# VILLAGE OF LOMBARD REQUEST FOR BOARD OF TRUSTEES ACTION

For Inclusion on Board Agenda

X	Resolution or Ordinance (Bl Recommendations of Boards Other Business (Pink)	ue) X Waits, Commissions & Con	ver of First Requested mmittees (Green)		
TO:	PRESIDENT AND BOARD OF TRUSTEES				
FROM:	David A. Hulseberg, Village Manager				
DATE:	August 27, 2013 (B of T) Date: September 5, 2013				
TITLE:	PC 13-12: 1111 N. Ridge Avenue – United Delivery Service, Ltd.				
SUBMITTED BY:	Department of Community Development				
BACKGROUND/POLICY IMPLICATIONS: Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village grant a conditional use, pursuant to Section 155.420 (C) of the Zoning Ordinance, to allow for a Distribution Center within the I – Limited Industrial District. (DISTRICT #1)  The Plan Commission recommended approval of the zoning actions associated with the petition. The petitioner has requested a waiver of first reading.					
Fiscal Impact/Funding Source:					
Review (as necessary Village Attorney X _	):		Date		
Finance Director X			Date		
Village Manager X _			Date		

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.

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#### **MEMORANDUM**

TO:

David A. Hulseberg, AICP, ICMA-CM Village Manager

FROM:

William J. Heniff, AICP

Director of Community Development

**DATE:** 

September 5, 2013

**SUBJECT:** 

PC 13-12; 1111 N. Ridge Avenue – United Delivery Service, Ltd.

Attached please find the following items for Village Board consideration as part of the September 5, 2013 Village Board meeting:

- 1. Plan Commission referral letter;
- 2. IDRC report for PC 13-12;
- 3. Completed Standards for Conditional Uses;
- 4. An ordinance granting a conditional use, pursuant to Section 155.420 (C) of the Zoning Ordinance, to allow for a Distribution Center within the I Limited Industrial District; and
- 5. Plans associated with the petition.

The Plan Commission recommended approval of the zoning actions associated with the petition. The petitioner has requested a waiver of first reading.

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#### VILLAGE OF LOMBARD

255 E. Wilson Ave. Lombard, Illinois 60148-3926 (630) 620-5700 Fax (630) 620-8222 www.villageoflombard.org

September 5, 2013

Mr. Keith T. Giagnorio, Village President, and Board of Trustees Village of Lombard

Subject: PC 13-12; 1111 N. Ridge Avenue – United Delivery Service, Ltd.

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village grant a conditional use, pursuant to Section 155.420 (C) of the Zoning Ordinance, to allow for a Distribution Center within the I – Limited Industrial District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on August 19, 2013.

Sworn in to present the petition were Ron Castaldo of United Delivery Service, Ltd. (UDS), 1220 National Avenue, Addison, IL and Mike Castaldo, the attorney for UDS. Ron Castaldo stated that UDS is purchasing the building at 1111 N. Ridge Avenue. UDS has been in business for over forty (40) years and has over 500 customers for which they deliver general commodities, but do not handle any hazardous materials. The company is looking to consolidate the operations of two existing locations in Addison and Itasca. Mr. Castaldo stated that UDS chose the Village of Lombard because it is centrally located and they are able to conduct their distribution operations, and some warehousing, within the proposed location.

Elaborating on their operations, Mr. Castaldo stated that UDS take in deliveries through tractor-trailers in stages throughout the evening, starting at approximately 6:00 PM and every few hours thereafter. A staff of approximately twenty (20) then sorts the deliveries overnight and routes it either for temporary warehousing or same day pickup. The smaller deliveries go out for redistribution via smaller delivery vehicles in the morning, starting at approximately 6:00 AM and every one to three hours thereafter. Mr. Castaldo stated that both sides of the building will be utilized for loading deliveries in order to minimize congestion and cause no additional impact on traffic to and from the area. Finally, throughout the daytime hours UDS has an office staff of approximately fifteen (15) to (20) within the building.

Village President Keith T. Giagnorio

Village Clerk Sharon Kuderna

#### **Trustees**

Dan Whittington, Dist. 1 Michael A. Fugiel, Dist. 2 Reid Foltyniewicz, Dist. 3 Peter Breen, Dist. 4 Laura A. Fitzpatrick, Dist. 5 William "Bill" Ware, Dist. 6

Village Manager David A. Hulseberg

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."

