VILLAGE OF LOMBARD

ITEMIZATION OF RELIEF

855 East Roosevelt Road, Lombard, DuPage County, Illinois
Permanent Index No. 06-21-100-013
Conditional Use, Variations, Subdivision, Amended Site Plan Approval
Creekview Plaza

In order to support the reduction in size and change in use from a freestanding restaurant and banquet facility to a multi-tenant commercial building, SAFA PROPERTY LLC respectfully requests that the Plan Commission recommends and the Village Board approves the following relief:

1. Preservation of the existing conditional use under Ordinance No. 8077, under Sections 155.103(F) and 155.417(G)(2)(a)(vii) of the Zoning Ordinance to allow a second-floor restaurant and banquet, including entertainment and dancing when conducted as part of the restaurant and banquet operations and secondary to the principal use subject to the conditions numbered 2, 3, 7, 10, and 11 (dining and banquet limit of 156) set forth in Section 14 of said ordinance.

2. A new conditional use under Sections 155.103(F) and 155.417(G)(2)(b)(iv) of the Zoning Ordinance to allow for a drive-through facility.

3. Elimination of the following conditional uses approved in Ordinance No. 8077 (Secs. 2-3) under Sections 155.103(F), 155.417(G)(2)(c)(vii), and 155.417(G)(l0)(b) of the Zoning Ordinance: (a) a building containing a restaurant as a principal use that will exceed 40 feet in height; and (b) outdoor display and sales on a seasonal or periodic basis in a row of parking or on the rooftop.

4. Preservation of the existing variations under Ordinance No. 8077, under Sections 155.102(B)(3) and 155.103(C)(2)(b), from Sections 155.417(G)(l2), 155.417(G)(l4) and 155.602(A)(10)(d) of the Zoning Ordinance which require parking lot lighting to be directed away from the lot lines and to fall below certain maximum intensities in order to avoid these requirements for lighting adjacent to the access easement serving the subject property and the easterly adjacent property subject to the conditions numbered 2, 3, 7, 10 set forth in Section 14 of said ordinance.

5. Preservation of the existing variations under Ordinance No. 8077, under Sections 155.102(B)(3) and 155.103(C)(2)(b), from Section 155.707(B)(4)(d) which requires transition yard areas not planted with trees or shrubs to be maintained as lawn in order to permit the south lot line to be maintained with all trees and understory plant material to remain in the wetland, flood way and floodplain reflected in the plans (affects south transition yard except east +/-45 feet) subject to the conditions numbered 2, 3, 7, and 10 set forth in Section 14 of said ordinance.

6. Preservation of the existing variations under Ordinance No. 8077, under Sections 155.102(B)(3) and 155.103(C)(2)(b), from Section 155.708 which requires a ten-foot foundation landscaping area on all sides of a building in order to allow development without foundation landscaping according to the Landscape Plan subject to the conditions numbered 2, 3, 7, and 10 set forth in Section 14 of said ordinance.

7. Preservation of the existing variations under Ordinance No. 8077, under Sections 155.102(B)(3) and 155.103(C)(2)(b), from Article XI which imposes several detailed landscaping requirements in Sections 155.701 through 155.710 in order to accomplish innovative landscaping shown in the four-sheet landscape plan on file with the Village for the benefit of natural areas on the site and to the south as well as residential neighbors to the south subject to the conditions numbered 2, 3, 7, and 10 set forth in Section 14 of said ordinance.

8. A new variation from under Sections 155.102(B)(3) and 155.103(C)(2)(b), from Section 155.603(A)(1) to allow the voluntary short-berth (2) loading area to be situated not closer than five (5) feet to the east lot line.

9. Elimination of the following variations approved in Ordinance No. 8077 (Secs. 4, 5, 7, 8) under Sections 155.102(B)(3) and 155.103(C)(2)(b) of the Zoning Ordinance: (a) parking variations from Section 155.417(G)(12) and 155.602(C) (Table 6.3); (b) loading variations from Sections l55.4l7(G)(l2) and l55.603(A); (c) landscape island variations for rickshaws from Sections 155.417(G)(l2) and 155.706(B)(2)(c); (d) landscape and rickshaw lighting variations from Section 155.417(G)(l4).

10. Approval of a revised site plan and landscaping plan under Section 155.103(I) and Section 155.702 of the Zoning Ordinance subject to the conditions the conditions numbered 2, 3, 7, 10 set forth in Section 14 of Ordinance No. 8077.

11. Approval of a preliminary and final plat of subdivision for Creekview/Pep Boys Resubdivision No. 1 which is intended merely to release the access restriction on the driveway at the west end of the reciprocal access easement.

Mark W. Daniel, Esq.
mark@thedaniellawoffice.com

17W733 Butterfield Road, Unit F
Oakbrook Terrace, IL 60181
(630) 833-3311
Fax: (630) 833-3511

Daniel Law Office, P.C.

