contribution of $286,000. The project appeared on the April 27, 2012

IDOT letting, with the firm of Alliance Contractors submitting the low of three bids in the amount of $429,000, about 5% below the final engineer's estimate. With project construction imminent, various Village actions are required, including allocating funds for the local agency share of construction expenses, hiring an engineering firm for construction oversight, and to fund and approve a final engineering services amendment for additional design costs incurred primarily due to delays in land acquisition.

A. Motion to approve payments to the Illinois Department of Transportation for Local Agency construction costs associated with the Lambert Road Right-Turn Lane at Roosevelt Road Project in the amount of $165,000 (including a 5% contingency), to be expensed to the FY13 Capital Projects Fund.

B. Motion to approve a sole-source agreement with Thomas Engineering Group of Oak Park, IL for construction phase engineering services associated with the Lambert Road Right-Turn Lane at Roosevelt Road Project in a not-to-exceed amount of $72,000 (including a 5% contingency), to be expensed to the FY13 Capital Projects Fund.

C. Motion to increase the appropriation for engineering services associated with the design of Lambert Road Right-Turn Lane at Roosevelt Road Project provided by Hampton, Lenzini and Renwick in the amount of $8,339, for a revised total appropriation of $73,339 to be expensed to the FY13 Capital Project Fund.

D. Motion to approve Amendment No. 2 to the engineering services agreement with Hampton, Lenzini and Renwick for the Lambert Road Right-Turn Lane at Roosevelt Road Project for additional design engineering expenses in the amount of $10,812 resulting in a total and final fee of $73,339 for the work.

ISSUES AND ITEMS FOR DISCUSSION

1. Funding of the Village share of construction expenses: Based on the low-bid amount and a cap on the STP contribution, the Village share of construction costs will be $143,000 (without contingency) or about one-third of total construction costs.

2. A sole source contract is recommended with Thomas Engineering Group for construction engineering services. The firm has shown very well in recent proposal-based selections and staff has been looking for a good opportunity to work with this firm and to broaden our pool of outstanding Phase III consultants.

3. Additional design engineering expenses were incurred by HLR due to the length and circumstances of the project. These expenses are reasonable and the consultant should be compensated for their additional efforts.

CONSTRUCTION COSTS AND RECOMMENDED FUNDING

On April 27, 2012 the Lambert Road Right Turn Lane Project was let through an IDOT bidding process. Three contractors provided bids for the work as shown in the following table:

Lambert Road Right Turn Lane Project – Bid Results – April 27, 2012 IDOT Letting	
Contractor	**As-Read Bid Price**
Alliance Contractors	$428,676
R. W. Dunteman	$434,502
Landmark Contractors	$437,464
Engineer's Estimate	$451,468

Very tight bidding was in evidence, with the low bid approximately 5% below the final engineer's estimate. Staff has some experience with the low bid firm. Alliance Contractors performed the 2001 project for DuPage County that widened Geneva Road and installed the traffic signal at Geneva and Kenilworth near Churchill School. The Village was a funding participant in that effort that included extending the 12" water main from Kenilworth to the west end of the school property along Geneva Road to reinforce the water supply to the Glen Arbor subdivision. Alliance's performance on the project was quite good, completing the work on time and not adversely impacting school operations.

IDOT recently requested concurrence from the Village regarding award of the contract to the low bidder, with such concurrence given by me. The IDOT contracting process typically takes 30 to 45 days to complete, and to my knowledge, project award has not yet occurred, but should be imminent. Work is likely to be underway by late June or early July and should take 4 to 6 weeks for roadway improvements, with final traffic signal installations to follow when the permanent equipment for the corner is received and installed. A temporary traffic signal will be erected at the intersection as part of the project. The first goal of project construction is to install the right-turn lane and complete roadway work prior to mid-August and the start of the fall semester at COD.

All project elements in the contract are roadway-related and hence are eligible for federal funding. As the local agency, Glen Ellyn will be responsible for paying the 30% balance of construction costs not paid for by the STP funding and any construction costs in excess of $408,000 (70% of $408,000 is $286,000). IDOT will handle all contractor payments; the Village will subsequently be billed by IDOT for the local agency portion of the contractor invoices.

With contingency as shown, the recommended funding level for the project and FY13 account number are shown in the accompanying table. The payee for these dollars is the Illinois Department of Transportation.

Lambert Road Right Turn Lane Project Recommended Funding for Construction for Payment to IDOT of Local Share Costs (with Contingency)				
Project Item	**Recommended Contingency**	**Funding Source (FY13)**	**Account No.**	**Amount**
Roadway Improvements	5%	Capital Projects Fund	40000-580160-00506	**$165,000**

CONSTRUCTION (PHASE III) ENGINEERING SERVICES

The Village is responsible for retaining a qualified consultant to perform Phase III engineering tasks, consisting of: staff, contractor and property owner interactions; project scheduling coordination; inspections; coordination with surveying and testing companies; keeping project records; measuring and quantifying contract pay items; change orders; and preparation of record drawings. The engineer must be IDOT-certified for the procedures and paperwork required for utilization of federal monies. In addition to the field staff, the consultant will provide office support personnel as well as a sub-consultant in the area of material testing to satisfy project quality control requirements.

Civiltech Engineering has performed the majority of construction oversight assignments for the Village over the past nine years, providing a high level of service and performance in this time frame. Beginning with the 2010 Riford Road and continuing with the 2011 Essex-Lake-Oak-Grand and 2012 Hawthorne projects, an RFP process was used to expand the pool of capable construction engineering consultants and broaden staff's knowledge of the Phase III capabilities in the consulting community. One of the firms that was invited to submit qualifications for all three requests was Thomas Engineering Group (TEG) of Oak Park. In the assessment and recommendations of the consultant submittals associated with the three RFP-based selections, TEG consistently was favorably viewed, as the firm provided comprehensive and thorough proposals, displayed excellent credentials and continually expressed interest in working with Glen Ellyn. As mentioned in previous Phase III engineering award discussion, I have been searching for a suitable project to retain the firm, and I am recommending TEG for this assignment.

The Thomas Engineering proposal is enclosed herewith The TEG team will be led by Project Manager Eric Rose. Mr. Rose has had direct and successful experience with Alliance Contractors. The proposed Resident Engineer is Glen Kirchen. Mr. Kirchen is familiar with the Village and the Public Works Department, having served as project manager with Glenbrook Excavating, the contractor for the 2006 Sunset and Manor Woods Improvement project. The engineering assignment will include pre-construction, construction and project close-out phases with a variety of tasks during each phase. The firm anticipates about 625 hours of effort at a cost, including material inspection requirements performed by STATE Testing, of about $68,500. With a 5% contingency, the following amounts are requested from the FY13 Capital Project Fund:

Lambert Road Right Turn Lane Project Recommended Funding for Phase III Engineering Services Thomas Engineering Group			
Funding Source (FY13)	**Account No.**	**Contingency**	**Engineering Fee Amount**
Capital Projects (Roadway)	40000-580160-00506	5%	**$72,000**

AMENDMENT TO THE HLR DESIGN SERVICES AGREEMENT

In May 2005, the consulting firm of Hampton, Lenzini and Renwick (HLR) was awarded an engineering services agreement for Phase I and Phase II design of the Lambert Road Right-Turn Lane

Project at a not-to-exceed cost of $56,471. At the time of Board approval, project funding from the capital projects fund was established at $62,000 and included a 10% contingency.