"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard." There being no questions or comments from the public, Chairperson Ryan requested the staff report.

Matt Panfil, Senior Planner, presented the staff report, which was submitted to the public record in its entirety. There are two issues at hand. First, the previous public hearing, PC 13-14, established new terms and definitions for a distribution center, which requires a conditional use permit. The proposed physical improvements required for the petitioner to function at their maximum efficiency include: approximately 7,200 square feet (of 65,000 total square feet) of remodeled interior space for offices and a dispatch room, twenty-four (24) new overhead doors for small vehicle loading, and a new parking lot and dry bottom detention basin at the south end of the lot.

Mr. Panfil stated that the amount of parking spaces and loading births provided actually exceed the amount required by the Zoning Ordinance.

As the site is located within an industrial park, staff finds that the proposed use is compatible with the surrounding zoning and land uses as well as the Comprehensive Plan's light industrial designation. The site also meets all other Zoning Ordinance criteria.

Staff further finds that the proposed use will not have a negative impact on the Village's transportation network based on: a.) the petitioner's representation that almost all of the traffic to and from the site, particularly the tractor-trailers, occurs at non-peak hours; b.) the site is far enough removed from residential uses that the late night and early morning loading and unloading will not represent a nuisance; and c.) Ridge Avenue is a non-through street where traffic is generally limited to vehicles having a direct interest in the adjacent businesses.

Staff recommends approval of PC 13-12.

There being no questions or comments for staff from the public, Chairperson Ryan opened the petition to the Commissioners. There were no comments from the Commissioners.

On a motion by Commissioner Burke and a second by Commissioner Flint, the Plan Commission voted 5 to 0 that the Village Board **approve** the conditional use associated with PC 13-12, subject to the following conditions:

- 1. The conditional use shall be valid only for a distribution center and shall not be interpreted as permitting the operation of a truck terminal;
- 2. That the petitioner shall develop the site in accordance with the plans dated July 11, 2013 and submitted as part of this request;
- 3. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;

4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the distribution center is not operating by said date, this relief shall be deemed null and void.

Respectfully,

Donald Ryan, Chairperson Lombard Plan Commission

c. Lombard Plan Commission

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# PLAN COMMISSION

#### INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

## <u>UNITED DELIVERY SERVICE – 1111 N. RIDGE AVENUE</u>

#### **AUGUST 19, 2013**

#### Title

PC 13-12

#### Petitioner

United Delivery Service, Ltd. c/o Ron Castaldo 1220 National Ave. Addison, IL 60101

#### **Property Owner**

Castaldo & Kasovic, Ltd. 1220 National Ave. Addison, IL 60101

# **Property Location**

1111 N. Ridge Avenue (03-31-403-001)

#### Zoning

I Limited Industrial

#### **Existing Land Use**

Industrial Building (Formerly ATI Carriage House, Inc.)

#### **Comprehensive Plan**

Light Industrial

#### **Approval Sought**

Conditional Use to allow for a Distribution Center (See PC 13-14) within the I Limited Industrial Zoning District.

#### **Prepared By**

Matt Panfil, AICP Senior Planner



**LOCATION MAP** 

#### **PROJECT DESCRIPTION**

The petitioner, United Delivery Service, Ltd. (UDS), is proposing to operate a distribution center within an existing structure on the subject site. Operationally, UDS takes in deliveries of general commodities via tractor-trailer (usually occurring in the evening) and then sorts the deliveries for redistribution, and less frequently storage, via smaller delivery vehicles (usually occurring in the early morning).

In order to function at their maximum efficiency, UDS has proposed several alterations to the existing structure, including remodeled interior offices and dispatch room (approximately 7,200 square feet of the 65,000 square foot building) as well as twenty-four (24) new overhead doors for small vehicle loading.

In addition to the alterations to the existing structure, UDS is also proposing to construct a new parking lot, loading area, and dry bottom detention basin at the south end of the lot.

#### APPROVAL(S) REQUIRED

Per Section 155.420 (C) of the Zoning Ordinance (as amended by PC 13-14), a Distribution Center requires a conditional use permit within the I Limited Industrial Zoning District. Please note that prior to PC 13-14 the most similar term in the Zoning Ordinance for the proposed use was "cartage and express facility," also a conditional use.