VILLAGE OF LOMBARD
CREEKVIEW PLAZA PROJECT NARRATIVE
Conditional Uses, Variations, Site Plan Review, Subdivision
855 East Roosevelt Road, Lombard, Illinois, 60148 (PIN 06-21-100-013)

On July 22, 2022, under Ordinance No. 8077 (PC-22-05), the Village approved a freestanding restaurant and banquet facility named Usmania Prime. Unfortunate delays in getting to approval due to COVID and addressing neighbor objections left the owner in a delayed position from which it never could recover. SAFA PROPERTY LLC ("Applicant") was unable to solve much higher interest rates and skyrocketing construction costs. Earlier in 2024, Applicant informed the Village that its lender's terms for the construction of the standalone restaurant were too burdensome. Shortly afterwards, Applicant prepared the modified plan that is now part of this application. So as not to waste development permit and title work for Usmania Prime at 855 East Roosevelt Road[1] (the "Subject Property"), Applicant decided to build a smaller multi-tenant building with a second-floor operation for restaurant (primarily breakfast and lunch) and banquet (primarily evenings) services. The second-floor use is planned to operate as either a restaurant or a banquet and do so without relief as to use, bulk or parking. The first floor will host retail, service and restaurant uses (one with a standard drive-through facility).

Applicant provides an Itemization of Relief setting forth the relief provided in Ordinance No. 8077 that will continue, identifying new relief, and listing the forms of relief to be canceled. The site plan substantially continues the form of the prior site plan. Lastly, Applicant submits a proposed plat of subdivision that will be reviewed by the Illinois Department of Transportation to release the west access restriction at Roosevelt Road (IDOT previously approved the plat for the larger Usmania Prime operation).

The building will be oriented toward Roosevelt Road and plans for rooftop dining have been eliminated. The building will also be shorter in feet and stories. Two short-berth loading spaces exist in a loading area on the east side of the building, but it is five (5) feet from the lot line. The drive-through serving the east first-floor unit has sufficient stacking in a standard design. Some lighting variations remain necessary along the east lot line (due to the reciprocal access route and the proximity of Pep Boys' building). The Landscape Plan reflects that Applicant maintains its prior commitment for landscaping beyond the parking lot and improved landscaping within the parking lot.

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[1] The Subject Property has occasionally been known as 849 East Roosevelt. Even after the entitlement process, there were still several references to 849 Ease Roosevelt, including in the updated title insurance policy provided with the application. Applicant and the Village determined the application should proceed under the Village-assigned GIS address of 855 E. Roosevelt Road rather than the title policy address of 849 E. Roosevelt Road. The County GIS places 855 East Roosevelt Road slightly east of the Subject Property. The Subject Property is the vacant land directly west of Pep Boys.

Site Planning and Operations

Applicant is not yet at liberty to discuss the tenants on the Subject Property, but the second-floor use and the two first-floor restaurant locations are essentially locked in. More information on these will be provided soon. The building is being reduced from three floors with a cellar (below grade) to two floors without a cellar. The building will be oriented north and there will be no rooftop operations or outdoor sales and display activities. Uplighting from grade elevation will not be necessary.

The west ground floor entry will be the lobby for the second-floor restaurant and banquet use and stair and elevator access will be available. The dining area for restaurant purposes will offer 2,330 square feet. Banquet seating amounts to 156 persons with a standard peak shift of six (6), but eight (8) were utilized for parking calculations in order to remain conservative. Ordinance No. 8077 contemplated ten (10) banquet employees in 2,500-plus square feet of shared kitchen and preparation areas—double the size of the proposed second-floor kitchen.

The first floor offers commercial space for at least two restaurants. The larger east endcap will have a drive-through facility and offer approximately 1,000 square feet for dining. The unit directly west will offer about half the dining area of its neighbor. The retail spaces offer 1,030-1,052 square feet of chargeable retail or service floor area.

Applicant will add a second full access driveway to the site (in addition to the existing east access to Pep Boys). The same cross-access drive that Lombard approved decades ago will allow for dispersal of vehicular traffic from both sides of the building at either driveway. Applicant still respects the large special management area and it has done quite a bit of work to clean this area on a semi-monthly basis. Landscaping relief similar to what has already been approved remains necessary.

The loading area remains tucked behind the east side of the building. Applicant places the waste enclosure near the building rather than at the south end of the drive aisle where it would be closer to the neighbors. Loading occurs during non-peak hours, typically before the restaurants open. Waste operations will typically occur in the early morning, again before the businesses on site open. No loading zone is required.

Due to the special management area, the parking fields will have no impact on residential uses to the south. The nearest paved area is more than 37 feet north of the residential boundary, with most of the parking and drive aisles over 110 feet away. The southern spaces are aligned towards the adjacent retail and automotive use. The south end of the drive aisle includes the same substantial landscaping required by the Village in Ordinance No. 8077.

The photometric plan reflects that lighting will comply with Lombard requirements. The only concerns arise in relation to (a) lighting for the shared access aisle near the east lot line north of the building and (b) lighting in an area of the lot line east of the parking area that will

feature landscape screening that will necessarily minimize the impact of lighting needed for safety between the parking lot and the Pep Boys building. Lighting of the cross access will exceed allowable intensity and lighting will also be cast in the direction of the access aisle where it crosses the lot line.

Landscaping planning and site planning for natural areas remains complex, but there is no change to this element since the adoption of Ordinance No. 8077. Applicant continues with similar landscape plans for the special management area south and west of retaining walls along the boundary of the wetland and floodplain area. No change is proposed for the natural wetland area west and southwest of this retaining wall.

A system of permeable pavers and underground oversized pipes will contribute to the required retention volume and the development will comply with post-construction best management practices. Applicant has participated in several communications and meetings with Village and DuPage County staff concerning site planning and compliance with the DuPage County Countywide Stormwater and Floodplain Ordinance. Applicant's civil engineering and landscape design team believes the slight adjustments to the plan over the past few months merit support from the same Village and County regulatory officials who substantially approved work to improve the special management area for the project approved in 2022.