In September 2010, the firm requested consideration of additional compensation for extra design services associated with drainage investigations at Lambert and Taft, improved roadway profile on the west side of Lambert and miscellaneous other items. Amendment No. 1 to the HLR services agreement was approved by the Board, resulting in a revised not-to-exceed fee limit of $62,527 and with the infusion of an additional $3,000, raising the available funding to $65,000.

At the time of the approval of Amendment No. 1, the project appeared on track for construction in 2011; however, the land acquisition process bogged down and the consultant had to make multiple submittals to IDOT, with some design elements requiring revisions with each re-submittal due to changes in IDOT policies and specifications in the past two years. In addition, the original Preliminary Environmental Site Assessment performed early in the design phase expired and had to be re-done. As noted in the attached material from HLR, the extra effort beyond the current contract limit required over 110 personnel hours at a cost of $10,812. Hence the total estimated effort for the design of the project is **$73,339**.

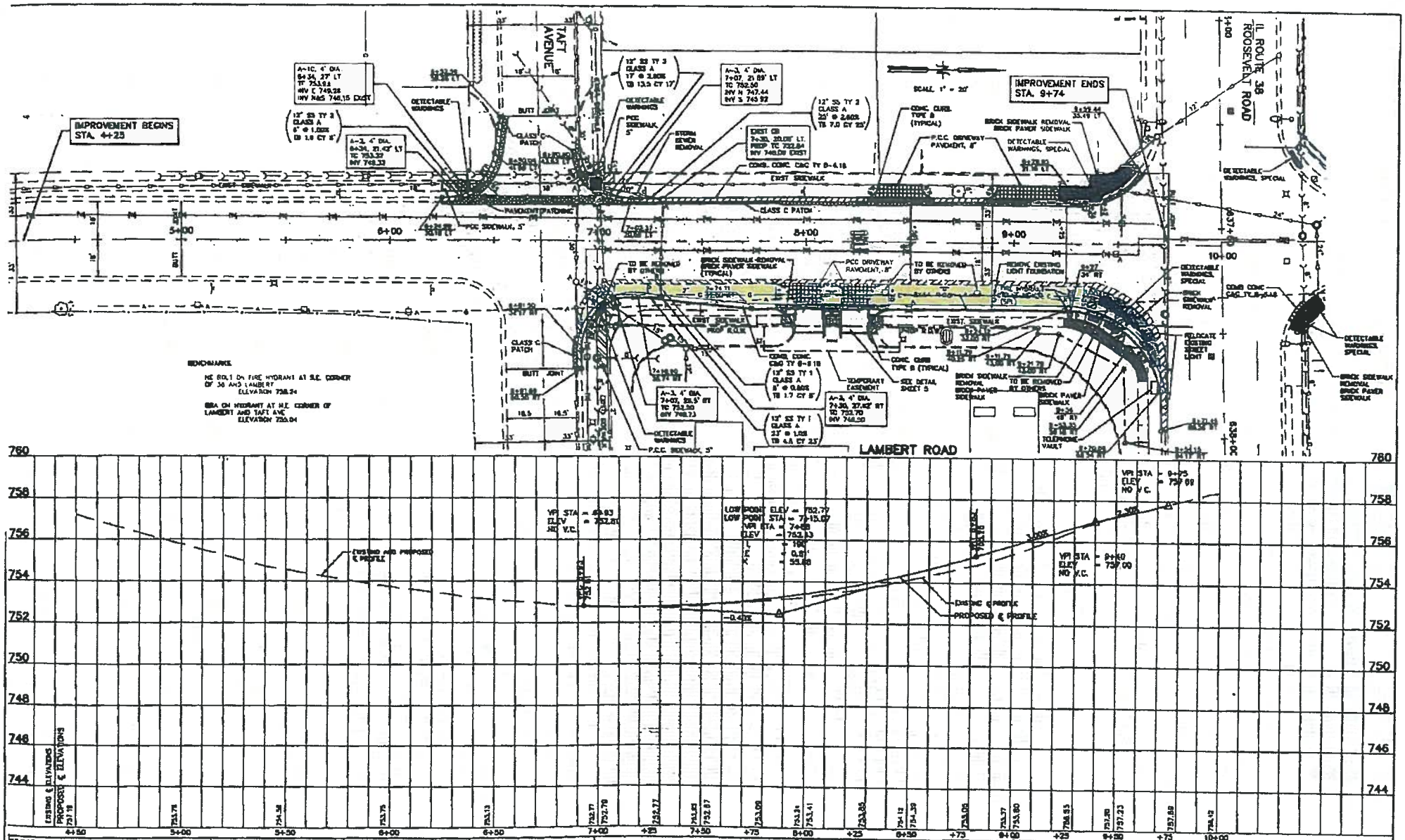
With project funding currently at the $65,000 mark, additional funding of $8,339 is required to satisfy the HLR request, as noted in the following table.

Lambert Road Right Turn Lane Project Amendment No. 2 to the HLR Design Engineering Services Agreement		
Fund	**Account No.**	**Amount of Additional Funding Requested**
Capital Projects (Roadway)	40000-580160-00506	$8,339

ATTACHMENTS

1. Lambert Road at Route 38 Plan and Profile
2. TEG Proposal for Phase III Engineering Services
3. HLR Request for Additional Compensation

cc: Kristen Schrader, Assistant to the Village Manager – Administration
Jeff Perrigo, Civil Engineer



STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

B&LR

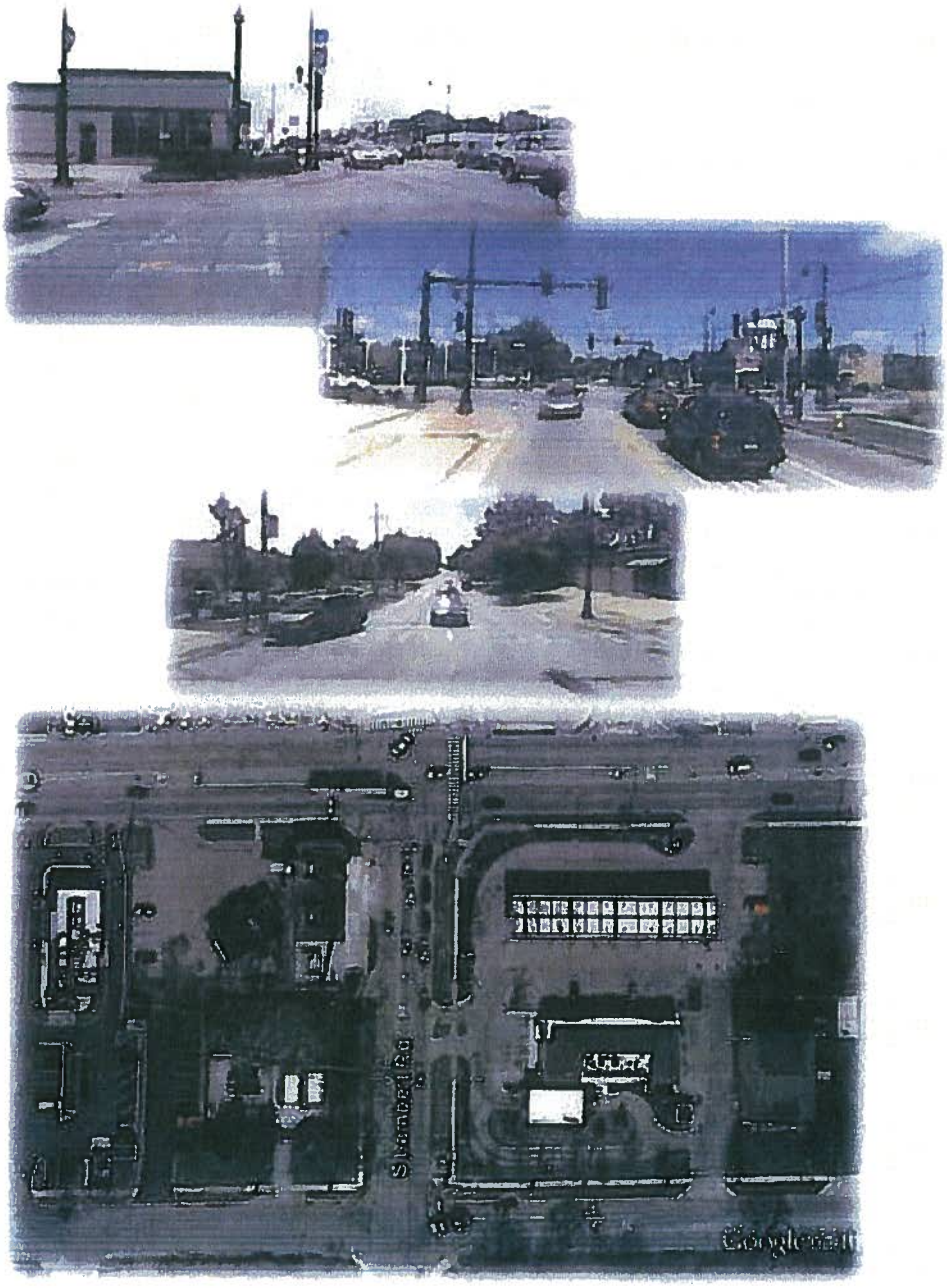
LAMBERT ROAD AT ROUTE 38
PLAN AND PROFILE

F.A.U. RTE.	SECTION	COUNTY	TOTAL SHEETS	SHEET NO.
2367	05-00089-00-CH	DuPAGE	42	6

CONTRACT NO 63587

Request for Construction Engineering Services

Village of Glen Ellyn Construction Engineering Services Lambert Road at IL 38 Intersection Improvements



Submitted to:

Village of Glen Ellyn
30 South Lambert Road
Glen Ellyn, Illinois 60137

May 11, 2012

Submitted by:

Thomas Engineering Group, LLC
238 South Kenilworth Avenue
Suite 100
Oak Park, Illinois 60302

service at the highest grade®

thomas
engineering group
service at the highest grade.
238 south kenilworth avenue
suite 100
oak park, illinois 60302

May 11, 2012

Mr. Bob Minix, P.E.
Professional Engineer
Village of Glen Ellyn
30 South Lambert Road
Glen Ellyn, Illinois 60137

Re: Lambert Road at IL 38 Intersection Improvements
Construction Engineering Services

Dear Mr. Minix:

Thomas Engineering Group, LLC (TEG) respectfully submits the enclosed proposal, scope of services, and fee to the Village of Glen Ellyn for review and approval. TEG is very enthusiastic about the opportunity to work for the Village to provide Construction Engineering Services for the Lambert Road at IL 38 Intersection Improvement Project. Our team proposed for this project has a significant amount of experience with roadway widening, roadway rehabilitation, traffic signal and lighting modifications on IDOT Local Roads projects.

I will be the Project Manager and have gained firsthand knowledge of being a successful Resident Engineer and Project Manager having served in this capacity for 21 years. I have been recognized for efforts on many award winning federal and state funded projects. I am IDOT certified for Documentation of Contract Quantities, have vast experience working with ICORS, and have a firm grasp on IDOT material inspection requirements. I understand the necessary skillsets required on this type of improvement, understand the Village's expectations for service, and will be available at a moment's notice throughout the duration of the project.

Our proposed Resident Engineer will be **Glen Kirchen, P.E.**. He has substantial administrative ability and organizational skills and a working knowledge of roadway construction. He has successfully completed numerous IDOT Local Roads projects over his 18 years as an RE and Project Manager. Mr. Kirchen is IDOT certified for Documentation of Contract Quantities, is well versed in use of ICORS, and has a strong working knowledge of IDOT construction documentation and material inspection requirements and closeout procedures.

In effort to reduce costs for our services on this project, we are proposing to supplement the RE services with a lower rate Assistant Resident Engineer, Mr. Kevin Kuntz. Mr. Kuntz will assist with the daily documentation, traffic control inspection, recording of quantities, material inspection, and closeout with constant oversight by our RE.

We appreciate the opportunity to serve the Village on this important project and display our service at the highest grade®. If you have any questions or require additional information, please contact me at (630) 636-0943 or by e-mail at ericr@thomas-engineering.com.

Sincerely,

thomas engineering group, llc

Eric Rose

Eric E Rose, P.E.,
Associate

thomas® engineering group
service at the highest grade®

Organizational Chart

Thomas Gill, P.E.
Project Principal

Eric Rose, P.E.
Project Manager

Glen Kirchen, P.E.
Resident Engineer

Kevin Kuntz
Assistant Resident Engineer

Material Testing
S.T.A.T.E. Testing, L.L.C.

PROJECT APPROACH

After reviewing the contract documents, performing a plan-in-hand review of the project site, and obtaining an update on status of utility coordination from Village Engineering staff, we have identified the following as critical elements of the project.

- Utility Coordination
- Timely approval of shop drawings
- Continuous coordination with key IDOT Local Roads personnel
- Contractor staging and sequencing
- Complete roadway elements (underground, widening, curb & gutter, sidewalk, brick pavers) of project by August 15

Our approach to this project is based on providing a high level of service to ensure the above items are successfully completed while being committed to performing these services efficiently at a reduced cost.

We understand AT&T and Nicor facilities are currently in conflict with the proposed widening. We also understand that the Village has made positive progress in coordinating relocation of these utilities. Upon receipt of our notice to proceed, we will take this coordination burden from Village staff, work with the utility companies and their contractors, and ensure the planned relocates are completed with little or no impact to the construction schedule. We will also verify the elevation and location of the relocated utilities to ensure they are no longer in conflict with proposed improvements.

Existing Utilities within Proposed Improvements

Our project manager and resident engineer have established strong working relationships with personnel from the IDOT Bureaus of Construction, Materials, and Local Roads over many years and numerous projects. We know what it takes to keep things moving in a positive direction during shop drawing review and the key personnel to contact in the different Bureaus as the project progresses and action is required. At times this requires face to face meetings with IDOT personnel and our project manager will handle this type of coordination to ensure the RE is able to focus on activities and operations occurring at the project site. This will be critical due to the time constraints on this project.

