

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

_____ Resolution or Ordinance (Blue) _____ *Waiver of First Requested*
__X__ Recommendations of Boards, Commissions & Committees (Green)
_____ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: April 7, 2004 **(B of T)** April 15, 2004

SUBJECT: PC 04-10: 400-540 E. St. Charles Road (Neri Development)

SUBMITTED BY: Department of Community Development *QAH*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation requesting approval of an amendment to the Comprehensive Plan reclassifying the subject property from Community Commercial to High Density Residential, approval of a map amendment from the B4 Corridor Commercial District to the R4 Limited General District, approval of a conditional use for a planned development with deviations and variations, subject to conditions and approval of a conditional use for an accessory structure. (DISTRICT 4)

The Plan Commission recommended approval of this petition with conditions.

Fiscal Impact/Funding Source:

Review (as necessary):

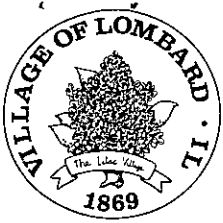
Finance Director _____

Date _____

Village Manager *William T. Lichter*

Date *4/8/04*

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



MEMORANDUM

TO: William T. Lichter, Village Manager

FROM: David A. Hulseberg, AICP, Director of Community Development

DATE: April 15, 2004

SUBJECT: PC 04-10: 400-540 E. St. Charles Road (Neri Development) *Dalt*

Attached please find the following items for Village Board consideration as part of the April 15, 2004 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 04-10;
3. A draft Ordinance granting approval of a Comprehensive Plan amendment redesignating the property from Community Commercial to High Density Residential.
4. A draft Ordinance granting approval of a map amendment rezoning the property from the B4 to the R4 District.
5. A draft Ordinance granting approval of a conditional use for a planned development with deviations and variations, subject to conditions.
6. A draft Ordinance granting approval of a conditional use for an accessory garage.
7. Plans associated with the petition.

A development agreement between the Village of Lombard and Neri Development (d.b.a.. Highland Partners LLC) will be submitted for consideration concurrent with the second reading of these Ordinances. The developer will be seeking contributions from the Lombard St. Charles Road Tax Increment Financing (TIF) II - East District to facilitate his project – the terms of the funding will be incorporated into the development agreement. As the Village adopted an inter-governmental agreement associated with the TIF expenditures within this District, a meeting of the Joint Review Board (JRB) was convened on April 6 to review the developer's funding request. The JRB offers its recommendation to the Village Board approval of TIF increment funding of \$400,000 to be applied toward the project. A copy of the JRB minutes is attached for your reference.

**Minutes from the April 6, 2004
Lombard St. Charles Road Tax Increment Financing II-East District
Joint Review Board Meeting**

Introduction/Call to Order

William J. Mueller, Village President, called the meeting to order at 3:06 p.m.

Roll Call: Dr. William Schewe, DuPage County Elementary School District #45; Jay Tovian, DuPage County Elementary School District #45; Michael Fugiel, Director, Lombard Park District; Charles Frank, Public Member; Guido Neri, Developer; and Nick Pappas, DuPage County.

Staff Present: David A. Hulseberg, AICP, Director of Community Development; and William J. Heniff, AICP, Senior Planner.

Also present: Bob Benjamin, interested party, residing at 806 E. St. Charles, Lombard.

Appoint Chairperson

William Heniff indicated they needed to have a motion to appoint a Chairperson. Dr. Schewe made a motion to appoint William J. Muller as Chairperson. Mr. Fugiel seconded the motion. The motion passed by a unanimous voice vote of the members present.

Old Business

There was no old business.

New Business

Neri Condominium Development Funding Proposal

William Heniff stated that this is the first meeting convened since the inception of the Lombard TIF 2 East District which was approved by the Village Board of Trustees in February. Neri Development is proposing a within the boundaries of the newly created TIF district, and is requesting TIF funding. In order to consider the proposed funding the Joint Review Board must meet and make a recommendation to the Village Board of Trustees. Mr. Heniff noted for the record that all taxing districts, citizen member, and interested parties, of which Mr. Benjamin is one, have been notified of this meeting.

Mr. Heniff then referenced the Neri proposal and gave a brief history stating that the Plan Commission considered the zoning and variations at their last meeting and recommended approval. The proposal will now appear on the April 15, 2004 Board of Trustees agenda for first reading consideration. He then referred the attachments that were included in the members' packets, specifically referring to the Development Agreement. He indicated that this Agreement, which includes a provision for TIF contributions, will be considered

with the second reading of the ordinances at the May 6, 2004 Board of Trustees meeting and will reflect the Joint Review Board's recommendation. Mr. Heniff then referenced the other attachments mentioning the Executive Summary, Staff Report, and Site Plans and indicated that Guido Neri, developer, was present should questions need to be answered.

Mr. Heniff then described the proposed project indicated that it would be located at 400-540 E. St. Charles Road. The site is very unusually shaped, deep, and elongated and as a result is a redevelopment challenge. He mentioned the existing uses currently on the property and the businesses associated with them. All the buildings that currently exist would be razed and replaced with two five-story condominium buildings with 40 units in each building for a total of 80 units on site. The project would have indoor parking on the first level with four floors of condominiums above. The developer would be providing two access points, one of which is a full access, which Mr. Heniff pointed out on the diagram. They will provide sufficient landscaping to make the project aesthetically pleasing. The developer has developed a parking plan which includes indoor parking, a one-story 12 car accessory structure, as well as additional parking around the perimeter of the site. A pocket park is contemplated for the far western end of the property and he mentioned the possibility of a pedway bridge over the railroad tracks to connect to the Great Western Trail to provide for pedestrian access. He stated that specifics on the bridge were not available yet.

Referencing the building elevation diagrams, Mr. Heniff indicated that they will mirror each other and that the buildings would contain spandrel glass at the lowest level. The first level of the residential units is proposed to be raised to be out of the direct line of traffic.

David Hulseberg, Director, stated that the far east end and west end of the side garage entrances are not predominate. Mr. Heniff indicated which elevations were facing north versus south. He stated that there will be a mix of one and two bedrooms on floors two through four with the highest level containing the larger units.

Mr. Heniff then indicated that there were a number of actions taken at last month's Plan Commission meeting which included amending the Comprehensive Plan, rezoning, variations, and a conditional use for a planned development with deviations and variations which the Plan Commission recommended approval. With that, Mr. Heniff indicated he would now touch on the financial aspects of the project.

He referred to the packet and stated that Mr. Neri is looking for a \$455,000 TIF contribution to offset such costs as demolition, underground stormwater management, EPA clean ups, public improvements (all electrical and utility lines will be buried), landscaping, and lighting. The current properties are not generating substantial amounts of money and if the property was not redeveloped only a little over \$22,000 in tax would be generated. He mentioned that they anticipated a full occupancy of the first building in early 2007, with the impact of the occupancy being reflected on the 2008 assessment. The second building is anticipated to begin construction in 2006 with occupancies

starting in 2008 and the full impact of the second building being reflected in the 2010 assessment. He indicated that staff did projections based on property value increases and exemptions and staff figures that over the 23 year period they estimate \$12 million in additional increment created by this project, with timing being an issue as to whether the full increment can be obtained.

The developer has represented that they will do the project in phases, having one building completed before they start the second one. As such, staff was trying to set up the Development Agreement in such a way so that there was an incentive to finish Phase 2. With the completion of the first building staff estimates that \$200,000 of annual increment will be generated and with the completion of the second building, the project is anticipated to generate \$400,000 in annual increment in the 2009 assessment, assuming that the first building is fully occupied by 2006 and the second by 2008. The additional increment can then be used by the Village to finance other activities within the district like Great Western Trail improvements, railroad grade crossing improvements and façade grant programs.

Chairperson Mueller then opened up the meeting for questions and discussion of the members.

Dr. Schewe asked if the developer had any previous experience in building condominiums in this price range. Mr. Neri answered that they had a 177 unit development on East River Road in Chicago which consisted of three 7-story buildings. They are in the process of delivering the third building and the entire project was sold out except for the third building. The price range for the units as of this year is \$250,000 to \$370,000. He also mentioned their development of single family, custom homes in the \$1+million price range, a 12-unit condominium unit in Park Ridge, a 20-unit complex in Chicago, all which have similar indoor parking. He added that Neri Development has their own architectural firm which has provided those services on the aforementioned buildings. Lastly, Mr. Neri stated that their firm is qualified to do this project.

Chairperson Mueller asked what safeguards the Village might have once they move forward with this project in that it will be completed in its entirety and not be stuck with just part of a development. Mr. Hulseberg answered that the Development Agreement is set up as an incentive and calls for providing dollars on the back end so if they did not complete the second building, they would not be able to match the \$400,000 in funding assistance. Also, by that time the developer would have already done all the site improvements and all the major costs would have been absorbed into the building. Mr. Neri indicated that they do not see any profit on this type of project until the second building is completed so they are motivated to finish.

Dr. Schewe asked what ages the developer was marketing toward. Mr. Neri indicated that they previously sold a lot of units to young married couples and young single professional people. Being close to a good commuter line brings good people and he felt the market was shared by both segments. Chairperson Mueller asked if any families bought. Mr. Neri stated that not many but maybe one or two. Mr. Hulseberg stated that

staff looked at the demographics of recently built condominium projects. The Lombard Station development located at Lombard and Grove has no students residing there. The Lincoln Terrace Condominium is similar as there are also no students in that building either. The building on St. Charles Road recently built by Stoneridge Development has no children. The only experience is in the converted apartment buildings at 33 S. Main and the Park Avenue Apartments. The relationship of students compared to total units is approximately 9 students per 300 units.

Chairperson Mueller asked if there were any reasons why the west access was not put between the two buildings. Mr. Hulseberg indicated that it would be too difficult due to the location of the parking lot and the traffic activity that would be generated. Mr. Heniff referred the diagram and showed where the west access was located in relationship to the two buildings and the parking garage. Mr. Hulseberg indicated that staff thought it best to try to push traffic as far east as they could to avoid backouts, to stack internally on site, as well as to give greatest separation.

Mr. Frank mentioned that a traffic analysis was done that discussed the western access – did they review the eastern full access drive as well? Mr. Hulseberg mentioned that he talked with the Village's traffic consultant and they did not see an issue with a full access. Mr. Fugiel noted that across the street at the park there is driveway so as to avoid a safety issue, he agrees with the east driveway being located at its proposed location.

Mr. Heniff then passed out a spreadsheet to the members present which shows and substantiates the information that he discussed earlier relative to the tax generated in 2009. Mr. Hulseberg indicated that when doing the spreadsheet, staff took a conservative approach.

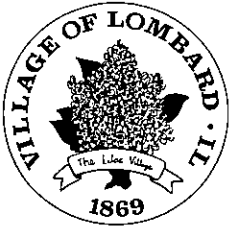
Mr. Hulseberg noted that although the developer is seeking \$455,000, the Village is recommending a contribution of \$400,000.

Chairperson Mueller then asked if there were any more questions or comments relative to the spreadsheet. Being there were none, Chairperson Mueller asked for a motion.

A motion was made by Dr. Schewe and seconded by Mr. Fugiel to contribute \$400,000 in Lombard St. Charles Road TIF 2 – East District funds to the developer as outlined in the Development Agreement. The motion passed unanimously by a voice vote of the members present.

Adjournment

By a voice vote of the members present the meeting was adjourned at 3:35 p.m.



VILLAGE OF LOMBARD

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Lombard, Illinois 60148

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www.villageoflombard.org

April 1, 2004

Village President

William J. Mueller

Mr. William J. Mueller,
Village President, and
Board of Trustees
Village of Lombard

Trustees

Joan DeStephano, Dist. 1

Richard J. Tross, Dist. 2

Karen S. Koenig, Dist. 3

Steven D. Sebby, Dist. 4

Kenneth M. Florey, Dist. 5

Rick Soderstrom, Dist. 6

Subject: PC 04-10; 400-540 E. St. Charles Road (Neri Development)

Dear President and Trustees:

Village Manager

William T. Lichter

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. This petition was heard at the March 15, 2004 Plan Commission meeting.

The petitioner requests that the Village take the following actions on the subject property:

1. Approve an amendment to the Comprehensive Plan reclassifying the subject property from Community Commercial to High Density Residential.
2. Approve a map amendment from the B4 Corridor Commercial District to the R4 Limited General Residence District;
3. Approve a conditional use for a planned development with the following deviations:
 - a) A deviation from Section 155.408 (D) (4) to reduce the minimum required lot area for an 80-unit multiple-family dwelling from 224,000 sq. ft. to 96,205 sq. ft.;
 - b) A deviation from Section 155.408 (G) to increase the maximum allowable building height from 4 stories (50 feet) to 5 stories (51 feet);
 - c) A deviation from Section 155.408 (F) (4) (a) and Section 155.508 (C) (6) to reduce the minimum required front yard setback from 30 feet 2 feet for the western building and 4 feet for the eastern building;
 - d) A deviation from Section 155.408 (F) (4) (d) and Section 155.508 (C) (6) to reduce the minimum required rear yard setback from 30 feet to 29 feet for the western building;

"Our shared *Vision* for Lombard is a community of excellence exemplified by its government working together with residents and business 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."

- e) A deviation from Section 155.408 (D) and Section 155.508 (C) (7) to reduce the minimum required open space from 40% to 25%;
 - f) A deviation from Section 155.210 (B) (2) (b) and Section 155.508 (C) (6) to reduce the minimum required rear yard setback for a detached garage from 3 feet to 1 foot;
4. Approve variations from the planned development standards as follows:
- a) A variation from Section 155.508 (C) (4) allowing for an increase in the maximum number of dwelling units from 48 to 80 units;
 - b) A variation from Section 155.508 (C) (6) to vary the front and rear yard on the perimeter of the development as depicted on the submitted site plans and as referenced within the petitioner's request for a conditional use for a planned development;
 - c) A variation from Section 155.508 (C) (7) to vary the area of open space provided in a planned development as depicted on the submitted site plans and as referenced within the petitioner's request for a conditional use for a planned development;
5. Approve variations from the landscape standards as follows:
- a) A variation from Section 155.706 (C) (1) of the Zoning Ordinance reducing the required perimeter parking lot landscaping area;
 - b) A variation from Section 155.709 (B) of the Zoning Ordinance reducing the required perimeter lot landscaping area;
6. Approve a conditional use for an accessory garage; and
7. The petitioner also requests Site Plan Approval authority to the Lombard Plan Commission.