About the Subject Property

The Subject Property is the subject of Ordinance No. 8077 and various County and Village permitting efforts. It has never been developed. Located in Lombard's B4A Roosevelt Road Corridor District, the Subject Property is comprised of 2.45 acres. The Subject Property includes Sugar Creek which developed following decades of farming and a subsequent lack of maintenance and repair of tiles. With development in the surrounding area, the creek formed in the 1960's and 1970's and was redirected during the construction of Illinois Route 38. Sugar Creek flowed into and through the residential development to the south, but between 1987 and 1993 conditions changed and a pond took hold south of the Subject Property. Sugar Creek, the related wetland, floodway and flood plain impact roughly 1.2 acres (half of the Subject Property). The impacted 1.2-acre area has hundreds of trees and substantial undergrowth, most of which will not be disturbed during development. Applicant has maintained this area through site maintenance activities and removal of materials that were not embedded in soils (as permitted by DuPage County). Applicant is close to having permits to initiate mass grading and other work that will improve the area and prepare the rest of the site for development.

The Subject Property was part of the Christofaro & Difebo Subdivision, the plat of which was recorded as R1997-052817. The plat includes a shared access route between the existing Pep Boys driveway and the planned driveway for the project. Applicant is not changing the location of the access easement. There is no known easement for shared or cooperative parking. There is a platted 60-foot building setback line. The public sidewalk along the south line of Roosevelt Road at the west edge of the Subject Property extends east across the Subject Property and Pep

Boys, transitioning into a public sidewalk easement just west of the proposed driveway. In addition to ordinary easements, a clear sight easement applies on each side of the planned driveway. Applicant believes its planning exceeds the demands of the clear sight easement.

The Subject Property is nearly 1,000 feet west of Westmore-Meyers Avenue and 500 feet east of a stoplight just west of Century Tile to the west. The state jurisdiction highway offers two through lanes at a 35 m.p.h. speed limit and a central left turn lane. The driveway serving the Subject Property will not conflict with the driveway for the self-storage use to the north.

Surrounding Zoning and Land Use

Ordinance No. 8077 remains consistent with area planning. The Subject Property is in Lombard's B4A Roosevelt Road Corridor zoning district. With few exceptions, the B4A district stretches along both sides of Roosevelt Road/Illinois Route 38 from east to west. Throughout the zoning district, lots vary substantially in shape, dimension and depth and, thus, in capacity for development. The Subject Property abuts B4A zoning and use to its north, east and west (with the exception of a 68-foot southerly portion of the west lot line). South of the Subject Property lies a 100-acre unincorporated R-3 detached single family residential zoning district.

The closest incorporated residential area is the R1 zoning district north of the several lots on the north frontage of Roosevelt Road. Far to the northwest is one of the Village's R2 zoning districts. The Village's R0 zoning classification applies to properties well east of the Subject Property along the west side of School Street past the former Township Highway Department garage. East of this R0 district lies a collection of unincorporated parcels that have occasionally been the subject of annexation and redevelopment interest. Some land east of School Street is in the Village.

Ordinance No. 8077 and related efforts brought development of the subdivision closer to its intended use. Ordinances Nos. 3961, 4120, 4185, and 4233 approved a conditional use for Pep Boys (851 E. Roosevelt), an automobile service facility accessory to retail sales of automobile parts and accessories. Within the same subdivision approved in 1997, the eastern lot was more capable of hosting a substantial commercial use. Pep Boys shares an access drive, so it is worth noting that the peak hours for trip generation are substantially different for Pep Boys (8 AM) than the Subject Property (midday and evenings, 7:00 PM or later). The customer entrance to Pep Boys is situated on the north elevation while the east elevation contains 11 service garages. A loading zone occupies a lane south of the Pep Boys building and there is no access along the east wall of Pep Boys. There is no practical potential of additional interconnection with the Subject Property unless the Pep Boys site redevelops. Prior to adoption of Ordinance No. 8077, there was some discussion of customer-friendly towing practices involving parking along Roosevelt Road, and there remains no reason to believe that the occasional use of these spaces by someone unaware of the location of the lot line will be disruptive to the businesses on either side of the lot line.

Since the approval of Ordinance No. 8077, the site North of the Subject Property (at 880 E. Roosevelt) developed into an operating self-storage facility. The driveway entrance for this use is roughly 70 feet west of the driveway at the Subject Property. Since the development of the self-storage facility, there was improvement to the flow from the wetland and creek to the north, but more maintenance has been required as a result of uncontrolled trash and fallen branches. The peak hours of the storage facility precede those that will prevail for Creekview Plaza.

Applicant does not need to explore off-site parking at 801-849 E. Roosevelt. Creekview Plaza will have more than sufficient parking from code perspective and from a practical perspective. To the west of the adjacent shopping center is the 1.1-acre Century Tile site (747 E. Roosevelt, which faces access, parking and wetland challenges and may eventually depend on the adjacent center for its redevelopment).

Smaller commercial establishments line the north and south Roosevelt Road frontages east of the Subject Property to Westmore-Meyers Avenue. Northwest of the Subject Property there is a mix of fast food restaurant, retail, auto service, fitness and recreation, office and brewery use. West along Roosevelt Road, there are small and large commercial developments. Most recent development and redevelopment has occurred well west of the Subject Property.