# **PROJECT STATS** Lot & Bulk Parcel Size: 4.1 acres 180,400 sq. ft. **Building Size:** 65,000 sq. ft. Proposed Lot Approx. 23% Coverage: Setbacks Front (west) 25 feet Side (north) 88 feet Side (south) 165 feet 40 feet Rear (east) **Parking Spaces** Supply: 67, 3 Accessible

**Loading Spaces** 

Supply: 6 Long Berths

Demand: 29 (Office)

(64' x 22')

+ 34 (Warehouse) 63, 3 Accessible

24 Overhead Doors

Demand: 2 Long Berths (50' x 12')

#### **Submittals**

- 1. Petition for Public Hearing
- 2. Response to Standards for Conditional Use
- 3. Plat of Survey, prepared by TFW Surveying & Mapping, Inc., dated June 13, 2013 and submitted and submitted July 27, 2013.
- 4. Site Improvement Plan, prepared by Soltys Design Build, dated July 11, 2013 and submitted July 27, 2013.

#### **EXISTING CONDITIONS**

The subject property is bounded by light industrial uses on all sides. A railroad and public utility easement runs along the east side of the property. The southern third of the site is unimproved. Currently there is only one (1) ingress/egress point at the north end of the site which provides access to 64 passenger vehicle-sized parking spaces. The structure has six (6) overhead doors that provide access to eleven (11) internal loading berths.

# **INTER-DEPARTMENTAL REVIEW**

# **Building Division:**

A full building permit review is occurring concurrently with the public hearing process.

#### Fire Department:

The petitioner has indicated that "general commodities" will be stored on-site. The general commodities will need to be strictly defined and categorized according to the Village of Lombard Fire Codes. The resulting classification will require subsequent review by a licensed professional engineer to analyze the ability of the buildings' current fire protection equipment to adequately protect the commodities and structure.

## **Private Engineering Services:**

Private Engineering Services has already provided the petitioner with detailed engineering review comments.

#### **Public Works:**

The Department of Public Works has no issues or concerns regarding the project.

#### Planning Services Division:

#### 1. Surrounding Zoning & Land Use Compatibility

y fylyddigaith	Zoning Districts	Land Use	
North		Direct Mail Processing	
		and Printing	
South	I Limited Industrial	Tool and Manufacturing	
East	1	Multi-Tenant Industrial	
West		Multi-Tenant Industrial	

Located within the heart of a large I Limited Industrial Zoning District, the proposed use is consistent with the Zoning Map and existing land use of the surrounding properties.

#### 2. Comprehensive Plan Compatibility

The Comprehensive Plan recommends light industrial uses, defined as manufacturing, assembly, production, storage, and distribution and warehousing, for the subject site. As distribution is its primary function, the proposed use is consistent with the Comprehensive Plan.

#### 3. Zoning Ordinance Compatibility

The existing structure and proposed alterations meet all lot, bulk, and setback standards for the I Limited Industrial District. With the additional parking lot at the south end of the site the petitioner has provided a surplus of four (4) parking spaces. All parking spaces and drive aisles meet the established dimensional standards.

#### 4. Site Plan: Access & Circulation

Concerns regarding the impact of turning movements of tractor-trailers within the public right-of way are mitigated to some extent by the fact that tractor-trailer deliveries occur during off-peak hours later in the evening/early morning. Staff generally recommends a unified parking plan to eliminate the need for a second curb cut; however, in this instance the existing structure does not allow for such a plan. Staff finds that the overall impact on the Village's transportation network will not have a negative impact based on the following considerations: a.) the petitioner's representation that almost all of the traffic flow to and from the site occurs at non-peak hours (see Response to Standards for Conditional Use Item 1); b.) the site is far enough removed from residential uses that late night / early morning loading and unloading will not represent a nuisance; and c.) Ridge Avenue is a non-through street where traffic is generally limited only to vehicles having a direct interest in an adjacent business.

#### **SITE HISTORY**

The site was first developed in 1979 and was most recently home to ATI Carriage House, Inc. (1995-2013) before being purchased by UDS. The site has no prior appearances before the Plan Commission, Zoning Board of Appeals, or Village Board of Trustees.

#### **FINDINGS & RECOMMENDATIONS**

Staff finds that the proposed distribution center is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, and the Zoning Ordinance (as amended by PC 13-14).