The petition was presented in PowerPoint format by Guido Neri of Highland Partners, LLC, 7760 W. Devon, Chicago. (A copy of the presentation is included at the back of this referral letter).

Mr. Neri summarized and explained the request. He noted that the shape of the property was challenging and necessitated a number of setback variations. However, the property has a great location for residences, close to the train station, park, and Great Western Trail. He went over the proposed site plans, landscape plans, interior building plans, and exterior building elevations in detail.

The entrance to the building is on the north side to provide additional privacy to residents and to allow the larger units to face the park. Visitor parking is provided in lots on the east and west sides of the property, and a 12-car detached garage will have resident parking as well as serve as a buffer between the buildings and the railroad tracks. There will be a monument sign at each

driveway entrance. Also, with the exception of the utility pole at the northwest corner of the site, all utility lines will be buried.

The first floor of each building will accommodate 37 indoor parking spaces, private storage lockers, and a party/meeting room for residents. Each building will have five 1-bed/1-bath units, four 2-bed/1-bath units, twenty-five 2-bed/2-bath units, and six 2 bed-plus-den/2-bath units.

The top floors of each building will be stepped back to soften their appearance. The building will be constructed of pre-cast concrete planks with load-bearing masonry that will protect the building from vibrations from traffic and the railroad tracks. There will also be soundproofing and triple-pane glass on the north side of the building. There will be a satellite on the roof so no individual satellite dishes will be placed on the balconies. Also, spandrel glass has been added to the first floor to give it the appearance of additional residences.

Mr. Neri concluded by noting this development will generate less traffic than a commercial development, and it will allow the park to be completely surrounded by residential uses.

Chairperson Ryan then opened the meeting for public comment.

Art Frerichs, 248 West Road, stated that this is the best proposed use for the land that he has seen. He generally dislikes the loss of commercial properties, but under the circumstances this is the best use for the land.

No one else spoke for or against the petition.

Chairperson Ryan then requested the staff report. William Heniff, Senior Planner, stated that the proposed development consists of two five-story, 40-unit condominium units located on St. Charles Road between Lombard Common and the Union Pacific Railroad. The project will have indoor parking on the first floor with four floors of condominiums above. There will also be a detached 12-car garage and outdoor surface parking.

This petition requests rezoning to the R4 Limited General Residence District, which will require a Comprehensive Plan amendment. This project will be a planned development with deviations for setbacks, lot area, open space, and height, in addition to variations from the planned development and landscape standards. The petitioner also requests Site Plan Approval authority be granted to the Lombard Plan Commission.

The Fire Department/Bureau of Inspectional Services notes that construction must follow the new 2000 International Codes, along with any changes to the Village's Title XV Ordinances. This requirement will apply only if the petitioner submits a building permit application subsequent to the Village's adoption of the 2000 International Codes.

The Long-Range Plan Map of the Comprehensive Plan identifies this site for Community Commercial uses. The 1998 Comprehensive Plan designation for the subject property was light industrial, recognizing the existing heavy commercial and light industrial land uses. In 1998-99, the Ad Hoc St. Charles Road Committee found that "The unused portion of the Great Western Trail (the old railroad berms on either side of St. Charles Road, between Grace and St. Charles Place) provides a visual break in the St. Charles corridor, a gateway of sorts." The Plan Commission and Board of Trustees later determined that, due to the proximity to residential uses, light industrial was not the best long-term use for the property (PC 99-28).

In keeping with the vision of this property as a gateway into the downtown, staff believes that a change in the Plan designation from community commercial to medium-density residential may be warranted. The Comprehensive Plan states that new medium- and high-density housing should be located in selected "nodal" locations or in areas that serve as a transitional use between low-density residential and nonresidential uses. The proposed medium-density residential designation would be consistent with this goal as a buffer between the single-family homes surrounding Lombard Common and the Union Pacific Railroad.

In addition, the Comprehensive Plan states that site development design should encourage a system of bicycle and pedestrian access. The proposed development will have the ability to provide an additional access point to the Great Western Trail once the proposed bridge and trail improvements have been constructed.

The proposed development is wholly bounded by railroads and publicly owned properties: St. Charles Road, Grace Street, the Union Pacific Railroad, and the Great Western Trail. For this reason, there will be no transitional use considerations. The proposed residential land use would be quieter than the existing land uses, with primary activities occurring within the buildings themselves and with few commercial service vehicles operating on the site. This is an important factor given the close proximity of low-intensity uses such as single-family homes and Lombard Common. As such, staff believes this development would be compatible with the surrounding land uses.

Staff is supportive of the request for rezoning to the R4 designation in the context of this specific proposal. Due to the unique shape and shallow depth of this property, it would be difficult to redevelop this property with high-quality commercial uses.

While the proposed R4 zoning will require a number of variations, it is overall the most appropriate residential designation for this site. In the event this particular planned development is not constructed, an R4 designation would prevent the site from being over-developed under the less restrictive R5 or R6 District requirements. While the R5 District could be considered, that district allows buildings to be constructed up to 65 feet in height, and it also permits a multiple-family dwelling unit density that is 36% greater than that permitted in the R4 District. The R6 District allows 100-foot tall buildings and a density greater than twice what is permitted in the

R4 District. Projects such as Collen Court Condominiums and Park Avenue Condominiums are typical examples of R5 and R6 properties, which would be on a larger scale than would be suitable for this location.

Included with the petition is a request for conditional use approval for a planned development. Since the intent of a planned development is to address the unique attributes surrounding the existing and proposed land uses, staff recommends the establishment of a planned development for this site. Moreover, the planned development process provides the Village with the ability to consider specific design elements to ensure compatibility with the adjacent land uses.

The R4 District requires multiple-family dwellings to have 2,800 sq. ft. of lot area for each dwelling unit. The proposed development has only 1,202 sq. ft. of lot area for each dwelling unit. (Note that these lot area requirements refer to the surface area of the lot, not the square footage of the units themselves, which will average 1,425 sq. ft.) The majority of R4-zoned properties within the Village abut single-family residential properties, which requires additional space to accommodate transitional yard and transitional building setback requirements. As this project does not need to allow for such transitional elements, the lot area deviation may be warranted.

In the R4 District, buildings of 50 feet or 4 stories can be approved through the conditional use process. Although the proposed buildings will only exceed the height limit by one foot, the advantages to a greater building height are significant in this case. The increased building height will permit future residents to have unobstructed views from their homes, whereas a reduction in height would force second-floor residents to be impacted by traffic on St. Charles Road and the Union Pacific Railroad. Given the considerable distance between the proposed development and any neighboring buildings, the increased building height would have a minimal impact on surrounding properties.

Also, the petitioner has modified the original elevations to lessen the visual impact the buildings will have on the surrounding area by incorporating decorative elements to de-emphasize the building's apparent bulk.

This property is uniquely shaped, with a depth ranging from 60 feet at its western end and tapering to 0 feet at its eastern end, with a maximum depth of approximately 145 feet at its widest point. With 30-foot front yard and 30-foot rear yard setbacks applied to this property, there is very little developable area remaining. As such, setback variations would be necessary to construct nearly any type of development and staff is therefore supportive of these requests.

The proposed plans as drawn have approximately 30 percent open space. Although the petitioner is requesting a reduction in open space from 40 percent to 25 percent, the 25 percent figure is only a minimum amount that is intended to accommodate any minor changes in the site plan that may be deemed necessary. Given the project's location adjacent to the Great Western Trail and

directly across from a 49-acre park, the need for visual open space in this development is lessened. Furthermore, there will be a generous amount of landscaping on the property that will effectively lessen the impact of the proposed buildings and parking areas.

The petitioner is requesting relief from the Zoning Ordinance's perimeter lot and parking lot landscaping requirements. As noted in previous sections, this lot has a unique shape that significantly impacts its developable area. The requested relief is for landscaping along certain areas near the bottom of the steep grade change that leads up to the railroad tracks, an area that would only be visible within the development itself. Given that the majority of the development will be heavily landscaped, including a total of 48 shade trees, staff feels that there is sufficient landscaping on the property to create an aesthetically pleasing development and the proposed landscape plan meets the intent of the Zoning Ordinance. Therefore, staff is supportive of the variations for perimeter lot and parking lot landscaping.

As conditions of approval, staff suggests that the petitioner provide easements on the corners of the property for public amenities. On the westernmost corner of the development at the intersection of Grace and St. Charles, staff requests an easement for the construction of a pocket park. Similar pocket parks are located at the southeast corner of the intersection and on Grace Street north of the railroad tracks.

Also, staff suggests that an easement be granted over the eastern corner of the property to allow future access to the Great Western Trail. Once the trail bridge is constructed over the Union Pacific tracks, an access point to the trail will be beneficial to future residents of the development as well as the general public. As an alternative, the petitioner may possibly do a swap land with DuPage County to exchange this corner area for a strip of land behind the existing site.

The Zoning Ordinance requires 1.5 parking spaces per unit for one-bedroom and two-bedroom units, which would amount to 120 parking spaces for the proposed buildings. All required spaces shall be provided as part of the petitioner's proposal.

This project is envisioned to be constructed in two phases. To ensure adequate access for residents, construction traffic, and emergency vehicles throughout all phases of construction, staff recommends that a temporary access drive be constructed between the two buildings. This drive should be removed upon completion of Phase II of the project.

In response to concerns over the possible impact this development will have on traffic along St. Charles Road, Kenig, Lindgren, O'Hara, Aboona, Inc. has conducted a traffic study for the proposed development. Their report states that the amount of traffic generated by the development will be very low and there will be fewer conflict points. They do not anticipate any difficulties with vehicles turning right from the westernmost driveway, even during peak hours.

With the creation of a planned development, the petitioner requests future site plan approval by the Plan Commission to address outstanding site design issues that may arise as part of the final design of the development.

Mr. Heniff concluded by stating that approval of this project will be contingent on approval of a companion development agreement, the conditions and terms of which will be discussed by the Board of Trustees prior to any approval of this petition and the relief requested herein. Staff recommended approval of the petition, subject to the conditions of approval noted in the staff report.

Chairperson Ryan opened the meeting for discussion among the Plan Commission members.

Commissioner Flint stated that this is a very high-quality development and he is glad to see it come into the community. It should be very attractive next to the park. He asked about the proposed phasing of the project. Mr. Heniff stated that the eastern building will most likely be constructed first.

Commissioner Burke approved of the development and asked about the plans for detention. Mr. Neri stated that the civil engineering drawings place a retention vault at the eastern portion of the site, under the parking lot and driveway. All required detention will be provided in this underground vault system.

Commissioner Sweetser stated that this should be a great addition to Lombard. She noted that although the number of cars produced by this development would be less than that produced by a commercial development, they will be grouped together differently. She noted that it would be difficult for fast-moving traffic traveling westbound on St. Charles Road to anticipate vehicles that might be turning out of the development. Mr. Heniff stated that this issue could be brought to the Traffic & Safety Committee to investigate appropriate signage and/or pavement markings.

Commissioner Melarkey noted that traffic turning left out of the development onto eastbound St. Charles Road would be a concern and should be examined.

Chairperson Ryan stated that although he had previously been concerned with the building's height, the architectural treatments on the first floor lessened its impact and it made sense to elevate the residential portion of the building above the traffic level.

Commissioner Zorn stated that she was also no longer very concerned with the building's height as they have developed a beautiful design that should be a great improvement to the area.

Commissioner Burke made a motion to recommend approval of the petition, which was seconded by Commissioner Flint.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposed request complies with the standards of the Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 5 to 0, recommended to the Corporate Authorities **approval** of PC 04-10, subject to the following conditions:

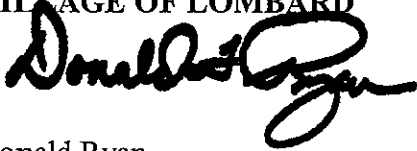
1. The site shall be developed substantially in accordance with the site plans prepared by Neri Architects, dated February 11, 2004 and last revised March 1, 2004.
2. During the construction phase, the petitioner will construct a temporary access drive between the proposed buildings to ensure unobstructed access around the site. The design of the driveway shall be subject to review and approval by the Director of Community Development and the Fire Chief.
3. All comments in the Inter-Departmental Review Committee Report shall be satisfactorily addressed as part of a building permit application.
4. Accessible parking spaces shall be provided in compliance with the provisions of the Illinois Accessibility Code.
5. The petitioner shall provide a photometric plan to the Village showing compliance with Village Code.
6. The petitioner shall either:
 - a. grant a cross-access agreement over the eastern corner of the property for pedestrian/bike access and construction; or
 - b. exchange the eastern corner of the property for DuPage County-owned property to the rear of the side.
7. The petitioner shall provide a public access and landscape easement over the western corner of the property (west of the proposed parking area). The developer shall install a pocket park of like design as found at the northwest corner of St. Charles Road and Grace.
8. The petitioner shall modify the landscape plan to include the following, subject to the approval by the Director of Community Development:
 - a. continuous shrubbery along the eastern boundary of the public access and landscape easement; and
 - b. low-growth plantings in the public access and landscape easement along St. Charles Road and Grace Street.

Re: PC 04-10
April 1, 2004
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9. Any existing and proposed public overhead utility lines located on the subject property and within the St. Charles Road right-of-way adjacent to the subject property shall be buried.