The few homes that are near the Subject Property are more than 300 feet from the proposed building. A billboard and small strip center (tobacco, beauty, small grocer and fast carry-out) lie between the Subject Property and the closest residence to the north (1156 S. Ahrens). The unincorporated DuPage County territory south of the Subject Property was mostly developed by the mid-1970's. Homes in the area continue to be well-maintained for single-family residential use. Sugar Creek (which flows across the Subject Property from the south) begins well south of the Subject Property and flows into a pond that is part of a 3.11 acre open space called Co-op Community Park (operated by the York Center Park District). The north extension of Co-op Community Park splits two large single family residential uses that have existed since 1931 (18W780 13th, west) and at least 1956 (east, 18W740 13th). None of the residential areas face a risk of cut-through traffic due to the nearby road planning and as a result of the project's lack of connection with areas to the south.

APPLICANT'S REQUESTS MERIT APPROVAL

Section 155.417(G)(1)(a)(xl) identifies restaurants as permitted uses, but the character of the second-floor restaurant and the drive-through for the east restaurant on the first floor require conditional use and site plan approval. Applicant addresses the merits of each request below.

The Conditional Use for Entertainment and Dancing (Second Floor) Warrants Continuation

Section 155.417(G)(2)(a)(vii) authorizes a conditional use permit for "Restaurants, including entertainment, dancing, and/or amusement devices when conducted as part of the restaurant operations and secondary to the principal use." Applicant proposes a restaurant with

entertainment and dancing. Ordinance No. 8077 authorized live music, broadcast music, dancing of patrons, and performance dancing on the second floor. Typically, entertainment and dance activities have a cultural or an event element to them. The entertainment and dance activities are customarily associated with banquet-style events. Applicant does not seek approval of rooftop or outdoor use.

The conditional use for entertainment and dancing meets the standards of Section 155.103(F) of the Zoning Ordinance. The entertainment and dancing will occur indoors, will be of a style that is traditional for a restaurant and banquet operation and is fully respectful of all Village ordinances. The dancing or live/broadcast music will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare since it occurs typically on a limited basis in a cultural or planned even setting and the dancing and entertainment will not be visible or audible outside the building. Ordinance No. 8077 was not conditioned on liquor licensing, but Applicant and its tenants will comply with the Village's codes in this respect. There will be no impact on uses already permitted and the use will not substantially diminish or impair property values nearby. Dancing and live entertainment on the interior of the restaurant will not obstruct or prevent the maintenance, repair or improvement of properties in the area for uses that are authorized within the B4A or any other zoning district.

There are adequate public utilities, access roads, drainage and other facilities available to serve the development. Applicant is pursuing the long-planned ingress and egress that has been platted so as to minimize traffic congestion in the public streets. The dancing and entertainment is a part of the development of a restaurant that offers real estate tax and high sales tax expectancy (one of the objectives of planning in and along the B4A Roosevelt Road Corridor). Preserving natural areas and adding to the cultural depth of experience available in the Village are two elements of this project that are consistent with the Comprehensive Plan.

The Conditional Use for Drive-Through Facilities (First Floor) Merits Approval

The establishment, maintenance, or operation of the drive-through facility will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare. The drive-through facility is twelve (12) feet wide and offers eight (8) stacking spaces in the standard counter-clockwise design. The distance from point of order (90 feet to the pick-up window) approaches that of national drive-though facility operators such as Starbucks. Menu board signs will be placed along the rear of the building at points that are 170-175 feet north of the south lot line and hundreds of feet from single-family homes. The planned loading area east of the drive-through will be unutilized most of the time and this will serve as a bypass lane and second drive lane to the shared access aisle. The establishment, maintenance, or operation of the drive-through facility will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare. The use is planned for an automotive use-oriented corridor. Stop bars, directional signs and other improvements are provided.

The drive-through facility will not be injurious to the use or enjoyment of property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood in which it is to be located. The lane alignment will have vehicle headlights directed either to the east wall of Pep Boys or to Roosevelt Road. Sound will not be audible at the south lot line as a result of the significant distance of homes from the ordering area and the location of the audio devices in relation to vehicles. Orientations similar to the proposed drive-through have succeeded in the Roosevelt Road corridor and they have actually added value to adjacent retail uses due to increased visibility. The Village conducts its own traffic analysis, but Applicant is confident that the design of the drive-through will internalize any effects—all of which are appropriately planned within the development.

The drive-through will not impede normal redevelopment of Pep Boys or any change in use by Pep Boys of its existing principal building. Pep Boys is oriented to heavy automotive use and this will continue. The planned use of the shared access will not change or suffer overburdening as a result of the drive through. There will be no impact on the redevelopment and improvement of any other surrounding property for uses permitted in nearby districts since the design internalizes the drive-through facility.

The drive-through will benefit from adequate public utilities, access roads, drainage and/or other necessary facilities that have been or will be provided. The plans reflect sufficient road access and drainage planning. The drive-through lies within the former active footprint of Usmania Prime. Utilities for all purposes are accessible from or adjacent to the Subject Property.

In planning the drive-through, adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. Well in excess of half of the parking on site is accessible without having to pass the entrance or exit to the drive-through. Additionally, it is standard for employees to park in more remote parking spaces to the south. The drive-through offers a minimum of eight stacking spaces with the three before the window adjacent to a voluntary loading area that will see limited use. Adequate controls exist at the entrance to and exit from the drive-through. Existing vehicles may disburse directly to the east or west along the shared access. Applicant believes that IDOT will allow exiting traffic to disburse from these exits in either direction.