The Inter-Department Review Committee has reviewed the standards for the requested conditional use permit for a distribution center and finds that provided the petitioner can sufficiently address any and all concerns regarding fire prevention or engineering, the use **complies** with the standards established by the Village of Lombard Zoning Ordinance, subject to conditions of approval based on the above considerations. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 13-12:

Based on the submitted petition and the testimony presented, the proposed conditional use does comply with the standards required by the Village of Lombard Zoning Ordinance and that granting the conditional use permit is in the public interest and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Report as the findings of the Plan Commission, and recommend to the Village Board approval of PC 13-12, subject to the following conditions:

1. The conditional use shall be valid only for a distribution center and shall not be interpreted as permitting the operation of a truck terminal;

- 2. That the petitioner shall develop the site in accordance with the plans dated July 11, 2013 and submitted as part of this request;
- 3. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
- 4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the distribution center is not operating by said date, this relief shall be deemed null and void.

Inter-Departmental Review Committee Report approved by:

William J. Heniff, AICP

M-JA

Director of Community Development

c. Petitioner

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# Brief Outline of United Delivery Service, Ltd. Operations

United delivery Service has been in business for over 40 years servicing hundreds of customers with their warehouse and distribution needs. The basic business model of our company is to take in loads of general commodities to be warehoused and distributed as needed by our customers.

Outside of the basic operational outline itemized above we have a small staff working in the evening and early morning hours to receive and manage the inbound work. We have a CSR team of around 9 that come in during the regular business hours in order to assist with the needs of our customers. With this being the home office for our company this location also houses our billing department, HR department, and officers of the company

# Response to Standard for Conditional Uses

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.

Our business operations take place within the interior confines of the building. We do not manufacture products within this building and therefore would not be producing any loud manufacturing noise or releasing any hazardous emissions within or outside of the building. We handle all types of general commodities coming into our facility on a nightly basis to either be warehoused or distributed in a 1 to 2 day period. The work we warehouse flows out as requested by the customers with the daily outbound work. Our business is structured so that we do not impact the overall traffic flow at any given time. We set our traffic flow to and from the building so that our people have easy access and also to prevent any congestion in the area. 85% of our traffic is outside the hours of a normal business traffic flow in a day. We have about 6 tractors coming in between the hours of 6PM and midnight and another 9 Tractors arriving between 12:30AM and 4:30AM. We will then have passenger vehicles such as cargo vans, cars, and box trucks coming in to deliver the outbound work. The approximate schedule for these vehicles is as follows from 4:30AM to 5:30AM there 15 cars and vans departing our facility, from 5:30AM to 6:30AM the next wave of about 24 cars and vans depart, from 6:30AM to 7:30AM an additional 18 cars and vans depart, from 7:30AM to 8:30AM 18 cars and vans depart the facility. The final 2 departures are staged with a later departures following this schedule 11:30AM to 12:30PM 8 16ft box trucks depart and the last release takes place from 2:00PM and 5:00PM utilizing 10 cars and vans. We have less than half of the vehicles returning sporadically during the day and evening.

We do not handle hazardous materials.

2. That the conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood in which it is to be located.

Our intended use of the building would fit within the industrial activity of the neighborhood. Our sorting and packaging operations take place within the interior of the building itself. Our only outside activity around the building is to hand load the car vans which are backed up to the overhead doors. These car vans then leave to transport the ordered commodities of our customers.

3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The other lots in the industrial park have existing buildings and are fully developed. The south area of our lot is being developed to provide asphalt pavement for our vans to access the new overhead doors that are being cut-in on the south side of the building as well as providing parking stalls for our employees cars that would be displaced because of the additional cut-in overhead doors on the north elevation of the building. We are also providing on-site detention requirements in accordance with the latest storm water management codes. The improvements would blend in nicely with the existing neighborhood.

4. That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided.

We have provided the necessary storm water detention requirements in accordance with the latest design parameters to account for the impervious asphalt coverage being added to the south side of our property. We have met numerous times with the Village of Lombard staff to make sure our design is in accordance with the latest codes in force.

5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

We have provided for all our vans accessing the new cut-in overhead doors have their turning/maneuvering performed on site. We have also met with Village of Lombard staff to make sure our additional curb cut that is being provided for the south side of the building is in accordance with Village Code.

With this site already existing and developed for warehouse and distribution we feel it is a perfect match for our companies business needs. Taking into consideration this site has existing approval on the same type of business that we operate it will be a transparent move for our business with no impact on the public utilities and access to roads.

6. That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard.

We believe that our conditional use request is not contrary to the current comprehensive plan. Our numerous current business operations are located in industrial parks similar to this location. Since we do not store much, if any commodities on site, we have been classified as cartage and express facility which warranted this conditional use request.

7. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission.

We believe that we conform to all applicable regulations for our use of the building structure. As briefly described in above item #6, since we do not store commodities long term on racking, etc., we were required to apply for the conditional use permit to meet the village's definition of our business operations. We receive commodities that are shipped in "bulk" to our facility and then sort and re-distribute these commodities in car vans to our customers.

### ORDINANCE NO. \_\_\_\_\_

# AN ORDINANCE GRANTING A CONDITIONAL USE PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.420 (C) OF THE LOMBARD ZONING ORDINANCE

(PC 13-12: 1111 N. Ridge Avenue)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the Subject Property as defined below is zoned I Limited Industrial District; and,

WHEREAS, an application has been filed requesting approval of a conditional use pursuant to Title 15, Chapter 155, Section 420 (C) of the Lombard Village Code to provide for a distribution center; and

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on August 19, 2013 pursuant to appropriate and legal notice; and,

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

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That a conditional use is hereby granted for the Subject Property, as described in Section 2 below, pursuant to Title 15, Chapter 155, Section 420 (C) of the Lombard Village Code to provide for a distribution center.

SECTION 2: That this Ordinance is limited and restricted to the property located at 1111 N. Ridge Avenue, Lombard, Illinois and legally described as follows:

Ordinance No Re: PC 13-12 Page 2				
PARCEL 1: LOT 1 IN LOMBARD BUSINESS CENTER UNIT NINE, BEING A SUBDIVISION IN THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS RECORDED NOVEMBER 6, 1974 AS DOCUMENT R7456651				
Parcel Number: 03-31-403-001; (the "Subject Property").				
SECTION 3: The conditional use, as provided for in Section 1 of this Ordinance shall be granted subject to compliance with the following conditions:				
1. The conditional use shall be valid only for a distribution center and shall not be interpreted as permitting the operation of a truck terminal;				
<ol> <li>That the petitioner shall develop the site in accordance with the plans dated July 11, 2013 and submitted as part of this request;</li> </ol>				
3. The petitioner shall satisfactorily address all comments noted within the Inter- Departmental Review Committee Report; and				
4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the distribution center is not operating by said date, this relief shall be deemed null and void.				
SECTION 4: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.				
Passed on first reading this day of, 2013.				
First reading waived by action of the Board of Trustees this day of, 2013.				
Passed on second reading this day of, 2013, pursuant to a roll call vote as follows:				

Ayes:

Nays:

Ordinance No			
Re: PC 13-12			
Page 3			
Absent:			
Approved by me this day of	of	, 2013.	
	Keith T Giac	gnorio, Village Presi	dent
	Holai I. Glag	snorro, vinage i resi	dent
ATTEST:			
Sharon Kuderna, Village Clerk			
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<b></b>			
Published in pamphlet from this	day of		, 2013.
Sharon Kuderna, Village Clerk			

# Castaldo & Associates, P.C.



1500 W. Chicago Avenue Chicago, IL 60642 Office (312) 564-5159 Fax (312) 376-0322

by appointment only: Addison Office (680) 980-5201 Office (680) 458-9604 Fax

August 22, 2013

Matt Panfil, AICP Senior Planner Village of Lombard 255 E. Wilson Avenue Lombard, IL 60148

Re:

United Delivery Service, Ltd.

1111 Ridge Road, Lombard, Illinois

Conditional Use Permit

Dear Mr. Panfil:

It is my understanding that the Village of Lombard Planning Commission has approved United Delivery Service, Ltd.'s (hereinafter referred to as "UDS") request for a conditional use permit. I further understand that the Village of Lombard Board of Trustees will consider this matter at the September 5, 2013 Regular Board Meeting for final approval.

Kindly accept this correspondence as UDS's request to waive the first reading of the ordinance and have this matter approved at the aforementioned meeting date. As presented in UDS's petition, this is a time sensitive matter, in that UDS is in the process of consolidating its operations; any delays in that endeavor would subject UDS to significant expenses and costs.

Your assistance in expediting this matter is greatly appreciated. The Village of Lombard's respective department personnel, Mr. Heniff's and your expertise, professionalism, cooperation and responsiveness in this matter have been nothing less than extraordinary and all of which are a credit to the Village of Lombard.

Sincerely,

Michael Castaldo, J

General Counsel

MCJR:fc