Respectfully,

VILLAGE OF LOMBARD



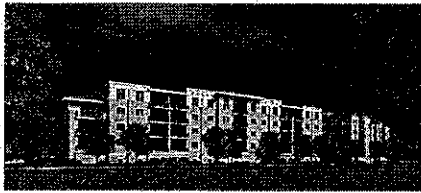
Donald Ryan
Chairperson
Lombard Plan Commission

DR:JB

attachments

- c. Petitioner
Lombard Plan Commission

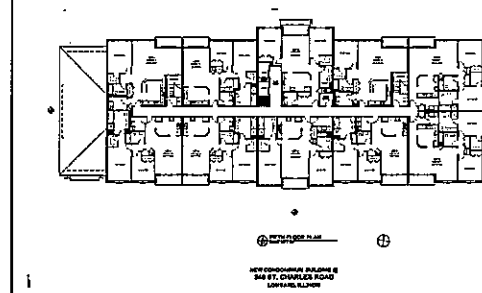
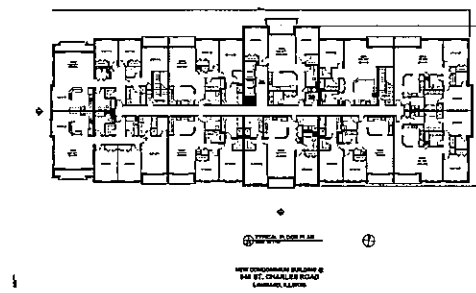
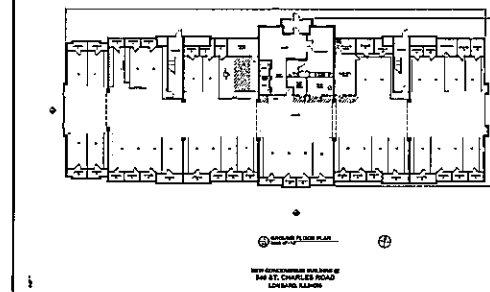
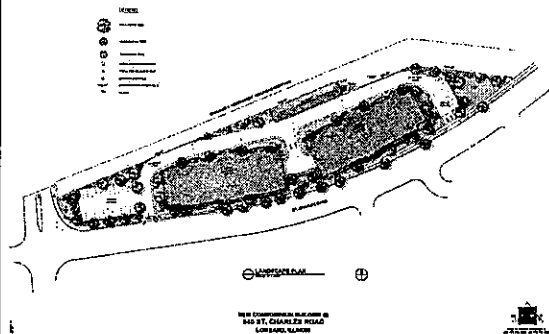
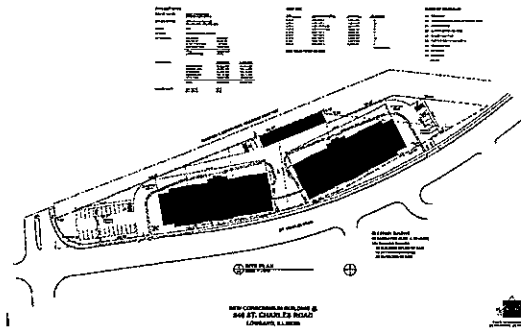
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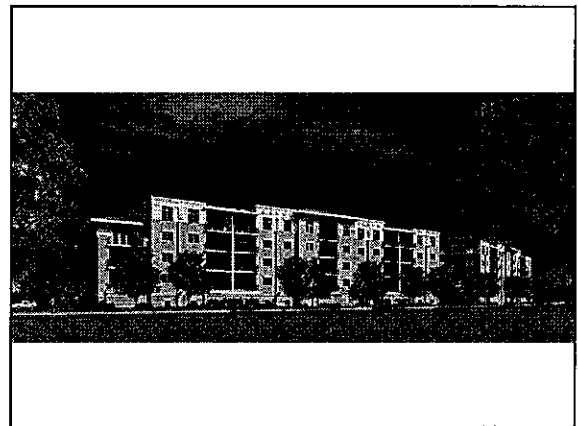
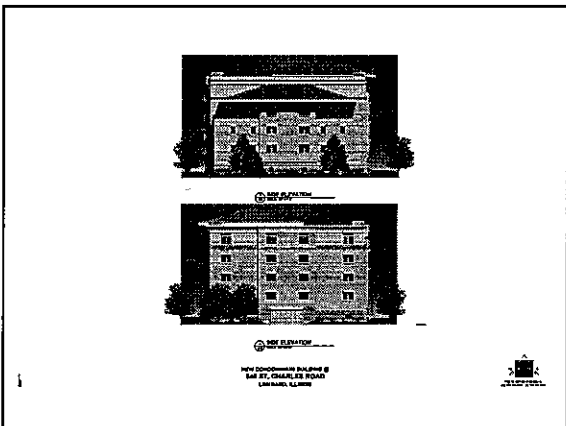
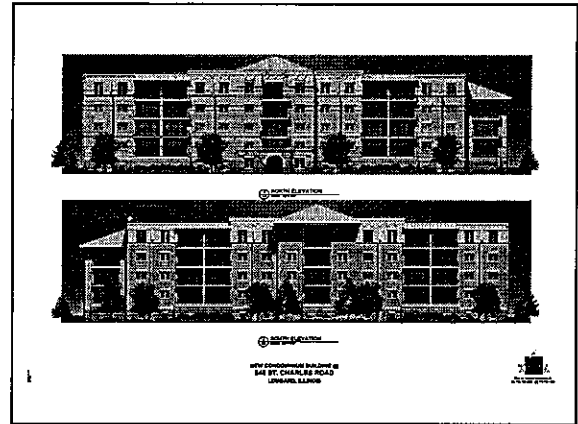
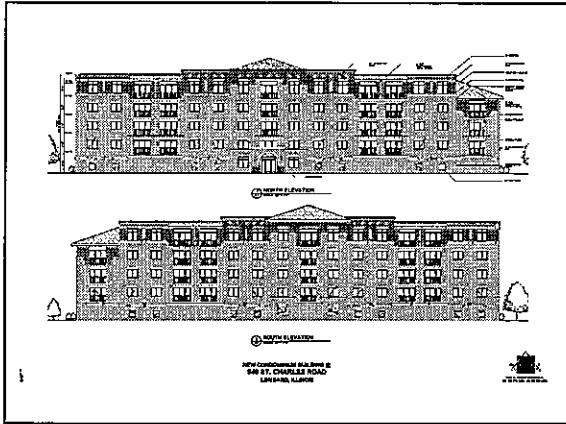


NEW CONDOMINIUM BUILDING

540 ST. CHARLES ROAD

ISSUED FOR SCHEMATIC DESIGN
MARCH 16, 2004 (REVISED)





VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Lombard Plan Commission

HEARING DATE: March 15, 2004

FROM: Department of
Community Development

PREPARED BY: Jennifer Backensto
Planner I

TITLE

PC 04-10; 400-540 E. St. Charles Road (Neri Development): The petitioner requests that the Village take the following actions on the subject property:

1. Approve an amendment to the Comprehensive Plan reclassifying the subject property from Community Commercial to High Density Residential.
2. Approve a map amendment from the B4 Corridor Commercial District to the R4 Limited General Residence District;
3. Approve a conditional use for a planned development with the following deviations:
 - a) A deviation from Section 155.408 (D) (4) to reduce the minimum required lot area for an 80-unit multiple-family dwelling from 224,000 sq. ft. to 96,205 sq. ft.;
 - b) A deviation from Section 155.408 (G) to increase the maximum allowable building height from 4 stories (50 feet) to 5 stories (51 feet);
 - c) A deviation from Section 155.408 (F) (4) (a) and Section 155.508 (C) (6) to reduce the minimum required front yard setback from 30 feet 2 feet for the western building and 4 feet for the eastern building;
 - d) A deviation from Section 155.408 (F) (4) (d) and Section 155.508 (C) (6) to reduce the minimum required rear yard setback from 30 feet to 29 feet for the western building;
 - e) A deviation from Section 155.408 (D) and Section 155.508 (C) (7) to reduce the minimum required open space from 40% to 25%;
 - f) A deviation from Section 155.210 (B) (2) (b) and Section 155.508 (C) (6) to reduce the minimum required rear yard setback for a detached garage from 3 feet to 1 foot;
4. Approve variations from the planned development standards as follows:
 - a) A variation from Section 155.508 (C) (4) allowing for an increase in the maximum number of dwelling units from 48 to 80 units;
 - b) A variation from Section 155.508 (C) (6) to vary the front and rear yard on the perimeter of the development as depicted on the submitted site plans and as referenced within the petitioner's request for a conditional use for a planned development;
 - c) A variation from Section 155.508 (C) (7) to vary the area of open space provided in a planned development as depicted on the submitted site plans and as referenced within the petitioner's request for a conditional use for a planned development;

5. Approve variations from the landscape standards as follows:
 - a) A variation from Section 155.706 (C) (1) of the Zoning Ordinance reducing the required perimeter parking lot landscaping area;
 - b) A variation from Section 155.709 (B) of the Zoning Ordinance reducing the required perimeter lot landscaping area;
6. Approve a conditional use for an accessory garage; and
7. The petitioner also requests Site Plan Approval authority to the Lombard Plan Commission.

GENERAL INFORMATION

Petitioner: Guido Neri
Highland Partners LLC
7760 W. Devon Avenue
Chicago, IL 60631

Property Owners:	Vito & Rocky Favia	Earl & Kim Ryan
	404-430 E. St. Charles Road	540 E. St. Charles Road
	Lombard, IL 60148	Lombard, IL 60148

PROPERTY INFORMATION

Existing Land Use: Auto repair, service, & sales; light industrial/outdoor storage uses

Size of Property: Approximately 2.208 acres

Comprehensive Plan: Recommends Community Commercial

Existing Zoning: B4 Corridor Commercial District

Surrounding Zoning and Land Use:

North: Union Pacific Railroad, Great Western Trail

South: CR Conservation Recreation District – Lombard Common; B4 Community Commercial District – Scoops Ice Cream Parlor

East: Great Western Trail

West: Union Pacific Railroad

ANALYSIS

SUBMITTALS

This report is based on the following documents filed on February 13, 2004 with the Department of Community Development:

1. Petition for Public Hearing.
2. Response to Standards.
3. Color Rendering, Site Plan, Landscape Plan, Floor Plans, and Elevations, prepared by Neri Architects on February 11, 2004 and last revised March 1, 2004.
4. Plat of Survey, prepared by Gentile & Associates and dated December 2, 2003.
5. Materials sample board.

DESCRIPTION

The proposed development consists of two five-story, 40-unit condominium units located on St. Charles Road between Lombard Common and the Union Pacific Railroad. The project will have indoor parking on the first floor with four floors of condominiums above. There will also be a detached 12-car garage and outdoor surface parking.

This petition requests rezoning to the R4 Limited General Residence District, which will require a Comprehensive Plan amendment. This project will be a planned development with deviations for setbacks, lot area, open space, and height, in addition to variations from the planned development and landscape standards. The petitioner also requests Site Plan Approval authority be granted to the Lombard Plan Commission.

INTER-DEPARTMENTAL REVIEW COMMENTS

Public Works

The Utilities Division of Public Works requires all unused water services to be abandoned at the watermain and existing sewer services are to be plugged at the property line.

Private Engineering Services

From an engineering or construction perspective, PES has the following comments:

1. Detention is required for this development.

2. Hydrants are required every 150 feet on St. Charles Road and near the north corners of both buildings.
3. Parking stalls should be 9 feet wide and 18 feet deep.
4. Civil plans signed by an Illinois Registered P.E. will be required.

Building and Fire

The Fire Department/Bureau of Inspectional Services has the following comments:

- Fire hydrants must be located a maximum of 150' apart and at least one hydrant must be located on the building side of the roadway near the entrances to each of the buildings. Additional hydrants will have to be located on the St. Charles Road side of the buildings also.
- Adequate drive lane widths must be provided for fire equipment access.
- The proposed detached garage structure must also be of non-combustible materials, similar to the building's construction. The construction must follow the new 2000 International Codes, along with any changes to the Village's Title XV Ordinances.

Planning

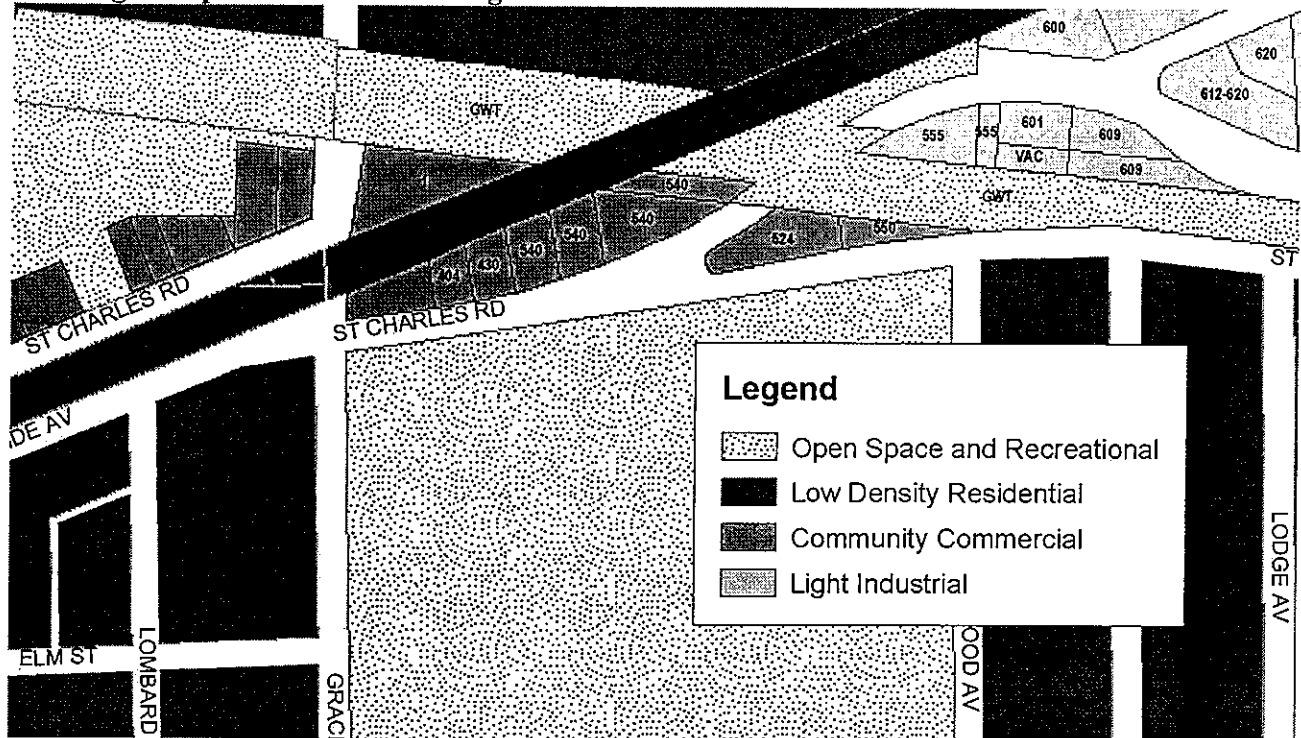
Compatibility with the Comprehensive Plan

The Long-Range Plan Map of the Comprehensive Plan identifies this site for Community Commercial uses. The 1998 Comprehensive Plan designation for the subject property was light industrial, recognizing the existing heavy commercial and light industrial land uses. In 1998-99, the Ad Hoc St. Charles Road Committee found that "The unused portion of the Great Western Trail (the old railroad berms on either side of St. Charles Road, between Grace and St. Charles Place) provides a visual break in the St. Charles corridor, a gateway of sorts." The Plan Commission and Board of Trustees later determined that, due to the proximity to residential uses, light industrial was not the best long-term use for the property (PC 99-28).