Our resident engineer has the experience and forethought to keep the project moving and ensure the contractor is progressing work at an adequate rate. He will ensure the contractor is proceeding with work on critical items in the proper sequence. Considering the short duration of this contract and the potential for long lead times procuring material for certain signal items, we will keep the project moving by having the contractor continuously advancing work on roadway elements to completion. This will allow the roadway, sidewalk and driveway work to be completed and opened to traffic by August 15, thereby avoiding impacts to traffic as the College of DuPage begins a new session. The remaining signal modification work can then be performed with little or no impact to traffic flow.

Our resident engineer is well versed in public relations and will work with the business owners at the SW & SE corners of the Lambert Road/IL 38 intersection that will be impacted by the improvements. Disruptions to access are inevitable for this type of work, however, with proper communication, the impacts can be minimized or removed. Our RE will provide timely notification to the effected business owners when disruptions to access are necessary.

Scope of Services

We will provide our standard service at the highest grade in the following scope of services. We have broken down the scope into three phases of construction:

- Pre-construction
- Construction
- Project Finalization & Closeout

Pre-Construction Phase

1. Conduct a constructability review of the contract documents. Review the plans and specifications in depth, verifying quantities, elevations and dimensions relevant to the project. This type of review will identify potential conflicts or issues and allow TEG to develop solutions and discuss with the Village prior to construction.
2. Conduct a meeting with Village Engineering and Public Works staff to discuss goals, objectives, verify documentation requirements, and expectations for the project. Also conduct a site visit with the Village and identify all areas of particular concern.

3. Conduct a utility meeting with all affected utilities to verify and urge acceleration of relocation schedules. Follow up with utilities to ensure action is being taken and work is moving forward. Verify relocated facilities are at proper depth and location in relation to proposed improvements.
4. Attend preconstruction meeting conducted by IDOT Bureau of Construction personnel. Obtain and review shop drawings, contractor's progress schedule, emergency contacts, subcontractor listing, and material producer/supplier listing.
5. Review contractor's schedule for compliance with contract. No payouts will be allowed until the schedule is approved. Our RE will track actual progress in relation to the approved schedule and hold ongoing discussions with the contractor regarding his progression of work.
6. Review shop drawings and hand deliver to IDOT Local Roads personnel. Follow up with IDOT personnel until approval is received.
7. Coordinate with IDOT Bureau of Traffic for notification of project and requirements for lane closures on IL 38.
8. Review contractor's proposed staging and maintenance of traffic, provide input to Village and contractor as necessary to ensure work is performed efficiently and safely.
9. Review all permit requirements and verify contractor is in compliance.
10. Set up ICORS, IDOT's electronic RE Visual database, field books, job box files and other forms of documentation.
11. Verify contractor's layout control and benchmark information.
12. Work with contractor to establish agreement to plan quantity on all applicable items.
13. Review record drawing requirements with contractor.
14. Review erosion control plan with contractor.
15. Notify businesses via Village and/or TEG website, mailings or flyers of upcoming activities that will impact access. Including but not limited to road closures, driveway access interruption, temporary utility shut downs or removal of personal property from right of way.

CONSTRUCTION PHASE

1. Observe the progress and quality of the executed work. Determine if the work is proceeding in accordance with the Contract Documents. Inspect erosion control measures and determine adequacy, record inspections weekly in accordance with requirements. TEG will keep Glen Ellyn informed of the progress of the work, guard the Village against defects and deficiencies in the work, advise the Village of all observed deficiencies of the work and disapprove or reject all work failing to conform to the Contract Documents.
2. Perform daily documentation in accordance with IDOT's Bureau of Construction Manual.

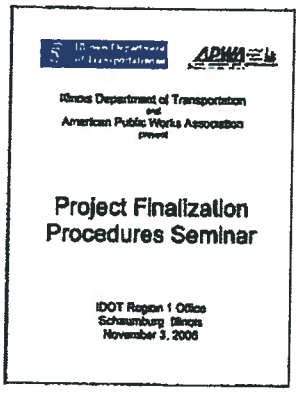
3. Maintain daily contact with the contractor to determine work schedules, coordinate underground work affecting access with appropriate parties, determine paving and concrete placement dates, and adherence to overall project schedule. Update the schedule on a weekly basis and compare updated completion dates with those specified in the contract, and inform the Village of any discrepancies. Should the project fall behind schedule, direct contractor to produce a recovery schedule and work with the contractor and the Village to determine appropriate action to get back on schedule.
4. Provide extensive on-site observations of the work in progress and field checks of contractor methods, materials and equipment through the Resident Engineer or Assistant RE. Be present whenever the contractor is performing work on-site.
5. Conduct weekly or bi-weekly progress meetings. Arrange other job conferences as required. Maintain and circulate copies of records of the meetings.
6. Continually verify contractor layout throughout duration of construction.
7. Work with contractor utilizing the Exploratory Trench pay item to determine utility locations and potential conflicts.
8. Perform daily MOT checks. The inspection shall be made at the beginning and end of work day. Document and notify the contractor of, and take appropriate steps to correct, any deficiencies noted.
9. Arrange for any required material testing. Coordinate material testing with the contractor's quality control team and schedule all necessary inspections in order to keep the work proceeding in a timely fashion.
10. TEG has found that it is very helpful having a dynamic cone penetrometer on site for evaluating undercuts and immediately understanding the extent of problem soils. Our staff has utilized this on many projects in the past.
11. Prior to submitting quantities for payment, verify if proper material inspection documentation has been provided by contractor. No payment will be allowed for quantities completed without proper material inspection.
12. Prepare payment requisitions and change orders. Review applications for payment with the Contractor for compliance with established submission procedure and forward them with recommendations to Glen Ellyn. Provide the Village a regular update on estimated final costs of the project.
13. Submit material inspection documentation to IDOT throughout duration of project to avoid lengthy delays in obtaining Material sign-off.
14. Prior to final inspection, submit to the contractor a list of observed items requiring correction and verify that each correction has been made.
15. Conduct a final inspection with the Village and prepare a final punch list of corrective or incomplete work.
16. Except upon written instructions of Glen Ellyn, the Resident Engineer or Inspector shall not authorize any deviation from the Contract Documents.
17. Maintain a set of working drawings, updated regularly,

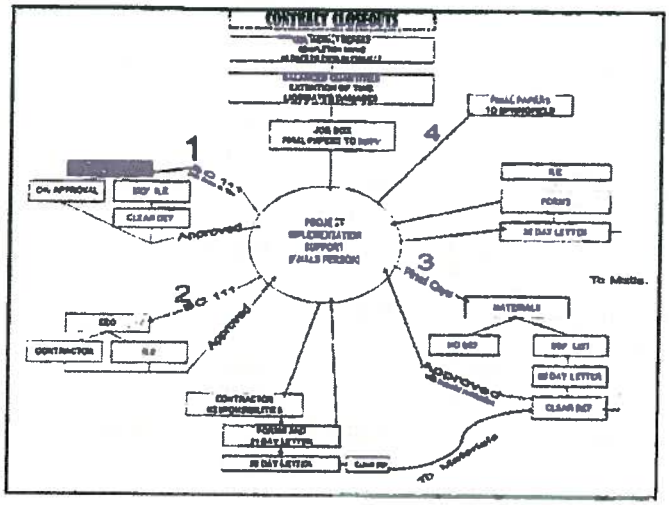
to show final elevations and locations of all underground.