The 2014 Comprehensive Plan supports approval of the drive-through and the use is not contrary to the Plan's objectives. The Subject Property lies in a large corridor of Community Commercial land planning, both historically and under the 2014 Plan. None of the drive-throughs existing in this corridor depart from the character of the corridor which recognizes that it is heavily oriented to automotive use while accessing goods and services. The drive-through facility at this location will maximize land use opportunities along the Roosevelt Road corridor (Plan, 41) in an area where drive-through efficiency is comparatively lacking. Although the location is not one that a Starbucks would consider ideal under its site selection standards, there are several tenants that can benefit from drive-through use at the site. The use is planned for a restaurant use which will add to Village revenues. The use will also offer a significant privately-

owned facility that offers public convenience. The development generally meets with Lombard's planning objectives for access controls by continuing with evaluation and re-evaluation of access controls along Roosevelt Road. (Plan, 48-49) In this instance, it is anticipated that the Village and IDOT will continue to agree that the left-out access prohibition can be avoided. The drive-through is not situated near a current or planned bikeway. (Plan, 51)

Although not relevant to the standards under the Zoning Ordinance, the Comprehensive Plan does call for cooperative and collaborative planning in the public and private sectors. (Plan, 55-56) It is noteworthy that Village administration and planning staff recognized the issues faced by Applicant in its efforts to finance construction. In addition to providing possible alternatives to avoid the circumstance at issue, staff continued to sell the Village as a great place to do business and to indicate that they were available to timely respond to the changed circumstances. Obviously, all discussions are subject to zoning review and approval, but it is important to note that the sole reason for the return to the zoning process relates to the drive-through facility conditional use (the relief related to a voluntary loading zone is not required relief, but is identified since there can be future changes in demand or amendments).

The drive-through conditional use conforms to the applicable regulations of the B4A district and the design intent of the plans approved in Ordinance No. 8077. The drive-through does not impose any additional or unplanned burden on any surrounding owner.

Conditional Uses Subject to Cancellation

Ordinance No. 8077 authorized a building with a height of more than 40 feet under Section 155.417(G)(6). With the change in plans, this conditional use for a taller building is no longer necessary. The building will clearly meet the maximum allowed height and there is no concern related to height adjustments during structural engineering review upon permitting.

Ordinance No. 8077 also authorized a conditional use permit for outside display and sales of products the sale of which is a permitted or conditional use in this district under Section 155.417(G)(2)(a)(v). The planned rooftop display and sales and occasional outdoor activities and bazaars are no longer planned. This conditional use is no longer necessary.

The Variations Sought Align with the Intent of the Zoning Ordinance

None of the variations are prohibited under Section 155.103(C)(8). Portions of the relief requested are within the scope of authority reposed in staff, but Applicant raises them in the context of variations in order to allow for full site plan review. Lombard is a home rule municipality, but the handling of the constitutional relief valve known as a zoning variation is governed by the same rule as all municipal variances: consider particular hardship and practical difficulty. While the Zoning Ordinance mentions only particular hardship (and the discussion below proceeds as guided by the code), Applicant notes practical difficulty as well.

Applicant No Longer Requires a Parking Variation

Creekside Plaza provides more parking than required under the Zoning Ordinance. Further, since the uses are not all peaking at the same time, Applicant is confident that the market demand for parking appropriately settles in at what is required under the Zoning Ordinance. First, one of the draws to a unit at the plaza will be the restaurant uses or the restaurant and banquet use. Second, it is highly likely that one of the middle units will be a retail space that benefits from traffic to the restaurant and banquet uses (i.e., single trip generation for two stops). Third, the peak demand for parking between all uses on site will ebb and flow from daytime into evening, such that the peak demand for the second floor use as a banquet will arise after the peak demand for the other uses on site.

Applicant Meets Standards in Relation to the Loading Design Variation

Applicant desires a loading area at the location proposed even though one is not required and Applicant can load from inside a drive aisle. Due to the particular physical surroundings of the Subject Property, the shape of the developable portion of the Subject Property and the topographical conditions of the west 1.2 acres of the Subject Property, loading is best planned for the area east of the building (as it was approved in Ordinance No. 8077). The yard adjacent to the voluntary loading area is five feet less than required, but this relief impacts only the area between the plaza and the Pep Boys building. It would be impractical to force a shift in the building or a reduction in area in order to accomplish the setback of not only a voluntary loading area but one situated directly adjacent to the large, substantially unscreened Pep Boys building.

Applicant Still Meets Lombards Standards in Relation to the Lighting Variation

Uplighting for the rickshaws and certain trees is no longer needed, but Applicant is still required to properly light the east yard and the shared access. The lot line and access easement configuration are unique since similar shared access aisles do not similarly serve adjoining or nearby large parcel uses or large restaurant and banquet operations (including in the B4A zoning district). The purpose of the variation is not based primarily upon a desire to increase financial gain. The lighting of the access drive arose independent of Applicant during the 1990's development approvals and as a result of local prerogatives pursuing the objective of shared access along a major arterial route controlled by IDOT. Planned for longer than 30 years, shared access lighting does not alter the essential character of the neighborhood. There is no change in the area as a result of the lighting variation. The lighting variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood. The lighting of the access and the landscaped east yard next to the Pep Boys building has no effect beyond the immediate location of the lighting.