In keeping with the vision of this property as a gateway into the downtown, staff believes that a change in the Plan designation from community commercial to medium-density residential may be warranted.

The Comprehensive Plan states that new medium- and high-density housing should be located in selected "nodal" locations or in areas that serve as a transitional use between low-density residential and nonresidential uses. The proposed medium-density residential designation would be consistent with this goal as a buffer between the single-family homes surrounding Lombard Common and the Union Pacific Railroad.

Existing Comprehensive Plan Designation



In addition, the Comprehensive Plan states that site development design should encourage a system of bicycle and pedestrian access. The proposed development will have the ability to provide an additional access point to the Great Western Trail once the proposed bridge and trail improvements have been constructed.

Compatibility with the Surrounding Land Uses

The proposed development is wholly bounded by railroads and publicly owned properties: St. Charles Road, Grace Street, the Union Pacific Railroad, and the Great Western Trail. For this reason, there will be no transitional use considerations. The proposed residential land use would be quieter than the existing land uses, with primary activities occurring within the buildings themselves and with few commercial service vehicles operating on the site. This is an important factor given the close proximity of low-intensity uses such as single-family homes and Lombard Common. As such, staff believes this development would be compatible with the surrounding land uses.

Compatibility with the Sign Ordinance

No signage plan has been submitted as part of this request. Therefore, the petitioner will be required to meet Code. Any future signage deviations will be considered through the site plan approval process.

Compatibility with the Zoning Ordinance

The site plan has the following characteristics:

	Required in R4	Existing	Proposed
Lot Area (for 80 units)	224,000 sq. ft.	96,204 sq. ft.	96,204 sq. ft.
Lot Width	200 ft.	190 ft.	49.28 ft.
Front Yard	30 ft.	30 ft.	15.98 ft.
Corner Side Yard	30 ft.	n/a	n/a
Interior Side Yard	15 ft.	12 ft., 38 ft.	5 ft.
Rear Yard	30 ft.	92 ft.	21 ft.
Open Space	40% (50% for P.D.)	0%	25%
Parking Spaces	1.5 spaces per unit (120 spaces)	n/a	120 spaces

Rezoning Request

Staff is supportive of the request for rezoning to the R4 designation in the context of this specific proposal. Due to the unique shape and shallow depth of this property, it would be difficult to redevelop this property with high-quality commercial uses.

While the proposed R4 zoning will require a number of variations, it is overall the most appropriate residential designation for this site. In the event this particular planned development is not constructed, an R4 designation would prevent the site from being over-developed under the less restrictive R5 or R6 District requirements. While the R5 District could be considered, that district allows buildings to be constructed up to 65 feet in height, and it also permits a multiple-family dwelling unit density that is 36% greater than that permitted in the R4 District. The R6 District allows 100-foot tall buildings and a density greater than twice what is permitted in the R4 District. Projects such as Collen Court Condominiums and Park Avenue Condominiums are typical examples of R5 and R6 properties, which would be on a larger scale than would be suitable for this location.

Conditional Use for a Planned Development

Included with the petition is a request for conditional use approval for a planned development. Since the intent of a planned development is to address the unique attributes surrounding the existing and proposed land uses, staff recommends the establishment of a planned development for this site. Moreover, the planned development process provides the Village with the ability to consider specific design elements to ensure compatibility with the adjacent land uses.

Lot Area/Density Deviation

The R4 District requires multiple-family dwellings to have 2,800 sq. ft. of lot area for each dwelling unit. The proposed development has only 1,202 sq. ft. of lot area for each dwelling unit. (Note that these lot area requirements refer to the surface area of the lot, not the square footage of the units themselves, which will average 1,425 sq. ft.) The majority of R4-zoned properties within the Village abut single-family residential properties, which requires additional space to accommodate

transitional yard and transitional building setback requirements. As this project does not need to allow for such transitional elements, the lot area deviation may be warranted.

Height

In the R4 District, buildings of 50 feet or 4 stories can be approved through the conditional use process. Although the proposed buildings will only exceed the height limit by one foot, the advantages to a greater building height are significant in this case. The increased building height will permit future residents to have unobstructed views from their homes, whereas a reduction in height would force second-floor residents to be impacted by traffic on St. Charles Road and the Union Pacific Railroad. Given the considerable distance between the proposed development and any neighboring buildings, the increased building height would have a minimal impact on surrounding properties.

Also, the petitioner has modified the original elevations to lessen the visual impact the buildings will have on the surrounding area by incorporating decorative elements to de-emphasize the building's apparent bulk.

Setbacks

This property is uniquely shaped, with a depth ranging from 60 feet at its western end and tapering to 0 feet at its eastern end, with a maximum depth of approximately 145 feet at its widest point. With 30-foot front yard and 30-foot rear yard setbacks applied to this property, there is very little developable area remaining. As such, setback variations would be necessary to construct nearly any type of development and staff is therefore supportive of these requests.

Aerial View



Open Space

The proposed plans as drawn have approximately 30 percent open space. Although the petitioner is requesting a reduction in open space from 40 percent to 25 percent, the 25 percent figure is only a minimum amount that is intended to accommodate any minor changes in the site plan that may be deemed necessary. Given the project's location adjacent to the Great Western Trail and directly across from a 49-acre park, the need for visual open space in this development is lessened. Furthermore, there will be a generous amount of landscaping on the property that will effectively lessen the impact of the proposed buildings and parking areas.

Landscaping

The petitioner is requesting relief from the Zoning Ordinance's perimeter lot and parking lot landscaping requirements. As noted in previous sections, this lot has a unique shape that significantly impacts its developable area. The requested relief is for landscaping along certain areas near the bottom of the steep grade change that leads up to the railroad tracks, an area that would only be visible within the development itself. Given that the majority of the development will be heavily landscaped, including a total of 48 shade trees, staff feels that there is sufficient landscaping on the property to create an aesthetically pleasing development and the proposed landscape plan meets the intent of the Zoning Ordinance. Therefore, staff is supportive of the variations for perimeter lot and parking lot landscaping.

As conditions of approval, staff suggests that the petitioner provide easements on the corners of the property for public amenities. On the westernmost corner of the development at the intersection of Grace and St. Charles (see area **A** on aerial view, preceding page), staff requests an easement for the construction of a pocket park. Similar pocket parks are located at the southeast corner of the intersection and on Grace Street north of the railroad tracks.

Also, staff suggests that an easement be granted over the eastern corner of the property to allow future access to the Great Western Trail (see area **B** on aerial view, preceding page). Once the trail bridge is constructed over the Union Pacific tracks, an access point to the trail will be beneficial to future residents of the development as well as the general public. As an alternative, the petitioner may possibly do a swap land with DuPage County to exchange this corner area for a strip of land behind the existing site.

Parking

The Zoning Ordinance requires 1.5 parking spaces per unit for one-bedroom and two-bedroom units, which would amount to 120 parking spaces for the proposed buildings. All required spaces shall be provided as part of the petitioner's proposal.

Traffic/Circulation

This project is envisioned to be constructed in two phases. To ensure adequate access for residents, construction traffic, and emergency vehicles throughout all phases of construction, staff recommends that a temporary access drive be constructed between the two buildings. This drive should be removed upon completion of Phase II of the project.

In response to concerns over the possible impact this development will have on traffic along St. Charles Road, Kenig, Lindgren, O'Hara, Aboona, Inc. has conducted a traffic study for the proposed development. Their report, attached as Appendix A, states that the amount of traffic generated by the development will be very low and there will be fewer conflict points. They do not anticipate any difficulties with vehicles turning right from the westernmost driveway, even during peak hours.

Site Plan Approval

With the creation of a planned development, the petitioner requests future site plan approval by the Plan Commission to address outstanding site design issues that may arise as part of the final design of the development.

Other Issues

Approval of this project will be contingent on approval of a companion development agreement, the conditions and terms of which will be discussed by the Board of Trustees prior to any approval of this petition and the relief requested herein.

FINDINGS AND RECOMMENDATIONS

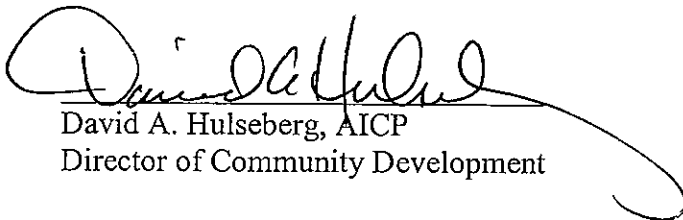
Based on the above findings, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition subject to the conditions as outlined:

Based on the submitted petition and the testimony presented, the proposal does comply with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission recommend to the Corporate Authorities **approval** of the requests associated with PC 04-10, subject to the following conditions:

1. The site shall be developed substantially in accordance with the site plans prepared by Neri Architects, dated February 11, 2004 and last revised March 1, 2004.
2. During the construction phase, the petitioner will construct a temporary access drive between the proposed buildings to ensure unobstructed access around the site. The design of the driveway shall be subject to review and approval by the Director of Community Development and the Fire Chief.
3. All comments in the Inter-Departmental Review Committee Report shall be satisfactorily addressed as part of a building permit application.
4. Accessible parking spaces shall be provided in compliance with the provisions of the Illinois Accessibility Code.
5. The petitioner shall provide a photometric plan to the Village showing compliance with Village Code.

6. The petitioner shall either:
 - a. grant a cross-access agreement over the eastern corner of the property for pedestrian/bike access and construction; or
 - b. exchange the eastern corner of the property for DuPage County-owned property to the rear of the side.
7. The petitioner shall provide a public access and landscape easement over the western corner of the property (west of the proposed parking area). The developer shall install a pocket park of like design as found at the northwest corner of St. Charles Road and Grace.
8. The petitioner shall modify the landscape plan to include the following, subject to the approval by the Director of Community Development:
 - a. continuous shrubbery along the eastern boundary of the public access and landscape easement; and
 - b. low-growth plantings in the public access and landscape easement along St. Charles Road and Grace Street.
9. Any existing and proposed public overhead utility lines located on the subject property and within the St. Charles Road right-of-way adjacent to the subject property shall be buried.

Inter-Departmental Review Group Report Approved By:



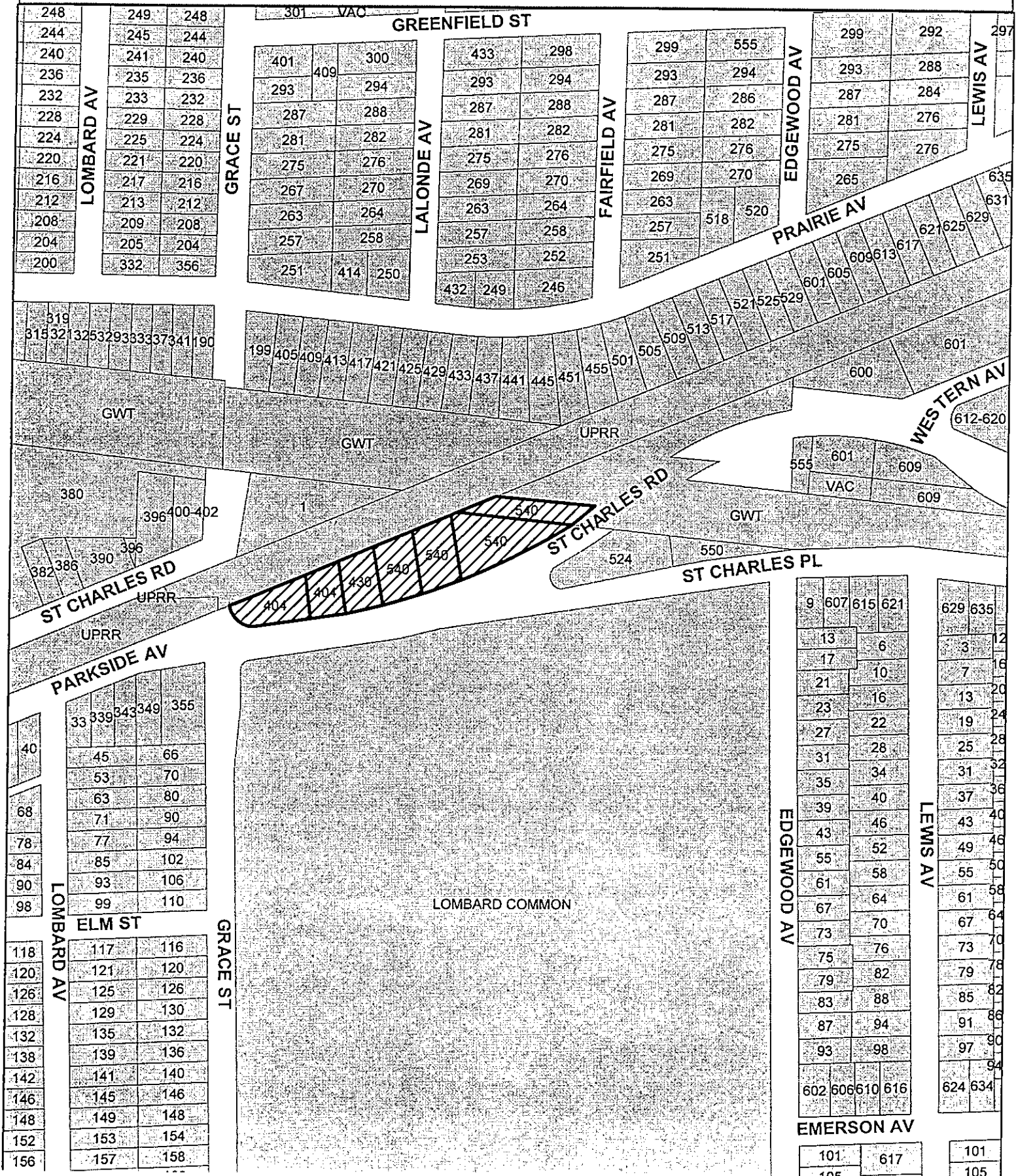
David A. Hulseberg, AICP
Director of Community Development

DAH:JB:jd

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February 9, 2004

Mr. David Hulseberg
Director of Community Development
Village of Lombard
255 E Wilson Avenue
Lombard, IL 60147

RE: New Condominium Development located at 404 -540 St Charles Rd.