18. Ensure restoration has been accomplished to pre-construction conditions.

POST-CONSTRUCTION AND PROJECT CLOSE-OUT

1. Verify that all items on the final punch list have been corrected and make recommendations to the Village concerning project acceptance.
2. Follow the IDOT guidelines for project closeout. Schedule final documentation review within one month of project completion. Following these guidelines helps expedite the job closeout process.
3. Expedite project close-out by providing final quantity measurements to the contractor throughout the project, instead of waiting until the end. Submit final quantities to IDOT Construction and Materials personnel.
4. The Resident Engineer shall deliver a draft of the record drawings for the project within one month of substantial completion of the project. TEG understands the need to close out a project quickly.
5. Submit all required final documentation to IDOT upon approval of authorizations and submittal of final pay estimate.
6. Submit job box to Village upon IDOT certification of closeout.





Project closeout procedures

Schedule

We have prepared the attached estimated schedule for construction of this project. The contract documents establish the time frame of the contract to be from June 1 thru August 15. Our estimated manhours are based on this schedule and we assume the contractor will typically work an 8 hour day, 5 days a week. We have included hours before commencement of construction for Pre-Construction activities such as shop drawing review, job set up, and pre-construction meetings. With this being a smaller scale project, we anticipate a majority of the closeout documentation can be completed between August 15th and August 31st, and our hours for Post Construction are based on this time frame. This would include submitting final quantities to IDOT Construction and Materials personnel, submittal of outstanding material deficiencies, submittal of record drawings, and preparation of final documents. However, it is not feasible to predict the length of time required for IDOT to process outstanding authorizations or review and approve material inspection documentation. Therefore, once all required documentation has been submitted to IDOT for closeout, we have no control over the length of time required to obtain IDOT sign-offs for closeout.

We believe it is possible for the contractor to complete the roadway elements of the contract sooner than the August 15th date, or to complete the roadway elements prior to completion of signal modifications. If this occurs and there is a lapse of time with no contractor activities, we will remove staff from the project until the remaining contract work is completed, in effort to reduce cost of our services to the Village.

Fee

We propose to perform the work on the basis of a "not to exceed fee" of $68,473. Compensation for our work will be based on actual labor dollars expended times a factor of 2.8 to cover payroll, payroll burden, overhead and indirect costs, and profit. The only direct costs we anticipate will be for vehicle expenses at $45/day, and subconsultant costs which will be billed based on their actual costs. STATE Testing will provide QA material testing services for us under this contract.

We have assumed an 8 hour work day, 5 days per week and will hold our manhours to these assumptions regardless of actual hours worked by the contractor to show our commitment to Glen Ellyn in reducing costs for our services. Having been given an opportunity to display our capabilities and level of service to the Village on this project, our goal is to earn your trust and confidence in those abilities at a fair value.

We look forward to providing you "service at the highest grade" on this important and much needed project, and thank you for giving our firm this opportunity.

thomas engineering group

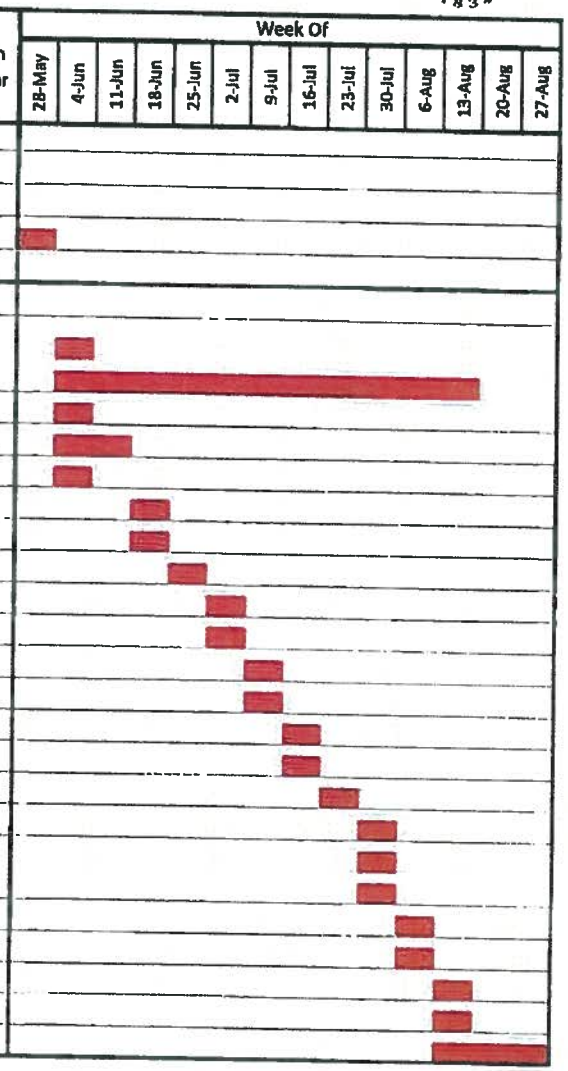
Estimated Construction Schedule - Thomas Engineering Group

Lambert Road at IL 38 Improvements

Village of Glen Ellyn

Construction Year 2012

Task No.	Task Description	Task Duration (Calendar Days)
Preconstruction		
1	Contract Award	0
2	Preconstruction Meeting	0
3	Submittal Review and Approval	0
Construction		
1	Begin Construction	0
2	Traffic Control and Protection / Temp. Info Signing	73
3	Mobilization / Pre-Con Video	1
4	Temporary Signals & Lighting installation/Turn On	10
5	Erosion Control Installation	1
6	Removals & Establish Temp. Access, W. Side Lambert	2
7	Drainage Improvements & Underground for signals	3
8	Curb & gutter/Class C patch/SW/Driveways/Brick Paver Repl.	5
9	Signal Improvements SW Corner	5
10	Curb & gutter/SW/Dectectable Warning NW & NE Corners	2
11	Removals/Earth Exc/Establish Temp. Access, E. Side Lambert	3
12	Drainage Improvements & Fire Hydrant Relocate	2
13	Underground for signals & lighting, SE Corner	3
14	Grade/Place subbase	3
15	C&G/SW/Driveways	5
16	HMA Base Course for widening	1
17	HMA surface removal	2
18	Signal & Lighting Improvements SE Corner	3
19	Signal Improvements NW & NE Corners	3
20	HMA Leveling Binder & Surface course	2
21	Landscape Restoration/Brick Paver Placement	1
22	Punch List & Clean up	5
23	Record Drawings & Closeout	12



Critical Dates

BEGIN CONSTRUCTION JUNE 4, 2012

PROJECT COMPLETION AUGUST 15, 2012 (73 Calendar Days)

COMPLETE CLOSEOUT AUGUST 31, 2012 (Pending IDOT processing & approval timeframe)

Cost Estimate of Consultant Services

(Direct Labor Multiple)

Firm	Thomas Engineering Group, LLC	Date	05/11/12
Route	Lambert Road at IL 38 Intersection Improvement		
Section	05-00069-00-CH	Overhead Rate	126.14%
County	DuPage		
Job No.	C-91-139-08	Complexity Factor	0
PTB & Item	155		