Applicant Meets Lombards Standards in Relation to the Landscaping Variations

There has been no material change to the approved landscaping scheme. The building is smaller and there are fewer parking rows. Applicant's principal landscaping relief arises in relation to foundation landscaping. Applicant is preserving the creek, wetland and floodway area and providing all necessary parking lot and transitional screening. Relief from the landscape regulations in Article XI is often something staff is able to determine; the foundation landscaping can be waived by the Director of Community Development. (Sec. 155.708(A)) In this instance, Applicant requires continuous sidewalk access and drive-through access around the perimeter of the building. Applicant still more than makes up for the lack of foundation landscaping by preserving 1.2 acres of natural area as was found beneficial under Ordinance No. 8077.

Hardship again arises from the existence of Sugar Creek and the wetland and floodway. As in 2021 and 2022, if Applicant were now to include ten feet of foundation landscaping on the north and west elevations and any foundation landscaping on the south side of the building, Applicant would be compelled to shift improvements east and south further into the special management area. At this time, Applicant, Lombard staff and DuPage County staff understand that planning as much as possible to avoid impact on the natural amenity is an important part of the project and foundation landscaping is lower on the list of priorities when compared to protection of a natural area that has relatedness to natural areas north of and well to the south of the Subject Property.

As noted elsewhere in this narrative, the conditions upon which an application for a variation is based are unique to the Subject Property and not generally applicable to other property within the same zoning classification (including the much larger parcel over which Sugar Creek's directional flow changed over the decades that Sugar Creek came to exist on the Subject Property). The foundation landscaping adjustment is not based primarily upon a desire to increase financial gain inasmuch as Applicant has done more than needed to meet the Zoning Ordinance elsewhere. Applicant and its predecessors had no role in the course of Sugar Creek and the resulting wetland and floodway. The landscape variation(s) related to foundation landscaping and any other landscaping will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located since there is a more than sufficient landscape screen around the Subject Property, including around the parking lot and in and on the perimeter of the special management area. Most operations in the B4A district, particularly in this area, lack a ten-foot foundation landscaping strip and a five-foot strip as well as the omission of the strip by emergency egress doors will cause no change to the essential character of the neighborhood. The landscaping plan is full and well-planned. The Subject Property will be well-landscaped despite any slight departures from Article XI and the relief from Article XI will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood. The

landscape plan preserves the required effort to plant trees desired by neighbors if consistent with County and Village planting schemes in the area south and east of the parking lot.

The Village Should Approve the Site Plan

The site planning for the project will add to the community. The proposal conforms to the Zoning Ordinance in every material respect while avoiding impact on the 1.2-acre natural area. Applicant's change in use did not lead to a change in the protection of the natural area. The project is compatible with the surrounding area, respects neighbors and provides for proper special area management. Applicants' plans conform to the plat and related restrictions from 1997 and meet the prerogatives of the Village's subdivision and development ordinances. The site plan should still allow for release of the access restriction at the west end of the shared access. The depth of engineering work to date (the project is at the full permitting drawing phase) indicates that there is no known circumstance that prevents the project from being developed. The project will meet the Village's civil engineering expectations. As noted above, the development of this site for the use proposed will not impose upon existing or planned vehicular or pedestrian routes. The plan preserves intended off-site views while the landscape plan and building elevations show that on-site views will be attractive even though there is no planned exterior use and the building is not oriented to the north. Applicant has placed the building and improvements north and east, away from the floodway and the building is planned for the topographic elevation that most approximates the elevation of the Pep Boys parcel to the east. There are no known unsuitable soils. Although Usmania Prime could not operate from the site as planned, the multi-tenant use still includes a restaurant and banquet operation that will add to the social fabric of the Village and of DuPage County. Applicant has minimized any adverse environmental impact and minimized present and future costs to the Village and private providers in providing utilities to the site.

Applicant's Plat of Subdivision

Applicant has been working with the Village, IDOT and Pep Boys in order to amend the last plat to eliminate the access restriction at the west end of the shared access route. The conclusion of development planned when the Village approved Ordinance No. 8077 and the ability of this project to fit well within the envelope created in Ordinance No. 8077 support the release of this access restriction. IDOT and the Village prefer the approval of a new plat to adjust the access restriction. The proposed plat does nothing to alter the lot lines or other obligations within the existing plat.

CONCLUSION

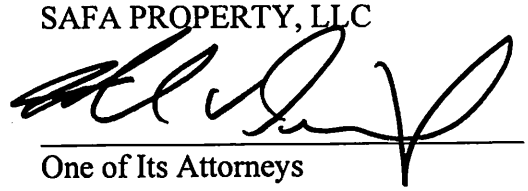
Thank you for your consideration. Applicant intends to get to work on site improvements as soon as practicable. To the extent that any improvements are in progress at or before the time of the zoning process, please note that Applicant pursued these improvements under allowable permits and authorizations with no promise that it would receive a drive-through conditional use.

Still, however, the drive-through conditional use at this location is strongly merited. Amid this request for a new conditional use, Applicant has reduced the relief to that which is necessary and it has avoided changes that would implicate planning for neighbors during the last zoning process.

Staff and interested neighbors are welcome to reach me by telephone in the office, by cell at (312) 927-0177 or by electronic mail.

Respectfully submitted,

SAFA PROPERTY, LLC



One of Its Attorneys

Mark W. Daniel
DANIEL LAW OFFICE, P.C.
17W733 Butterfield Road, Suite F
Oakbrook Terrace, Illinois 60181
(630) 833-3311
Fax: (630) 833-3511
Cell: (312) 927-0177
mark@thedaniellawoffice.com
ARDC No. 6226696

Kane-DuPage Soil & Water Conservation District

LAND USE OPINION

22-009

March 11, 2022

Prepared for:
Village of Lombard

Petitioner:
Safa Property, LLC
17W733 Butterfield Road
Oakbrook Terrace, IL 60181

PURPOSE AND INTENT

This Land Use Opinion report and Natural Resources Inventory intend to present the most current natural resource information available for a parcel, lot, or tract of land in an understandable format. It contains a description of the present conditions and resources available and their potential impact on each other, especially in regards to a proposed change to that parcel of land. This information comes from standardized data, investigations of the parcel, and other information furnished by the petitioner. **This report must be read in its entirety**, so that the relationship between natural resource factors and the proposed land use can be fully understood.