Dear Mr. Hulseberg:

We respectfully submit the following application for a proposed planned unit development at the above referenced address.

The development we are proposing consists of 80 condominium units, located in (2) 40 unit buildings located at the above referenced address. The Site is bound by the Chicago and Northwest Railroad to the north, St Charles Rd. to the south and Grace Street to the west. Directly across St Charles Rd to the south is a public park. The current use of the site is an auto repair on the west end of the property and dilapidated buildings on the rest of the site. The 1 and 2 story buildings currently located on the site were serviced by 7 individual driveways feeding from St Charles Rd.

The newly unified site will be serviced by 2 curb-cuts at the east and west ends of the property. The new drives provide access to the garage levels of each building and also the visitor parking to the east and west of each drive. The exterior visitor parking consists of 35 spaces with provisions for 3 handicap accessible spaces near the entrances to the buildings. The structures on the site will consist of (2) 5 story buildings, which will be located on the south side of the property, along with a 1 story masonry building which will house 12 additional parking spaces along the north property line. The garage structure along with a 6' high wood fence will act as buffers to the train tracks which border the north property line.

Lush landscaping will be provided on either side of the garage and along the fence line to help buffer the impact of the tracks. The fence and landscaping will continue to the far east and west ends of the exterior parking. Provisions for access to an anticipated pedestrian bridge will be made from the east parking lot. Landscaping will be provided throughout the site and along the perimeter of the buildings with a nature area provided for the units owners in the space between the buildings.

Pedestrian access to the condominiums will be located on the north side of the buildings. The buildings will be constructed of masonry bearing walls and precast concrete floors. The ground level of the condominiums will consist the garage parking, mechanicals, and lobbies. The 4 residential floors above will house the units, which range from 1,200 square feet to approximately 2,000 square feet and provide a mix of 1, 2 and 3 bedroom units. There are 10 units per floor with the top floor stepping back on opposite sides of the buildings. This will provide a pleasing unified composition as viewed from the south.

NERI ARCHITECTS, P.C.



Guido C Neri



7760 W. DEVON
CHICAGO, ILLINOIS 60631
(PH) 773.774.2200 (F) 773.774.1201



March 1, 2004

Mr. David Hulseberg
Director of Community Development
Village of Lombard
255 E Wilson Avenue
Lombard, IL 60147

RE: New Condominium Development located at 404 -540 St Charles Rd.

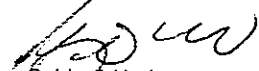
Dear Mr. Hulseberg:

The following statements are in response to the Standards for Map Amendments as set forth by Section 155.103 of the Village of Lombard Zoning Ordinance:

1. The existing uses of properties surrounding the site are Business to the east and west, recreation to the south and the Chicago & Northwestern Railroad to the North. Outside of these areas are residential uses. This development is on a stand-alone site, on which the proposed development will focus on the residential use of the area and emphasize the public park to the south.
2. The existing zoning classifications of the surrounding area are B-4 and I to the east, B-4 to the west, CR to the south and R-2 across the train tracks to the North. The planned development is designed with an R-4 underlying zoning and would therefore be compatible with the surrounding area for the same reasons as stated above.
3. The existing zoning classification of the property is B-4. The B-4 zoning does not allow for planned unit developments and therefore would not be allowed under the current zoning.
4. The proposed planned development is located on a site that is currently underused. The west end of the property is occupied by a functioning automotive repair shop. The east end of the property is not being used and is occupied by dilapidated buildings. There are no current trends or improvements in the area at this time.
5. The majority of the surrounding properties are residential in use, which is emphasized by the park immediately south of the site. The property in question is a stand-alone site on which residential use is proposed, therefore being compatible with the neighborhood.
6. The comprehensive plan for the site calls for a B-3 or B-4 zoning. Our proposed development requests a change to an R-4 underlying zoning. The R-4 would not be consistent with the comprehensive Plan, however due to the constraints of the site it would be difficult for a commercial development to be successful. The traffic generated by a commercial user would be far greater than that of our proposed development. In addition, a commercial development would require more access than a condominium development. Our proposal will reduce the number of access drives to the existing site from 7 to 2. Although the zoning change is not consistent with the Comprehensive Plan, we feel that our proposal is more appropriate for the area.

7. The underlying R-4 zoning does allow for multi-family developments and therefore would be suitable for the proposed development.

NERI ARCHITECTS, P.C.



Guido C. Neri



7760 W. DEVON
CHICAGO, ILLINOIS 60631
(PH) 773.774.2200 (F) 773.774.1201



March 1, 2004

Mr. David Hulseberg
Director of Community Development
Village of Lombard
255 E Wilson Avenue
Lombard, IL 60147

RE: New Condominium Development located at 404 -540 St Charles Rd.

Dear Mr. Hulseberg:

The following statements are in response to the Standards for Planned Developments as set forth by Section 155.508 of the Village of Lombard Zoning Ordinance:

A. General standards

1. The planned development is designed with an R-4 underlying zoning, and will therefore comply with the regulations of the R-4 district, except as noted in the attached list of requested variations (exhibit A).
2. All utilities required for the development are located along St Charles Rd. and currently service the site, including sanitary sewage and potable water.
3. The comprehensive plan for the site calls for a B-3 or B-4 zoning, which is at odds with the R-4 underlying zoning being requested. However we feel that due to the overwhelming residential use in the area and the open public park space to the south, that a request for a residential zoning is reasonable.
4. The proposed planned development is located on a site that is currently underused. The west end of the property is occupied by a functioning automotive repair shop. The east end of the property is not being used and is occupied by dilapidated buildings. The development will make full use of the site and will act as a buffer between the uses to the south and the train tracks, which border the site to the north.
5. Access to the site has been designed with convenience and safety in mind for the user and for the passerby:
 - a. The driveways serving the site are at the east and west ends of the property. From these locations a visitor can access the parking areas located at the extreme ends of the site, an owner may access the garages located on the ground floor of the buildings, which are positioned in the center of the site. Traffic in and out of the development is managed by spreading the drives to either end of the site and by only allowing right turns in and out of the site at the west drive.
 - b. Traffic congestion is addressed with the same method described above, by spreading the drives to the extreme ends of the site and by only allowing right turns in and out of the site at the west drive.
 - c. It has been our experience that developments of this nature are occupied by "empty-nesters", and young professionals which make use of the proximity to transportation. These types of occupants generally do not impact the public parks, schools and facilities.

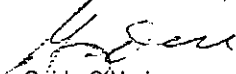
B. Standards for Planned Developments with Use Exceptions

The proposed development has no provisions for uses other than for residential and supporting uses.

C. Standards for Planned Developments with Other Exceptions

1. The reduction in the requirements of the Ordinance, as stated in the list of variations, allow the site to be developed in reasonable manner. The development will be a great improvement over the current use of the property, both architecturally and from a zoning use stand-point.
2. The site of the proposed development is bound by public space on all sides: Grace St. to the west, St. Charles Rd. to the south and east, and by the Chicago & Northwestern Railroad to the north and would therefore not impact the use of any other property and would enhance the value of the surrounding properties.
3. The exceptions requested are solely for the purpose of allowing the site to be developed in a reasonable manner that would not only be beneficial to the occupants, but also architecturally beneficial to the surrounding areas. The development will be a great improvement over the current use of the property, both architecturally and from a zoning use stand-point.
4. The actual floor area of the proposed development is 166,076 s.f. The lot area is 96,203.9 s.f.
5. The underlying zoning of R-4 would allow for 34.3 units. The actual number of dwelling units proposed in the development is 80. It would be requested that the minimum lot area per dwelling unit be reduced from 2,800 s.f. to 1,200 s.f. per dwelling unit as part of the listed variations (exhibit A).
6. The buildings and site of the development have been designed with the utmost thought and consideration as to its impact on the surrounding areas and neighborhoods, and to the quality of life of its inhabitants. Due to the location of the property, the developments impact on the surrounding buildings will be minimal. The proposed development is bound by public space on all sides: Grace St. and Chicago & Northwestern Railroad to the west, St. Charles Rd. and a public park to the south and east, and by the Chicago & Northwestern Railroad to the north and would therefore not affect the privacy of the surrounding buildings
 - a. All required setbacks shall be adhered to, other than the front yard setback of which opens onto a public open space.
 - b. All transitional yards and transitional landscape yards will be complied to.
 - c. N/A
7. Due to the fact that there is a large public park immediately south of the site, we request that, as part of the exceptions, the required open space be reduce from 40% to 25%.

NERI ARCHITECTS, P.C.


Guido C'Neri



7760 W. DEVON
CHICAGO, ILLINOIS 60631
(PH) 773.774.2200 (F) 773.774.1201



March 1, 2004

Mr. David Hulseberg
Director of Community Development
Village of Lombard
255 E Wilson Avenue
Lombard, IL 60147

RE: New Condominium Development located at 404 -540 St Charles Rd.

Dear Mr. Hulseberg:

The following statements are in response to the Standards for Variations as set forth by Section 155.103.C.7 of the Village of Lombard Zoning Ordinance:

1. The existing site is odd shaped, it is long and narrow. The depth of the site does not allow for typical setback compliance. Due to the shape and orientation of the site a variance would be required to reasonably develop the site.
2. The shape, size and configuration of this site is unique, in that it is odd shaped, narrow and butts up to the Chicago & Northwestern Railroad. The positive aspect of the site which make it unique is its proximity to such a large open public space.
3. The purpose of the variation is based upon being able to provide proper access to and through a constraining site for the uses described.
4. The difficulty or hardship is caused by the effects of the ordinance on a constraining site.
5. The variations requested are solely for the purpose of allowing the site to be developed in a reasonable manner that would not only be beneficial to the occupants, but also architecturally beneficial to the surrounding areas. The development will be a great improvement over the current use of the property, both architecturally and from a zoning use stand-point and in fact will raise the property value of the surrounding area along with converting a potentially unsafe property to one of value.
6. The existing character of the site is that of dilapidated buildings and industrial use, which is out of character for the residential areas that also surround this site. The granting of the variation will enhance the essential character of the neighborhood, which is predominantly residential with recreational use immediately to the south.

7. The buildings and site of the development have been designed with the utmost thought and consideration as to its impact on the surrounding areas and neighborhoods, and to the quality of life of its inhabitants. The developments impact on the surrounding properties will be minimal. It is bound by public space on all sides: Grace St. and Chicago & Northwestern Railroad to the west, St. Charles Rd. and a public park to the south and east, and by the Chicago & Northwestern Railroad to the north and would therefore not impair adequate light or air to any adjacent property. The site will be designed to handle its own drainage through the use of detention areas and will not impact the natural drainage of adjacent properties. Access to and from the site has been designed with convenience and safety in mind for the user and for the passerby. Traffic congestion is addressed by spreading the drives to the extreme ends of the site and by allowing only right turns in and out of the site at the west drive. The development as a whole has the potential to raise the value of adjacent properties.

NERI ARCHITECTS, P.C.



Guido C. Neri



7760 W. DEVON
CHICAGO, ILLINOIS 60631
(PH) 773.774.2200 (F) 773.774.1201

MEMORANDUM TO: Jennifer Backensto
Village of Lombard

FROM: Timothy J. Doron
Principal

Javier Millan
Senior Consultant

DATE: March 8, 2004

SUBJECT: St. Charles Road/Grace Street Condominium Evaluation
Lombard, Illinois

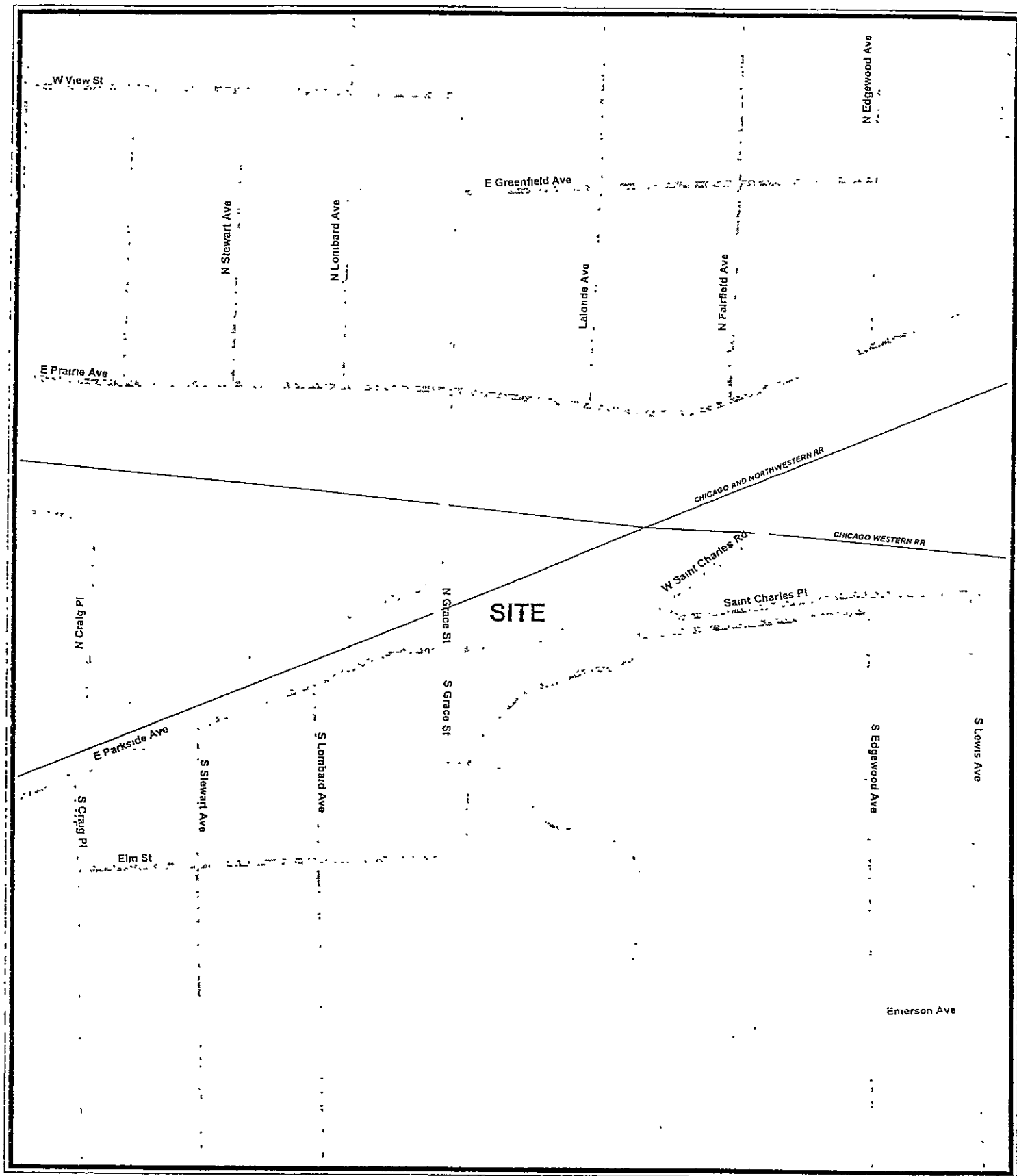
This memorandum summarizes the results of a traffic impact evaluation conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) for the Village of Lombard. The evaluation is for a proposed 80-unit condominium in Lombard, Illinois. The site is located in the northeast quadrant of the St. Charles Road signalized intersection with Grace Street and Parkside Avenue. The site is currently occupied by the V & R Auto Clinic and several vacant businesses (a used car dealer and a concrete block manufacturer).