DBE DROP BOX	ITEM	MANHOURS (A)	PAYROLL (B)	(2.80+R) TIMES PAYROLL (C)	DIRECT COSTS (D)	SERVICES BY OTHERS (E)	DBE TOTAL (C+D+E)	TOTAL (C+D+E)	% OF GRAND TOTAL
	Coordination	12	636.00	1,780.80				1,780.80	2.60%
	Pre-Construction	44	2,352.00	6,585.60				6,585.60	9.62%
	Construction Insepction	446	12,758.00	35,722.40				35,722.40	52.17%
	Utility Coordination	24	1,272.00	3,561.60				3,561.60	5.20%
	Post Construction	96	4,268.00	11,950.40				11,950.40	17.45%
	Material Inspection					5,767.44	5,767.44	5,767.44	8.42%
	Direct Cost				3,105.00			3,105.00	4.53%
	TOTALS	622	21,286.00	59,600.80	3,105.00	5,767.44	5,767.44	68,473.24	100.00%

DBE 8.42%

BDE 026 (Rev. 2/06)

Payroll Rates

FIRM NAME Thomas Engineering Group, LL **DATE** 05/11/12
PRIME/SUPPLEMENT Prime
PTB NO.

ESCALATION FACTOR 0.00%

CLASSIFICATION	CURRENT RATE	ESCALATED RATE
Principal	$70.00	$70.00
Roadway QC/QA Manager	$52.00	$52.00
Drainage Engineer	$48.00	$48.00
Design Engineer/Permit Lead	$46.00	$46.00
Surveyor	$34.00	$34.00
Watermain/Pump Design Technician	$29.50	$29.50
CADD/Survey Technician	$32.50	$32.50
Project Manager	$58.00	$58.00
Senior Resident Engineer	$53.00	$53.00
Assistant Resident Engineer	$18.00	$18.00

Illinois Department of Transportation

Average Hourly Project Rates

Route	Lambert Road at IL 38 Intersection Improvement
Section	05-00069-00-CH
County	DuPage
Job No.	C-91-139-08
PTB/Item	

Consultant: Thomas Engineering Group, LLC

Date 05/11/12

Sheet 1 OF 1

Payroll Classification	Avg Hourly Rates	Total Project Rates			Coordination			Pre-Construction			Construction Inspection			Utility Coordination			Post Construction		
		Hours	% Part.	Wgtd Avg	Hours	% Part.	Wgtd Avg	Hours	% Part.	Wgtd Avg	Hours	% Part.	Wgtd Avg	Hours	% Part.	Wgtd Avg	Hours	% Part.	Wgtd Avg
Principal	$70.00	0																	
Roadway QC/QA Manager	$52.00	0																	
Drainage Engineer	$48.00	0																	
Design Engineer/Permit Lead	$46.00	0																	
Surveyor	$34.00	0																	
Watermain/Pump Design Tech	$29.50	0																	
CADD/Survey Technician	$32.50	0																	
Project Manager	$58.00	30	4.82%	2.80				4	9.09%	5.27	22	4.93%	2.86				4	4.17%	2.42
Senior Resident Engineer	$53.00	254	40.84%	21.64	12	100.00%	53.00	40	90.91%	48.18	110	24.66%	13.07	24	100.00%	53.00	68	70.83%	37.54
Assistant Resident Engineer	$18.00	338	54.34%	9.78							314	70.40%	12.67				24	25.00%	4.50
		0																	
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TOTALS		622	100%	$34.22	12	100%	$53.00	44	100%	$53.45	446	100%	$28.61	24	100%	$53.00	96	100%	$44.46

Illinois Department of Transportation

Cost Estimate of Consultant Services

(Direct Labor Multiple)

Firm	STATE TESTING
Route	F.A.U. 2576 (Lambert)
Section	05-00069-00-CH
County	DuPage
Job No.	C-91-139-08
PTB & Item	NA

Date 05/11/12

Overhead Rate %

Complexity Factor 0

ITEM	MANHOURS (A)	PAYROLL (B)	(2.8+R) TIMES PAYROLL (C)	DIRECT COSTS (D)	SERVICES BY OTHERS (E)	TOTAL (C+D+E)	% OF GRAND TOTAL
Materials QA Testing	40	1,578.43	4,419.60	1,347.84		5,767.44	100.00%
TOTALS	40	1,578.43	4,419.60	1,347.84	0.00	5,767.44	100.00%

Illinois Department of Transportation

Payroll Rates

FIRM NAME STATE TESTING DATE 05/11/12
PRIME/SUPPLEMENT SUB
PTB NO. NA

ESCALATION FACTOR 1.00%

CLASSIFICATION	CURRENT RATE	ESCALATED RATE
Principal Engineer	$70.00	$70.00
Associate Engineer	$60.00	$60.60
Senior Engineer-	$32.01	$32.33
Professional Engineer	$48.38	$48.86
Materials Coordinator	$41.08	$41.49
Labatory Manager	$41.15	$41.56
Quality Assurance Manager	$34.90	$35.25
Accountant-	$0.00	$0.00
CWI	$43.50	$43.94
Level III Technician	$39.36	$39.75
Level II Technician	$37.90	$38.28
Level I Technician	$38.84	$39.23
Material Tetster 2	$39.07	$39.46
Material Tester 1	$39.07	$39.46
Apprentice	$0.00	$0.00
Lab Technician II	$26.17	$26.43
Lab Technician	$15.00	$15.15
Admin assistant II	$23.05	$23.28
Admin Assistant I	$17.00	$17.17
		$0.00
		$0.00
		$0.00
		$0.00
		$0.00
		$0.00
		$0.00
		$0.00
		$0.00
		$0.00
		$0.00
		$0.00
		$0.00
		$0.00
		$0.00

Illinois Department of Transportation

Average Hourly Project Rates

Route	F.A.U. 2576 (Lambert)
Section	05-00069-00-CH
County	DuPage
Job No.	C-91-139-08
PTB/Item	NA

Consultant STATE TESTING

Date 05/11/12

Sheet 1 OF 1

Payroll Classification	Avg Hourly Rates	Total Project Rates Hours	% Part.	Wgtd Avg	Materials QA Testing Hours	% Part.	Wgtd Avg	Hours	% Part.	Wgtd Avg	Hours	% Part.	Wgtd Avg	Hours	% Part.	Wgtd Avg	Hours	% Part.	Wgtd Avg
Principal Engineer	$70.00	0																	
Associate Engineer	$60.60	0																	
Senior Engineer-	$32.33	0																	
Professional Engineer	$48.86	0																	
Materials Coordinator	$41.49	0																	
Labatory Manager	$41.56	0																	
Quality Assurance Manager	$35.25	0																	
Accountant-		0																	
CWI	$43.94	0																	
Level III Technician	$39.75	0																	
Level II Technician	$38.28	0																	
Level I Technician	$39.23	0																	
Material Tetster 2	$39.46	4	10.00%	3.95	4	10.00%	3.95												
Material Tester 1	$39.46	36	90.00%	35.51	36	90.00%	35.51												
Apprentice		0																	
Lab Technician II	$26.43	0																	
Lab Technician	$15.15	0																	
Admin assistant II	$23.28	0																	
Admin Assistant I	$17.17	0																	
		0																	
		0																	
		0																	
		0																	
		0																	
		0																	
		0																	
		0																	
		0																	
		0																	
		0																	
TOTALS		40	100%	$39.46	40	100%	$39.46	0	0%	$0.00	0	0%	$0.00	0	0%	$0.00	0	0%	$0.00