This report presents natural resource information to owners, land-managers, officials of local governing bodies, and other decision makers concerning the parcel. Decisions concerning variations, amendments, or relief of local zoning ordinances may reference this report. Also, decisions concerning the future of a proposed subdivision of vacant or agricultural lands, and the subsequent development of these lands may reference this report. This report is a requirement under the State of Illinois Soil and Water Conservation District Act contained in ILCS 70, 405/1 ET seq.

This report provides the best available natural resource information for the parcel and when used properly, will provide the basis for good land use change decisions and proper development while protecting the natural resource base of the county. However, because of the variability of nature, and because of the limitations of map scale and the precision of natural resource maps (which includes the property boundaries represented for the parcel), this report does not reflect precise natural resource information at specific locations within the parcel. On-site investigations, soil evaluations, and engineering studies should be conducted as necessary, for point-specific information.

This Natural Resources Inventory report is a review of the major natural resources of the site and a general estimate of the suitability of this site for the proposed use. Because of the small size of this parcel and because of the inherent probable errors in the precision of natural resource information at the scale of natural resource maps, the KDSWCD makes no opinion on the suitability of this site for the proposed use but may give general statements and an estimate of the possible effects of the land use change to the natural resources of this parcel. The information given in this report is based on the review of natural resource maps and literature by the Kane-DuPage Soil and Water Conservation District. The statements in this report are not meant as a recommendation for the success, nor the failure of, the proposed use of this parcel.

This report should alert the reader to the capabilities of the parcel and to the possible issues that may occur if the properties and characteristics of the land are ignored. Please direct technical questions about information supplied in this report to:

Kane-DuPage Soil & Water Conservation District
2315 Dean Street, Suite 100
St. Charles, IL 60175
Phone: (630) 584-7960 x3

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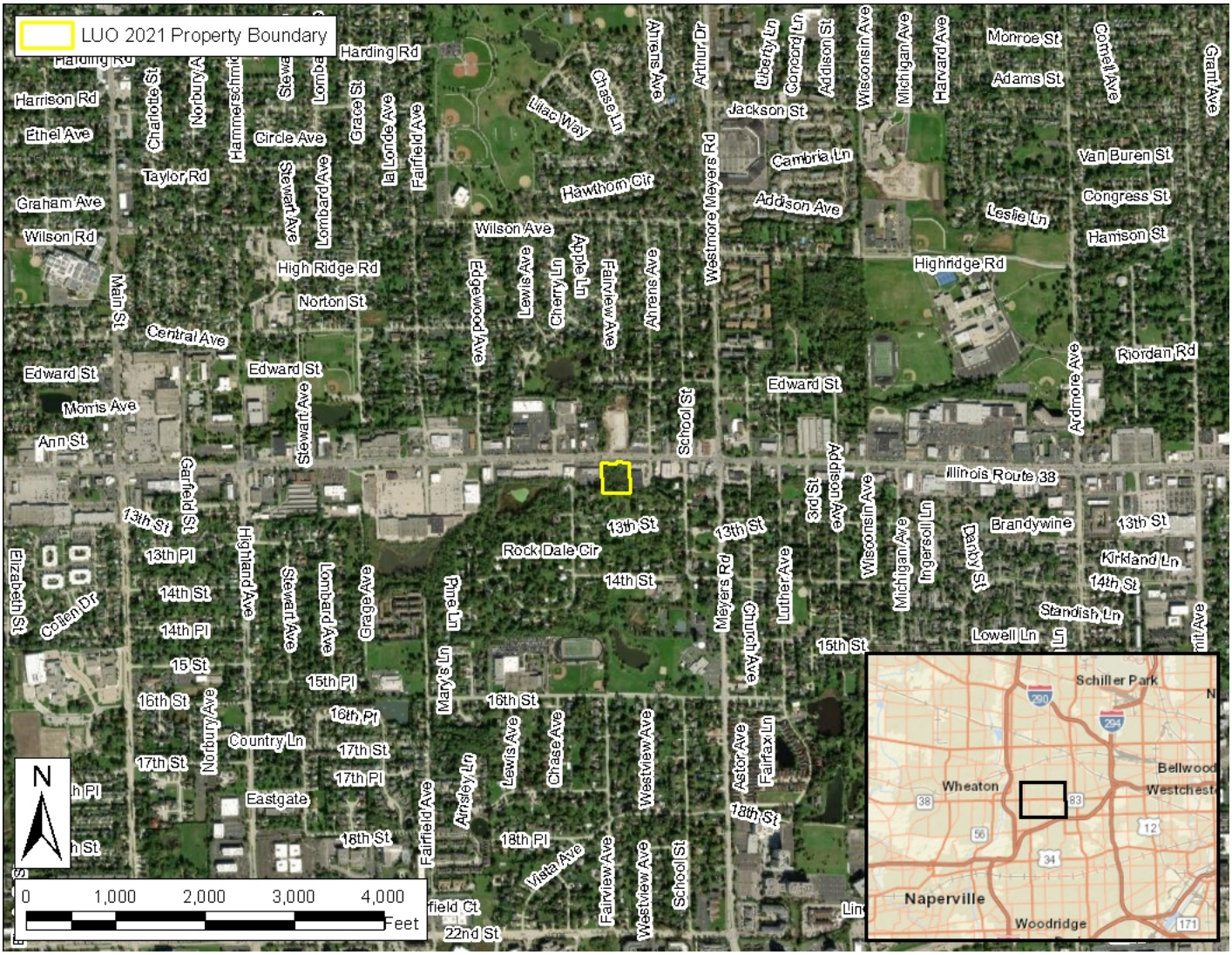