The plans call for redeveloping the site with an 80-unit condominium building with 74 underground parking spaces, 12 detached garage parking spaces, and 35 outdoor parking spaces for a total of 121 parking spaces. Access to the site will be provided via two access drives along St. Charles Road. Our proposal drive is a right-in/right-out access drive approximately 155 feet east of Grace Street. The second is a full ingress/egress access drive located approximately 100 feet east of St. Charles Place.

The purpose of this preliminary study was to determine the project's future access needs after the redevelopment.

Existing Conditions

The site, as mentioned previously, is located on the northeast quadrant of the St. Charles Road signalized intersection with Grace Street. The site is bordered to the north by the Chicago & Northwest Railroad Company. Land uses in the vicinity of the site include "The Commons" park and the Lombard Water Park to the south, an auto repair shop to the north, and single family homes to the southwest. The principal roadways in the vicinity of the site are illustrated in Figure 1 and described in the following paragraphs.



SITE LOCATION

St. Charles Road is an east-west arterial with a four-lane divided cross-section in the site's vicinity. At its signalized intersection with Grace Street/Parkside Avenue, St. Charles Road provides an exclusive right-turn lane and a combined through/right-turn lane on the east approach. It should be noted that St. Charles Road is dislocated (offset) at this intersection and jugs to the north crossing the railroad tracks in a north-south fashion along with Grace Street. The west approach of St. Charles Road provides an exclusive right-turn lane and an exclusive left-turn lane. No right-turn movements on red are allowed on both legs of St. Charles Road. St. Charles Road has a posted speed limit of 35 mph on the eastern leg and 30 mph on the western leg. St. Charles Road carries an Average Daily Traffic (ADT) of approximately 16,000 vehicles.

Grace Street is a north-south collector street that runs from Fullerton Avenue in Addison south to its terminus at a cul-de-sac south of Central Avenue. Grace Street at its signalized intersection with the eastern leg of St. Charles Road provides an exclusive left-turn lane and a combined through/right-turn lane. At its intersection with the western leg of St. Charles Road, Grace Street provides an exclusive right-turn lane and a combined through/left-turn lane.

Parkside Avenue is a two-lane east-west residential street that runs from Grace Street west to its terminus at Elizabeth Street. No eastbound to northbound left-turn movements are allowed from Parkside Avenue at its intersection with Grace Street and St. Charles Road.

Evaluation

As mentioned previously, the site is currently occupied by three businesses; a car repair shop, a concrete block manufacturer and a used car dealer. Currently the site has seven curb cuts onto St. Charles Road. Under the proposed plans, the site will be razed and an 80-unit condominium with two curb cuts to St. Charles Road will be built.

The traffic that will be generated by the proposed development was estimated based on rates (Land-Use Code 230) published by the Institute of Transportation Engineers (ITE) in their *Trip Generation Manual*, 7th Edition. Table 1 lists the amount of traffic that will be generated by an 80-unit condominium development, as well as the amount of traffic that could potentially be generated by the same type of businesses if they would be fully operational.

Table 1
ESTIMATED SITE-GENERATED PEAK HOUR TRAFFIC VOLUMES

Land Use	A.M. Peak Hour		P.M. Peak Hour	
	In	Out	In	Out
80 Condominiums	5	40	35	15
Auto Care/Building Supply/Auto Sales (7,350± s.f. each) ¹	40	15	40	45
Difference	-35	+25	-5	-30

¹2.2 acres @ 10,000 s.f per acre = 22,000 s.f./3 land uses = 7,350± s f

As can be seen in Table 1, the traffic to be generated by an 80-unit condominium building during the peak-hours is lower in comparison to the traffic that could be generated by the site if developed with an auto care establishment, a building materials store, and a used car dealer. It should be noted that due to the fact that the proposed development will be located within close proximity of the Metra commuter rail station, the trip generation for the condominium units presented in Table 1 is conservatively high. As a transit oriented development (TOD), many residents will choose to locate here and use public transportation. As such, Table 1 presents a worst case scenario. In addition, when the traffic to be generated by the proposed development is compared to the existing ADT along St. Charles Road (0.3 percent of the existing ADT), it can be seen that this type of land use is a low traffic generator and will have very low impact on the traffic conditions in the area.

Access

The proposed development will have access to St. Charles Road via two access drives. One access drive will be restricted to right-in/right-out movements and will be located approximately 155 feet east of Grace Street while the other access drive will allow full ingress/egress movement and will be located approximately 100 feet east of St. Charles Place. Based on the small amount of traffic to be generated by the development and due to the fact that St. Charles Road at its intersection with the proposed full ingress/egress access drive provides two through lanes in each direction, no exclusive turning lanes into the site are needed. It should be noted that the full ingress/egress access drive should be designed to provide one inbound lane and one outbound lane. Outbound movements from both driveways should be under stop sign control. It should also be noted that the proposed access plan will be an improvement over the existing access configuration by reducing the number of curb cuts along St. Charles Road from seven to two, thus reducing the number of conflict points.

Based on our observations, traffic on St. Charles Road, specifically the westbound to northbound movement, queues for approximately 360 feet from its signal at Grace Street during the peak hours of traffic. This queue of traffic is due to the jog in the alignment of St. Charles Road and the fact that right-turning vehicles cannot turn on red due to the railroad tracks and the signal timing. However, it should be noted that although traffic backs up considerably, this queue of traffic clears 95 to 100 percent of the times.

Gap Analysis

Of interest is the location of the right-in/right-out access drive serving the development and whether vehicles will be able to turn right out of the site and have access to all westbound movements at Grace Street. In order to determine the ease with which a vehicle can turn out of a driveway, a gap analysis was conducted. Based on industry standards (Highway Capacity Manual 2000, HCM 2000), a minimum of 5.5 seconds is needed for a vehicle to turn right out of a minor street into a two or four lane road. In addition, a follow up time of 2.6 seconds is needed to allow an additional consecutive vehicle to turn right out of the minor street (i.e., 5.5 second gap = one vehicle turning right; 8.1 second gap = 2 consecutive vehicles can turn right out of a minor street, 10.7 second gap = 3 consecutive vehicles can turn right out of a minor street, etc.).

KLOA, Inc. conducted a gap analysis study on Monday, March 1, 2004 from 7:00 to 9:00 A.M. and from 4:00 to 6:00 P.M. Based on the gap study, there are numerous gaps conforming with the aforementioned standards. These are in excess of 120 usable gaps in a one hour period along St. Charles Road to allow vehicles to turn right out of the development. Table 1 shows that as many as 40 vehicles will exit the development during the peak hour. If all exiting vehicles were assigned to the west driveway, there would be three times as many gaps as vehicles, which is more than adequate by industry standards to accommodate this demand. This assignment will not occur as many exiting vehicles will utilize the east drive that is not impacted by the queue. As such, this driveway will operate efficiently as a right-in/right-out only access drive.

Conclusion

Based on this evaluation, the amount of traffic to be generated by the 80-unit condominium will be very low and can be accommodated by the existing roadways system and the planned access drives. The reduction of curb cuts along St. Charles Road from seven to two will reduce the number of conflict points and improve traffic flow along St. Charles Road. Based on the result of the gap study, there are more gaps than required by industry standards (3-1 ratio) to allow vehicles to exit right out of the development. Furthermore, the provision of two access drives serving this development will provide ingress/egress flexibility without placing all the traffic impact on one access drive. Due to the low traffic generated by this land use, no exclusive turning lanes will be necessary along St. Charles Road to accommodate future traffic volumes.

COMMUNITY

3-9-04

RECEIVED 3-9-2004

Jennifer Backensto
Planner I
Department of Community Development
255 East Wilson Avenue
Lombard, Illinois

Dear Jennifer,

I am writing regarding Case No. PC04-10, regarding the property at the corner of St. Charles Road and Grace Street. I am very much concerned about the large scale and density of this plan in light of the already heavy traffic at that intersection. I live very near by and am very much aware of the difficulties in arriving and departing from our driveway. I cannot understand how anyone thought a residential property containing 80 units, which could bring as many as 160 cars entering and exiting into the already dense traffic at that intersection, was a good idea. What about their guest? Will they be tempted to use the parking in the Lombard Commons across the way? The height of these buildings also concerns me. Five stories would very out of character for the current community in the area. I am concerned about the number of variations that are being requested for this project. We built our house in 1978 and we followed the village requirements, which were put in place for the greater good of the community. I wish that I could be at the two planned meeting for this project but I will be out of the state during that time. I do hope that the Planning Commission thinks long and hard before approving this project.

Thank You,

Phyllis Mertz
349 East Parkside Avenue
Lombard

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NUMBER 4403,
ADOPTED JANUARY 22, 1998, AMENDING THE COMPREHENSIVE PLAN
FOR THE VILLAGE OF LOMBARD, ILLINOIS**

(PC 04-10; 400-540 E. St. Charles Road)

(See also Ordinance No.(s)_____)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted Ordinance 4403, the Lombard Comprehensive Plan; and,

WHEREAS, an application has heretofore been filed requesting a map amendment for the purpose of changing the Comprehensive Plan's Long Range Land Use Plan designation for the property described in Section 2 hereto from Community Commercial to High Density Residential; and,

WHEREAS, a public hearing thereon has been conducted by the Village of Lombard Plan Commission on March 15, 2004, 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 Comprehensive Plan amendment 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 Ordinance 4403, otherwise known as the Comprehensive Plan of the Village of Lombard, Illinois, be and is hereby amended so as to redesignate the property described in Section 2 hereof from Community Commercial to High Density Residential.

SECTION 2: The Comprehensive Plan redesignation is limited and restricted to the properties generally located at 400-540 E. St. Charles Road, Lombard, Illinois, and legally described as follows:

PARCEL 1: THAT PART OF THE SOUTHEAST QUARTER OF SECTION 5 AND THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON

Ordinance No. _____

Re: PC 04-10; Comp. Plan Amendment

Page 2

THE NORTH LINE OF ST. CHARLES ROAD, WHICH IS 275 FEET EAST OF A POINT WHERE SAID ROAD TURNS EASTERLY NEAR THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 8; THENCE NORTHERLY AT RIGHT ANGLES WITH ST. CHARLES ROAD TO THE SOUTH LINE OF THE RIGHT OF WAY OF CHICAGO AND NORTHWEST RAILROAD COMPANY; THENCE EASTERLY ALONG THE SOUTH LINE OF THE RIGHT OF WAY OF CHICAGO AND NORTHWEST RAILROAD COMPANY TO THE WEST LINE OF THE PROPERTY CONVEYED TO AUGUSTA BIRR, (SAID WEST LINE BEING DRAWN NORTH $8\frac{1}{2}$ DEGREES WEST AND SOUTH $8\frac{1}{2}$ DEGREES EAST THROUGH A POINT 7.64 CHAINS EAST OF QUARTER SECTION POST BETWEEN SECTIONS 5 AND 8 AFORESAID); THENCE SOUTHERLY ALONG THE WEST LINE OF THE AUGUSTA BIRR PROPERTY TO NORTH LINE OF ST. CHARLES ROAD; THENCE WESTERLY ALONG THE NORTH LINE OF ST. CHARLES ROAD, 200 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 5 AND PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT A STAKE IN SECTION LINE 764 LINKS EAST OF THE QUARTER SECTION POST BETWEEN SECTIONS 5 AND 8 AND RUNNING THENCE NORTH $8\frac{1}{2}$ DEGREES WEST 1.86 CHAINS TO THE SOUTH BOUNDARY OF THE CHICAGO AND NORTHWEST RAILROAD LAND; THENCE NORTH 68 DEGREES EAST 1.52 CHAINS TO A STAKE; THENCE SOUTH $8\frac{1}{2}$ DEGREES EAST 2.48 CHAINS TO A STAKE IN THE CENTER OF SECTION LINE; THENCE SOUTH $8\frac{1}{2}$ DEGREES EAST 1.07 CHAINS TO A STAKE IN THE CENTER OF ST. CHARLES AND CHICAGO STATE ROAD ON SECTION 8; THENCE SOUTH $82\frac{1}{4}$ DEGREES WEST 1.52 CHAINS ALONG CENTER OF SAID STATE ROAD TO A STAKE; THENCE NORTH $8\frac{1}{2}$ DEGREES WEST 1.26 CHAINS TO THE NORTH LINE OF SECTION 8 AND THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3: THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 5, AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE NORTH LINE OF ST. CHARLES ROAD WHICH IS 565.62 FEET EAST OF THE EAST LINE OF GRACE STREET; THENCE NORTH MAKING AN ANGLE OF 268 DEGREES 14 MINUTES TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, A DISTANCE OF 34.3 FEET FOR A PLACE OF BEGINNING; THENCE EXTENDED NORTHERLY, ALONG THE SAME LINE A DISTANCE OF 153.1 FEET, TO A STAKE IN THE SOUTH RIGHT OF WAY LINE OF THE CHICAGO GREAT WESTERN RAILROAD RIGHT OF WAY; THENCE SOUTH EASTERLY ALONG THE SOUTH LINE OF SAID RAILROAD RIGHT OF WAY, A DISTANCE OF 250.33 FEET TO A STAKE IN THE WEST LINE OF THE HIGHWAY; THENCE SOUTHWESTERLY, ALONG THE NORTHWEST PROPERTY LINE OF THE HIGHWAY, A DISTANCE OF 255.4 FEET, TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