Direct Cost Breakdown
Lambvert

Vehicles

	Unit Cost	Quantity	Units	Total Cost
Daily Charge	$ 45.00	5	Days	$ 225.00

$ 225.00

Lab Testing

BITUMINOUS MATERIALS LABORATORY SERVICES				
COMPLETE IDOT SUPERPAVE MIX DESIGN	$7,370		EACH	$0
COMPLETE ISHTA SUPERPAVE MIX DESIGN (W/Bailey Method VMA)	$8,500		EACH	$0
COMPLETE SMA MIX DESIGN	$10,500		EACH	$0
SUPERPAVE/SMA DESIGN MIX VERIFICATION (ONE-POINT)	$1,980		EACH	$0
SUPERPAVE/SMA DESIGN MIX VERIFICATION (W/Bailey Method VMA)(ONE-POINT)	$2,500		EACH	$0
TENSILE STRENGTH RATIO (T.S.R.) (ASTM D 4867) MARSHALL MIX DESIGN	$635		EACH	$0
TENSILE STRENGTH RATION (TSR) SUPERPAVE MIX DESIGN	$845		EACH	$0
BULK SPECIFIC GRAVITY (Gmb, or "d") GYRATORY SPECIMEN (AVG. OF 2)	$415		EACH	$0
SUPERPAVE AND SMA – MAXIMUM SPECIFIC GRAVITY(Gmm)	$125		EACH	$0
EXTRACTION (REFLUX) WITH WASHED GRAD. (ASTM D 2172,C 136)	$300		EACH	$0
EXTRACTION (REFLUX) WITH WASHED GRAD. (ASTM D 2172,C 136)	$225		EACH	$0
EXTRACTION (CENTRIFUGE) WITH WASHED GRAD.W/MOISTURE CORR. (ASTM C-566 & D-146)	$495		EACH	$0
SUPERPAVE – MAXIMUM SPECIFIC GRAVITY(Gmm)-one test &BULK SPECIFIC GRAVITY (Gmb)-Avg. of 2	$550		EACH	$0
STABILITY AND FLOW (AVG. OF 3) (ASTM 1559, D 2726)	$385		EACH	$0
PAVEMENT ANALYSIS – SINGLE CORE(4")				$0
W/SAW CUTTING (ASTM D 2726)	$60	6	EACH	$360
PAVEMENT ANALYSIS – SINGLE CORE(6")	$60			$0
W/SAW CUTTING (ASTM D 2726)	$60		EACH	$0
NUCLEAR CORRELATION UP TO 4 GAUGES	$550		EACH	$0
-ADDITIONAL GAUGES (EACH)	$55		EACH	$0
-LINEAR REGRESSION OF CORES (15 CORES/$25 EACH)	$715		EACH	$0
INVESTIGATIVE CORING – (INCLUDES ON-SITE CUTTING, DELIVERY TO LAB, UP TO 4 HOURS)	$990		EACH	$0
RENTAL OF GYRATORY COMPACTOR PER DAY	$550		EACH	$0
CORE ANALYSIS, 6"-EACH CORE (DENSITY & REFLUX)	$495		EACH	$0
ALL BUSTED MIX DESIGNS			EACH	
AGGREGATE LABORATORY SERVICES				
DRY GRADATION (ASTM C 136)	$95		EACH	$0
WASHED GRADATION (ASTM C 136)	$135		EACH	$0
SPECIFIC GRAVITY AND ABSORPTION (ASTM C 127, C 128)	$220		EACH	$0
MOISTURE CONTENT	$70		EACH	$0
MINERAL FILLER GRADATION (ASTM D 546)	$119		EACH	$0
PGE TESTING (Washed Gradation)	$255		EACH	$0
PGE TESTING (Dry Gradation)	$205		EACH	$0
AGGREGATE LABORATORY SERVICES(Cont)				
LOS ANGELES ABRASION (ASTM C 131)	$198		EACH	$0

FIVE CYCLE SOUNDNESS			EACH	$0
	$495		EACH	$0
UNCOMPACTED VOID CONTENT (fine eggregat	$131		EACH	$0
FLAT AND ELONGATED PARTICLES (ASTM D4	$135		EACH	$0
SAND EQUIVALENT (ASTM D 2419)	$130		EACH	$0
FRACTURED PARTICLES (coarse aggregate ang	$130		EACH	$0
AGGREGATE ABSORPTION (AVG. OF 3) (ASTM	$130		EACH	$0
UNIT WEIGHT (ASTM C 29)	$95		EACH	$0
DELETERIOUS COUNT	$130		EACH	$0
PORTLAND CONCRETE LABORATORY SERVICES *				
COMPRESSIVE STRENGTH OF CYLINDERS				
WITH CURE TIME UP TO 28 DAYS-S.T.A.T.E. T	$21	12	EACH	$252
WITH CURE TIME UP TO 28 DAYS-non-S.T.A.T.I	$30		EACH	$0
FLEXURAL STRENGTH OF BEAMS WITH			EACH	$0
IL. MODIFIED SINGLE POINT LOADING	$55		EACH	$0
FLEXURAL STRENGTH OF BEAMS WITH			EACH	$0
ASTM THREE POINT LOADING	$66		EACH	$0
SULFUR CAPPING	$65		EACH	$0
NON-DESTRUCTIVE TEST-SCHMIDT HAMMER	$600		EACH	$0
HIGH STRENGTH/HIGH PERFORMANCE CYLIN	$75		EACH	$0
A.S.R. TESTING 14-DAY (ASTM C 1260)	$1,050		EACH	$0
CYLINDER PICK-UP	$215	2	EACH	$430
SOILS LABORATORY SERVICES *				
STANDARD PROCTOR (AASHTO T99, ASTM D6	$225		EACH	$0
MODIFIED PROCTOR (AASHTO T180, ASTM D1	$250		EACH	$0
PLASTICITY INDEX (AASHTO T90, ASTM D4318	$275		EACH	$0
HYDROMETER TEST (AASTO T-88)	$135		EACH	$0
ORGANIC CONTENT (AASHTO T-267, ASTM D-:	$135		EACH	$0
PH OF SOILS (AASHTO T-289)	$160		EACH	$0
LIQUID & PLASTIC LIMIT	$95		EACH	$0
CLASSIFICATION OF SOIL	$109		EACH	$0
TOTAL LABORATORY CHARGES				$1,042

Premium Overtime

			Premium	Est OT Hours		
Overtime	Senior Technician		$ -	0	$	-
	Level III	$38.14	$ 19.07	0	$	-
	Level II	$35.59	$ 17.80	0	$	-
	Level I	$33.09	$ 16.55	0	$	-
	Material Tester 2	$37.48	$ 18.74	0	$	-
	Material tester 1	$37.48	$ 18.74	0	$	-

Night Differential

Level III	$38.14	$ 3.81	0	$	-
Level II	$35.59	$ 3.56	0	$	-
Level II	$33.09	$ 3.31	0	$	-
Material Tester 2	$37.48	$ 3.75	0	$	-
Material tester 1	$37.48	$ 3.75	0	$	-
Per union Contract hours between 6pm and 6am receives 10% Shift differential					$ -

Premium Overtime due to Prevailing Wage

Other	Cell Phone	$70	EACH	$0	
	Postage	$51.58	At Cost	$10	$80.84
	Total Direct Cost				$ 1,347.84

Hampton, Lenzini and Renwick, Inc.
Civil Engineering • Structural Engineering • Environmental Services • Land Surveying
www.hlrengineering.com

June 5, 2012

Mr. Robert J. Minix, P.E.
Village of Glen Ellyn
Public Works Department
30 S. Lambert Road
Glen Ellyn, Illinois 60137

Re: Illinois Route 38 and Lambert Road
Phase II Design Engineering

Dear Mr. Minix:

I am writing to request an increase in the upper limit of the engineering agreement between the Village and HLR approved on May 23, 2005, and revised by amendment on September 13, 2010.