Ordinance No. _____

Re: PC 04-10; Comp. Plan Amendment

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PARCEL 4: THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AS FOLLOWS: ON THE NORTHERLY SIDE BY A LINE PARALLEL WITH AND DISTANT 50 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF THE MAIN TRACK OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY (FORMERLY THE CHICAGO AND GREAT WESTERN RAILWAY COMPANY), AS SAID MAIN TRACK IS NOW LOCATED; ON THE WESTERLY OR NORTHWESTERLY SIDE BY A LINE PARALLEL WITH AND DISTANT 50 FEET SOUTHEASTERLY, MEASURED AT RIGHT ANGLES OR RADially, FROM THE CENTERLINE OF THE MOST SOUTHEASTERLY MAIN TRACK OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY (FORMERLY THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY, AND ORIGINALLY THE GALENA AND CHICAGO UNION RAILROAD COMPANY), AS NOW LOCATED, ON THE SOUTHERLY SIDE BY A LINE PARALLEL WITH AND DISTANCE 100 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF THE MAIN TRACK OF THE MINNESOTA AND NORTHWESTERN RAILROAD COMPANY (LATER THE CHICAGO GREATWESTERN RAILWAY COMPANY, NOW THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY) AS SAID MAIN TRACK CENTERLINE WAS ORIGINALLY LOCATED AND ESTABLISHED ACROSS SAID SECTION 5; AND ON THE EASTERLY OR SOUTHEASTERLY SIDE BY THE NORTHWESTERLY LINE OF ST. CHARLES ROAD, AS PRESENTLY LOCATED, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 5: THAT PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8 AND THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF ST. CHARLES ROAD, WHERE THE SAME INTERSECTS THE SOUTHERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT OF WAY, NEAR THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN: THENCE IN A SOUTHERLY DIRECTION ALONG THE EAST LINE OF ST. CHARLES TO A POINT WHERE SAID ROAD TURNS EASTERLY; THENCE FOLLOWING THE NORTH LINE OF ST. CHARLES ROAD EASTERLY 275 FEET; THENCE NORTHERLY AT A RIGHT ANGLE WITH ST. CHARLES ROAD TO THE SOUTHERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY'S RIGHT OF WAY TO A PLACE OF BEGINNING, EXCEPTING THEREFROM THAT PART TAKEN FOR HIGHWAY PER DOCUMENT R2002-072762, IN DUPAGE COUNTY, ILLINOIS.

Parcel Numbers: 06-08-200-001, 06-08-200-002, 06-05-426-001 through -005

SECTION 3: That the official Long Range Land Use Plan map (Figure 1 in the Comprehensive Plan) of the Village of Lombard be changed in conformance with the provisions of this Ordinance.

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Re: PC 04-10; Comp. Plan Amendment
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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 _____, 2004.

First reading waived by action of the Board of Trustees this _____ day of _____, 2004.

Passed on second reading this _____ day of _____, 2004.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2004.

William J. Mueller, Village President

ATTEST:

Barbara A. Johnson, Deputy Village Clerk

ORDINANCE NO. _____

**AN ORDINANCE APPROVING A MAP AMENDMENT (REZONING)
TO THE LOMBARD ZONING ORDINANCE
TITLE 15, CHAPTER 155 OF THE CODE OF LOMBARD, ILLINOIS**

(PC 04-10; 400-540 E. St. Charles Road)

(See also Ordinance No.(s) _____)

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, an application has heretofore been filed requesting a map amendment for the purpose of rezoning the property described in Section 2 hereto from B4 Corridor Commercial District to R4 Limited General Residence District; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on March 15, 2004 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 rezoning 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 Title 15, Chapter 155 of the Code of Lombard, Illinois, otherwise known as the Lombard Zoning Ordinance, be and is hereby amended so as to rezone the property described in Section 2 below to R4 Limited General Residence District.

SECTION 2: This ordinance is limited and restricted to the properties generally located at 400-540 E. St. Charles Road, Lombard, Illinois, and legally described as follows:

Ordinance No. _____

Re: PC 04-10

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Ordinance No. _____
Re: PC 04-10
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SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN: THENCE IN A SOUTHERLY DIRECTION ALONG THE EAST LINE OF ST. CHARLES TO A POINT WHERE SAID ROAD TURNS EASTERLY; THENCE FOLLOWING THE NORTH LINE OF ST. CHARLES ROAD EASTERLY 275 FEET; THENCE NORTHERLY AT A RIGHT ANGLE WITH ST. CHARLES ROAD TO THE SOUTHERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY'S RIGHT OF WAY TO A PLACE OF BEGINNING, EXCEPTING THEREFROM THAT PART TAKEN FOR HIGHWAY PER DOCUMENT R2002-072762, IN DUPAGE COUNTY, ILLINOIS.

Parcel Numbers: 06-08-200-001, 06-08-200-002, 06-05-426-001 through -005

SECTION 3: That the official zoning map of the Village of Lombard be changed in conformance with the provisions of this ordinance.

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 _____, 2004.

Passed on second reading this ____ day of _____, 2004.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____, day of _____, 2004.

William J. Mueller, Village President

ATTEST:

Barbara A. Johnson, Deputy Village Clerk

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR A
PLANNED DEVELOPMENT WITH DEVIATIONS AND VARIATIONS,
VARIATIONS FROM THE PLANNED DEVELOPMENT STANDARDS,
AND VARIATIONS FROM THE LANDSCAPE STANDARDS IN A
R4 LIMITED GENERAL RESIDENCE DISTRICT**

(PC 04-10; 400-540 E. St. Charles Road)

(See also Ordinance No.(s)_____)

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 is zoned R4 Limited General Residence District; and,

WHEREAS, an application has heretofore been filed requesting approval of a conditional use for a planned development in a R4 Limited General Residence District; and

WHEREAS, said planned development includes a deviation from Section 155.408 (D) (4) of the Lombard Zoning Ordinance to reduce the minimum required lot area for an 80-unit multiple-family dwelling from 224,000 sq. ft. to 96,205 sq. ft.; and

WHEREAS, said planned development includes a deviation from Section 155.408 (G) of the Lombard Zoning Ordinance to increase the maximum allowable building height from 4 stories (50 feet) to 5 stories (51 feet); and

WHEREAS, said planned development includes a deviation from Section 155.408 (F) (4) (a) and Section 155.508 (C) (6) of the Lombard Zoning Ordinance to reduce the minimum required front yard setback from 30 feet 2 feet for the western building and 4 feet for the eastern building; and

WHEREAS, said planned development includes a deviation from Section 155.408 (F) (4) (d) and Section 155.508 (C) (6) of the Lombard Zoning Ordinance to reduce the minimum required rear yard setback from 30 feet to 29 feet for the western building; and

WHEREAS, said planned development includes a deviation from Section 155.408 (D) and Section 155.508 (C) (7) of the Lombard Zoning Ordinance to reduce the minimum required open space from 40% to 25%; and

WHEREAS, said planned development includes a deviation from Section 155.210 (B) (2) (b) and Section 155.508 (C) (6) of the Lombard Zoning Ordinance to reduce the minimum required rear yard setback for a detached garage from 3 feet to 1 foot; and

WHEREAS, said planned development includes a variation from Section 155.508 (C) (4) of the Lombard Zoning Ordinance allowing for an increase in the maximum number of dwelling units from 48 to 80 units; and

WHEREAS, said planned development includes a variation from Section 155.508 (C) (6) of the Lombard Zoning Ordinance to vary the front and rear yard on the perimeter of the development as depicted on the submitted site plans and as referenced within the petitioner's request for a conditional use for a planned development; and

WHEREAS, said planned development includes a variation from Section 155.508 (C) (7) of the Lombard Zoning Ordinance to vary the area of open space provided in a planned development as depicted on the submitted site plans and as referenced within the petitioner's request for a conditional use for a planned development; and

WHEREAS, said planned development includes a variation from Section 155.706 (C) (1) of the Lombard Zoning Ordinance reducing the required perimeter parking lot landscaping area;

WHEREAS, said planned development includes a variation from Section 155.709 (B) of the Lombard Zoning Ordinance reducing the required perimeter lot landscaping area;

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on March 15, 2004 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, deviations, and variations 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 for a planned development with the following deviations and variations is hereby granted for the Subject Property legally described in Section 2 below, subject to the conditions set forth in Section 3 below:

- a) A deviation from Section 155.408 (D) (4) to reduce the minimum required lot area for an 80-unit multiple-family dwelling from 224,000 sq. ft. to 96,205 sq. ft.;
- b) A deviation from Section 155.408 (G) to increase the maximum allowable building height from 4 stories (50 feet) to 5 stories (51 feet);
- c) A deviation from Section 155.408 (F) (4) (a) and Section 155.508 (C) (6) to reduce the minimum required front yard setback from 30 feet 2 feet for the western building and 4 feet for the eastern building;
- d) A deviation from Section 155.408 (F) (4) (d) and Section 155.508 (C) (6) to reduce the minimum required rear yard setback from 30 feet to 29 feet for the western building;
- e) A deviation from Section 155.408 (D) and Section 155.508 (C) (7) to reduce the minimum required open space from 40% to 25%;
- f) A deviation from Section 155.210 (B) (2) (b) and Section 155.508 (C) (6) to reduce the minimum required rear yard setback for a detached garage from 3 feet to 1 foot;
- g) A variation from Section 155.508 (C) (4) allowing for an increase in the maximum number of dwelling units from 48 to 80 units;
- h) A variation from Section 155.508 (C) (6) to vary the front and rear yard on the perimeter of the development as depicted on the submitted site plans and as referenced within the petitioner's request for a conditional use for a planned development;
- i) A variation from Section 155.508 (C) (7) to vary the area of open space provided in a planned development as depicted on the submitted site plans and as referenced within the petitioner's request for a conditional use for a planned development;
- j) A variation from Section 155.706 (C) (1) of the Zoning Ordinance reducing the required perimeter parking lot landscaping area;

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- k) A variation from Section 155.709 (B) of the Zoning Ordinance reducing the required perimeter lot landscaping area;

SECTION 2: That the ordinance is limited and restricted to the properties generally located 400-540 E. St. Charles Road, Lombard, Illinois, and legally described as follows:

PARCEL 1: THAT PART OF THE SOUTHEAST QUARTER OF SECTION 5 AND THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF ST. CHARLES ROAD, WHICH IS 275 FEET EAST OF A POINT WHERE SAID ROAD TURNS EASTERLY NEAR THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 8; THENCE NORTHERLY AT RIGHT ANGLES WITH ST. CHARLES ROAD TO THE SOUTH LINE OF THE RIGHT OF WAY OF CHICAGO AND NORTHWEST RAILROAD COMPANY; THENCE EASTERLY ALONG THE SOUTH LINE OF THE RIGHT OF WAY OF CHICAGO AND NORTHWEST RAILROAD COMPANY TO THE WEST LINE OF THE PROPERTY CONVEYED TO AUGUSTA BIRR, (SAID WEST LINE BEING DRAWN NORTH 8 ½ DEGREES WEST AND SOUTH 8 ½ DEGREES EAST THROUGH A POINT 7.64 CHAINS EAST OF QUARTER SECTION POST BETWEEN SECTIONS 5 AND 8 AFORESAID); THENCE SOUTHERLY ALONG THE WEST LINE OF THE AUGUSTA BIRR PROPERTY TO NORTH LINE OF ST. CHARLES ROAD; THENCE WESTERLY ALONG THE NORTH LINE OF ST. CHARLES ROAD, 200 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 5 AND PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT A STAKE IN SECTION LINE 764 LINKS EAST OF THE QUARTER SECTION POST BETWEEN SECTIONS 5 AND 8 AND RUNNING THENCE NORTH 8 ½ DEGREES WEST 1.86 CHAINS TO THE SOUTH BOUNDARY OF THE CHICAGO AND NORTHWEST RAILROAD LAND; THENCE NORTH 68 DEGREES EAST 1.52 CHAINS TO A STAKE; THENCE SOUTH 8 ½ DEGREES EAST 2.48 CHAINS TO A STAKE IN THE CENTER OF SECTION LINE; THENCE SOUTH 8 ½ DEGREES EAST 1.07 CHAINS TO A STAKE IN THE CENTER OF ST. CHARLES AND CHICAGO STATE ROAD ON SECTION 8; THENCE SOUTH 82 ¼ DEGREES WEST 1.52 CHAINS ALONG CENTER OF SAID STATE ROAD TO A STAKE; THENCE NORTH 8 ½ DEGREES WEST 1.26 CHAINS TO THE NORTH LINE OF SECTION 8 AND THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3: THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 5, AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE NORTH LINE OF ST. CHARLES ROAD WHICH IS 565.62 FEET EAST OF THE EAST LINE OF GRACE STREET; THENCE NORTH MAKING AN ANGLE OF 268 DEGREES 14 MINUTES TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, A DISTANCE OF 34.3 FEET FOR A PLACE OF BEGINNING; THENCE EXTENDED NORTHERLY, ALONG THE SAME LINE A DISTANCE OF 153.1 FEET, TO A STAKE IN THE SOUTH RIGHT OF WAY LINE OF THE CHICAGO GREAT WESTERN RAILROAD RIGHT OF WAY; THENCE SOUTH EASTERLY ALONG THE SOUTH LINE OF SAID RAILROAD RIGHT OF WAY, A DISTANCE OF 250.33 FEET TO A STAKE IN THE WEST LINE OF THE HIGHWAY; THENCE SOUTHWESTERLY, ALONG THE NORTHWEST PROPERTY LINE OF THE HIGHWAY, A DISTANCE OF 255.4 FEET, TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 4: THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AS FOLLOWS: ON THE NORTHERLY SIDE BY A LINE PARALLEL WITH AND DISTANT 50 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF THE MAIN TRACK OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY (FORMERLY THE CHICAGO AND GREAT WESTERN RAILWAY COMPANY), AS SAID MAIN TRACK IS NOW LOCATED; ON THE WESTERLY OR NORTHWESTERLY SIDE BY A LINE PARALLEL WITH AND DISTANT 50 FEET SOUTHEASTERLY, MEASURED AT RIGHT ANGLES OR RADIALLY, FROM THE CENTERLINE OF THE MOST SOUTHEASTERLY MAIN TRACK OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY (FORMERLY THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY, AND ORIGINALLY THE GALENA AND CHICAGO UNION RAILROAD COMPANY), AS NOW LOCATED, ON THE SOUTHERLY SIDE BY A LINE PARALLEL WITH AND DISTANCE 100 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF THE MAIN TRACK OF THE MINNESOTA AND NORTHWESTERN RAILROAD COMPANY (LATER THE CHICAGO GREATWESTERN RAILWAY COMPANY, NOW THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY) AS SAID MAIN TRACK CENTERLINE WAS ORIGINALLY LOCATED AND ESTABLISHED ACROSS SAID SECTION 5; AND ON THE EASTERLY OR SOUTHEASTERLY SIDE BY THE NORTHWESTERLY LINE OF ST. CHARLES ROAD, AS PRESENTLY LOCATED, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 5: THAT PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8 AND THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL

MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF ST. CHARLES ROAD, WHERE THE SAME INTERSECTS THE SOUTHERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT OF WAY, NEAR THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN: THENCE IN A SOUTHERLY DIRECTION ALONG THE EAST LINE OF ST. CHARLES TO A POINT WHERE SAID ROAD TURNS EASTERLY; THENCE FOLLOWING THE NORTH LINE OF ST. CHARLES ROAD EASTERLY 275 FEET; THENCE NORTHERLY AT A RIGHT ANGLE WITH ST. CHARLES ROAD TO THE SOUTHERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY'S RIGHT OF WAY TO A PLACE OF BEGINNING, EXCEPTING THEREFROM THAT PART TAKEN FOR HIGHWAY PER DOCUMENT R2002-072762, IN DUPAGE COUNTY, ILLINOIS.

Parcel Numbers: 06-08-200-001, 06-08-200-002, 06-05-426-001 through -005

SECTION 3: The conditional use with deviations and variations set forth in Section 1 above shall be granted subject to compliance with the following conditions:

1. The site shall be developed substantially in accordance with the site plans prepared by Neri Architects, dated February 11, 2004 and last revised March 1, 2004.
2. During the construction phase, the petitioner will construct a temporary access drive between the proposed buildings to ensure unobstructed access around the site. The design of the driveway shall be subject to review and approval by the Director of Community Development and the Fire Chief.
3. All comments in the Inter-Departmental Review Committee Report shall be satisfactorily addressed as part of a building permit application.
4. Accessible parking spaces shall be provided in compliance with the provisions of the Illinois Accessibility Code.
5. The petitioner shall provide a photometric plan to the Village showing compliance with Village Code.
6. The petitioner shall either:
 - a. grant a cross-access agreement over the eastern corner of the property for pedestrian/bike access and construction; or
 - b. exchange the eastern corner of the property for DuPage County-owned property to the rear of the side.

7. The petitioner shall provide a public access and landscape easement over the western corner of the property (west of the proposed parking area). The developer shall install a pocket park of like design as found at the northwest corner of St. Charles Road and Grace.
8. The petitioner shall modify the landscape plan to include the following, subject to the approval by the Director of Community Development:
 - a. continuous shrubbery along the eastern boundary of the public access and landscape easement; and
 - b. low-growth plantings in the public access and landscape easement along St. Charles Road and Grace Street.
9. Any existing and proposed public overhead utility lines located on the subject property and within the St. Charles Road right-of-way adjacent to the subject property shall be buried.

SECTION 4: The Village Board hereby and authorizes the Plan Commission to have Site Plan Approval authority relative to this Planned Development.

SECTION 5: 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 _____, 2004.

First reading waived by action of the Board of Trustees this ____ day of _____, 2004.

Passed on second reading this ____ day of _____, 2004.

Ayes: _____

Nayes: _____

Absent: _____

Approved this ____ day of _____, 2004.

Ordinance No. _____
Re: PC 04-10
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William J. Mueller, Village President

ATTEST:

Barbara A. Johnson, Deputy Village Clerk

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR AN ACCESSORY
GARAGE IN A R4 LIMITED GENERAL RESIDENCE DISTRICT**

(PC 04-10; 400-540 E. St. Charles Road)

(See also Ordinance No.(s) _____)

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 is zoned R4 Limited General Residence District; and,

WHEREAS, an application has heretofore been filed requesting approval of a conditional use for an accessory garage in a R4 Limited General Residence District; and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on March 15, 2004 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 for an accessory garage is hereby granted for the Subject Property legally described in Section 2 below.

SECTION 2: That the ordinance is limited and restricted to the properties generally located 400-540 E. St. Charles Road, Lombard, Illinois, and legally described as follows:

PARCEL 1: THAT PART OF THE SOUTHEAST QUARTER OF SECTION 5 AND THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF ST. CHARLES ROAD, WHICH IS 275 FEET EAST OF A POINT WHERE SAID ROAD TURNS EASTERLY NEAR THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 8; THENCE NORTHERLY AT RIGHT ANGLES WITH ST. CHARLES ROAD TO THE SOUTH LINE OF THE RIGHT OF WAY OF CHICAGO AND NORTHWEST RAILROAD COMPANY; THENCE EASTERLY ALONG THE SOUTH LINE OF THE RIGHT OF WAY OF CHICAGO AND NORTHWEST RAILROAD COMPANY TO THE WEST LINE OF THE PROPERTY CONVEYED TO AUGUSTA BIRR, (SAID WEST LINE BEING DRAWN NORTH $8\frac{1}{2}$ DEGREES WEST AND SOUTH $8\frac{1}{2}$ DEGREES EAST THROUGH A POINT 7.64 CHAINS EAST OF QUARTER SECTION POST BETWEEN SECTIONS 5 AND 8 AFORESAID); THENCE SOUTHERLY ALONG THE WEST LINE OF THE AUGUSTA BIRR PROPERTY TO NORTH LINE OF ST. CHARLES ROAD; THENCE WESTERLY ALONG THE NORTH LINE OF ST. CHARLES ROAD, 200 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 5 AND PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT A STAKE IN SECTION LINE 764 LINKS EAST OF THE QUARTER SECTION POST BETWEEN SECTIONS 5 AND 8 AND RUNNING THENCE NORTH $8\frac{1}{2}$ DEGREES WEST 1.86 CHAINS TO THE SOUTH BOUNDARY OF THE CHICAGO AND NORTHWEST RAILROAD LAND; THENCE NORTH 68 DEGREES EAST 1.52 CHAINS TO A STAKE; THENCE SOUTH $8\frac{1}{2}$ DEGREES EAST 2.48 CHAINS TO A STAKE IN THE CENTER OF SECTION LINE; THENCE SOUTH $8\frac{1}{2}$ DEGREES EAST 1.07 CHAINS TO A STAKE IN THE CENTER OF ST. CHARLES AND CHICAGO STATE ROAD ON SECTION 8; THENCE SOUTH $82\frac{1}{4}$ DEGREES WEST 1.52 CHAINS ALONG CENTER OF SAID STATE ROAD TO A STAKE; THENCE NORTH $8\frac{1}{2}$ DEGREES WEST 1.26 CHAINS TO THE NORTH LINE OF SECTION 8 AND THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3: THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 5, AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE NORTH LINE OF ST. CHARLES ROAD WHICH IS 565.62 FEET EAST OF THE EAST LINE OF GRACE STREET; THENCE NORTH MAKING AN ANGLE OF 268 DEGREES 14 MINUTES TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, A DISTANCE OF 34.3 FEET FOR A PLACE OF BEGINNING; THENCE EXTENDED

NORTHERLY, ALONG THE SAME LINE A DISTANCE OF 153.1 FEET, TO A STAKE IN THE SOUTH RIGHT OF WAY LINE OF THE CHICAGO GREAT WESTERN RAILROAD RIGHT OF WAY; THENCE SOUTH EASTERLY ALONG THE SOUTH LINE OF SAID RAILROAD RIGHT OF WAY, A DISTANCE OF 250.33 FEET TO A STAKE IN THE WEST LINE OF THE HIGHWAY; THENCE SOUTHWESTERLY, ALONG THE NORTHWEST PROPERTY LINE OF THE HIGHWAY, A DISTANCE OF 255.4 FEET, TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 4: THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AS FOLLOWS: ON THE NORTHERLY SIDE BY A LINE PARALLEL WITH AND DISTANT 50 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF THE MAIN TRACK OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY (FORMERLY THE CHICAGO AND GREAT WESTERN RAILWAY COMPANY), AS SAID MAIN TRACK IS NOW LOCATED; ON THE WESTERLY OR NORTHWESTERLY SIDE BY A LINE PARALLEL WITH AND DISTANT 50 FEET SOUTHEASTERLY, MEASURED AT RIGHT ANGLES OR RADIALLY, FROM THE CENTERLINE OF THE MOST SOUTHEASTERLY MAIN TRACK OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY (FORMERLY THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY, AND ORIGINALLY THE GALENA AND CHICAGO UNION RAILROAD COMPANY), AS NOW LOCATED, ON THE SOUTHERLY SIDE BY A LINE PARALLEL WITH AND DISTANCE 100 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF THE MAIN TRACK OF THE MINNESOTA AND NORTHWESTERN RAILROAD COMPANY (LATER THE CHICAGO GREATWESTERN RAILWAY COMPANY, NOW THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY) AS SAID MAIN TRACK CENTERLINE WAS ORIGINALLY LOCATED AND ESTABLISHED ACROSS SAID SECTION 5; AND ON THE EASTERLY OR SOUTHEASTERLY SIDE BY THE NORTHWESTERLY LINE OF ST. CHARLES ROAD, AS PRESENTLY LOCATED, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 5: THAT PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8 AND THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF ST. CHARLES ROAD, WHERE THE SAME INTERSECTS THE SOUTHERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT OF WAY, NEAR THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN: THENCE IN A SOUTHERLY DIRECTION ALONG THE EAST LINE OF ST. CHARLES TO A POINT WHERE SAID ROAD TURNS EASTERLY; THENCE FOLLOWING THE NORTH LINE OF ST. CHARLES ROAD EASTERLY 275 FEET; THENCE NORTHERLY

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AT A RIGHT ANGLE WITH ST. CHARLES ROAD TO THE SOUTHERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY'S RIGHT OF WAY TO A PLACE OF BEGINNING, EXCEPTING THEREFROM THAT PART TAKEN FOR HIGHWAY PER DOCUMENT R2002-072762, IN DUPAGE COUNTY, ILLINOIS.

Parcel Numbers: 06-08-200-001, 06-08-200-002, 06-05-426-001 through -005

SECTION 3: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed on first reading this ____ day of _____, 2004.

First reading waived by action of the Board of Trustees this ____ day of _____, 2004.

Passed on second reading this ____ day of _____, 2004.

Ayes: _____

Nayes: _____

Absent: _____

Approved this ____ day of _____, 2004.

William J. Mueller, Village President

ATTEST:

Barbara A. Johnson, Deputy Village Clerk

Bid Opening for Trimming

DATE: May 24, 2004		NAME & ADDRESS OF BIDDER	EXCEPTIONS	Steve Piper & Sons 31W320 Ramm Dr. Naperville, IL		Kramer Tree Specialists 701 Church Dr. West Chicago, IL		The Care of Trees 700 Taft Ave Glen Ellyn, IL		The Davey Tree Expert Co. 115165 Madison Burr Ridge, IL		
TIME: 10:00am												
DOCUMENT # PWO 0515												
DOCUMENT NAME: Parkway Tree Trimming												
NO		ITEM		None - Bond		None - Bond		None - Bond		None - Bond		
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	
1		Area Trimming 6"-20"		\$21.90	\$19,885.20	\$55.00	\$49,940.00	\$24.50	\$22,246.00	\$42.00	\$38,136.00	
2		Area Trimming 21"-35"		\$44.75	\$9,397.50	\$98.00	\$20,580.00	\$59.50	\$12,495.00	\$72.00	\$15,120.00	
3		Area Trimming Over 35"		\$71.25	\$1,496.25	\$180.00	\$3,780.00	\$74.50	\$1,564.50	\$105.00	\$2,205.00	
		TOTAL			\$30,778.95		\$74,300.00		\$36,305.50		\$55,461.00	
1		Demand Pruning 6"-20"		\$90.00	\$25,830.00	\$115.00	\$33,005.00	\$24.50	\$7,031.50	\$50.00	\$14,350.00	
2		Demand Pruning 21"-35"		\$130.00	\$7,800.00	\$196.00	\$11,760.00	\$59.50	\$3,570.00	\$80.00	\$4,800.00	
3		Demand Pruning Over 35"		\$170.00	\$1,020.00	\$379.00	\$2,274.00	\$74.50	\$447.00	\$120.00	\$720.00	
4		Cabling		\$370.00	\$1,850.00	\$235.00	\$1,175.00	\$150.00	\$750.00	\$120.00	\$600.00	
		TOTAL			\$36,500.00		\$48,214.00		\$11,798.50		\$20,470.00	
GRAND TOTAL					\$67,278.95		\$122,514.00		\$48,104.00		\$75,931.00	

DATE: May 24, 2004		NAME & ADDRESS OF BIDDER	EXCEPTIONS	Asplundh Tree Expert Co. 7942 S. Madison St. Burr Ridge, IL		None - Bond					
TIME: 10:00am											
DOCUMENT # PWO 0515											
DOCUMENT NAME: Parkway Tree Trimming											
NO	ITEM				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE
1	Area Trimming 6"-20"			\$44.75	\$40,633.00						
2	Area Trimming 21"-35"			\$58.75	\$12,337.50						
3	Area Trimming Over 35"			\$64.50	\$1,354.50						
	TOTAL				\$54,325.00						
1	Demand Pruning 6"-20"			No Bid							
2	Demand Pruning 21"-35"			No Bid							
3	Demand Pruning Over 35"			No Bid							
4	Cabling			No Bid							
	TOTAL				\$0.00						
GRAND TOTAL					\$54,325.00						