As you are aware, the original targeted letting date for this improvement was April 23, 2010. This was postponed due to delays in acquiring the necessary right-of-way. As the right-of-way acquisition progressed, several later letting dates were targeted and subsequent submittals made to IDOT. Each subsequent submittal required at least moderate revisions to the plans and specifications to meet IDOT's latest requirements. Major plan and specification revisions were required after IDOT changed traffic signal design, specification and plan format requirements in late 2009 (the previous design had already been approved for the original letting date), and again at the beginning of 2012, when the current Standard Specifications were adopted.

In addition to plan and specification revisions, we were notified in late 2011 that the previous environmental clearances had expired, which required a new Preliminary Environmental Site Assessment (PESA) request, coordination with IDOT's environmental unit, resubmission of environmental data, and yet another revision to the plans and specifications.

The project was let on April 27, 2012, and recommended for award of construction contract.

To cover the costs incurred in providing these non-scoped services necessary due to right-of-way acquisition delays, we are requesting that the upper limit be increased by $10,812, for a total revised agreement amount of $73,339, which covers both Phase I and Phase II of the project. I have enclosed a summary of man-hours and costs associated with making said changes.

380 Shepard Drive
Elgin, Illinois 60123-7010
Tel. 847.697.6700
Fax 847.697.6753

3085 Stevenson Drive, Suite 201
Springfield, Illinois 62703
Tel. 217.546.3400
Fax 217.546.8116

1335 Lakeside Drive, Unit 4
Romeoville, Illinois 60446
Tel. 847.997 1211

Should you have any questions or require additional information regarding this matter, please do not hesitate to call. Thank you for your consideration.

Very truly yours,

HAMPTON, LENZINI AND RENWICK, INC.

By: Al Stott

Al Stott, P.E.

MAS:dlh
Enclosure

P:\03\03040036\docs\letters\6-05-12 Minix - increase request.docx

Accepted this _____ day of _____, 2012.

Village of Glen Ellyn

By: _____

Title: _____

Approved by the Glen Ellyn Village Board on _____.

Village of Glen Ellyn
IL 38/Lambert Road Improvements
Summary of Design Engineering Extra Costs

- Phase II design of the improvement begins in May of 2009 with a targeted letting date of April 23, 2010.
- October 28, 2009, IDOT issues new traffic signal design policy changing design, specs and plan format.
- December 1, 2009, **pre-final plans submitted** to IDOT Bureau of Local Roads.
- Delays in acquiring necessary right-of-way delay project.
- March, 2010, new signal design requirements become effective. (Because HLR had met with Bureau of Traffic and had signal plans approved in August of 2009, IDOT waived the new requirements for this project for the April 23, 2010 letting.)
- August 6, 2010, tentatively changed target letting date to January 21, 2011.
- August 31, 2010, letting changed to March 11, 2011 due to ROW acquisition delays.
- October 26, 2010, letting changed to April 29, 2011 due to ROW delays.
- December 20, 2010, **2nd pre-final submittal** to IDOT (for April 29, 2011 letting).
- April 8, 2011, letting changed to August 5, 2011.
- May, 2011, targeting November 18, 2011 letting.
- August 29, 2011 **final submittal** to IDOT for November 18, 2011 letting.
- September 30, 2011, notified by IDOT original PESA (Preliminary Environmental Site Assessment) expired.
- February 6, 2012, **2nd final submittal** to IDOT for April 27, 2012 letting.
- March 28, 2012, received notification from IDOT that PSI (Preliminary Site Investigation) would not be required however; revisions to plans, specifications and estimate would be required.
- April 3, 2012, submitted revisions to IDOT.

Village of Glen Ellyn
IL 38/Lambert Road Improvements
Summary of Additional Design Engineering Changes
April 13, 2012

Target letting	Pre-final submittal	Final submittal	Critical dates	Comments/ Disposition	Labor	Name	Class	Hours	Cost	Dates
			5/2009	begin Phase II design						
			8/2009	signal plans approved by Bureau of Traffic						
			10/28/2009	New IDOT signal design policy (specs, format, design)						
4/23/2010	12/1/2009			pre-final submittal - in scope						
				delay letting for ROW acquisition						
			1/1/2010	New IDOT pay items, supple specs & check sheets						
4/29/2011	12/20/2010			2nd pre-final submittal - non scope	DE	Dirk	E4	13	$ 1,222	12/15 - 12/20/10
					DR	Steve	T5	6	$ 462	12/16 - 12/20/10
				delay letting for ROW acquisition						
			4/29/2011	New signal design policy takes effect						
11/18/2011		8/29/2011		final submittal - in scope	DE	John Sch	E6	19.5	$ 2,145	8/10 - 8/26/11
					DE	Brien	E1	3.5	$ 252	8/22 - 8/26/11
			9/20/2011	submit signal changes - non scope	DR	Brien	E1	5.5	$ 396	8/11 - 8/16/11
					PC	Deb	C2	4	$ 272	8/17 - 8/29/11
				delay letting till 2012 - ROW acquisition	DE	John Sch	E6	2	$ 220	9/12 - 9/19/11
					PA	Al	E9	1	$ 140	9/20/2011
			10/3/2011	PESA update request - non scope	CC	Al	E9	1	$ 140	10/3 - 10/4/11
					CC	Erica	E8	4.25	$ 565	10/3 - 10/6/11
			1/1/2012	New IDOT spec book, pay items, etc.						
3/27/2012		2/6/2012		2nd final submittal - non scope	DE	John Sch	E6	4	$ 444	1/26 - 2/2/12
					DE	Dirk	E4	15	$ 1,455	1/26 - 2/6/12
					DR	Steve	T5	9.5	$ 741	2/1 - 2/7/12
					PA	Al	E9	1	$ 140	3/28 - 3/29/11
					CC	AL	E9	1	$ 140	2/2/2002
					PC	Deb	C2	6.5	$ 449	1/31 - 2/1/12
				PESA follow-up (2012)	CC	Al	E9	1	$ 71	3/14 - 3/16/12
					CC	Erica	E9	5.5	$ 781	1/12 - 3/28/12
					DE	Dirk	E4	6	$ 582	2/7 - 3/29/12
					DR	Steve	T5	2.5	$ 195	2/7 - 3/29/12
				TOTALS				111.75	$10,812	