Figure 1: Plat Map with aerial background and parcel boundary

This site is in **York** Township. The public land survey system identifies the site in Section **21** in Township **39**North and Range **11**East. The site is parcel number 06-21-100-013 located at 855 E Roosevelt Rd, Lombard.

LAND COVER IN THE EARLY 1800'S

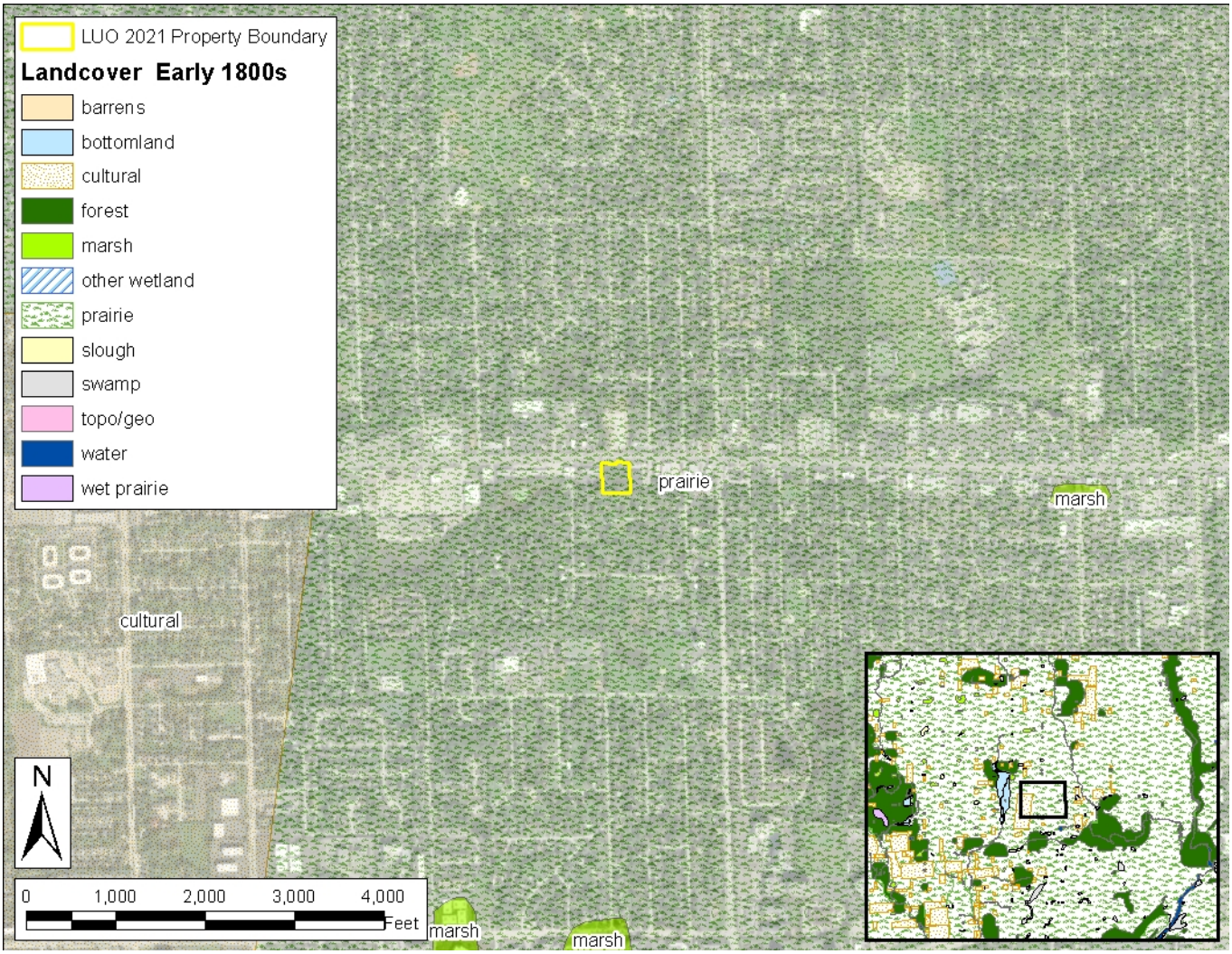

Figure 2: Land Cover of Illinois in the Early 1800's

The public land survey system represents one of the earliest detailed maps for Illinois. The surveys began in 1804 and were largely completed by 1843. The surveyors recorded the land cover and natural resource areas as they worked across the state. These plat maps and field notebooks contain a wealth of information about what the landscape was like before large numbers of settlers came into the state and began modifying the land.

Much of the landscape of Illinois in the early 1800's consisted of two different natural resource areas; prairie and forest. The forest category includes woodlands and savannas, typical of northeastern Illinois. Prairie and forest ecosystems are extremely valuable resources for many reasons. These areas:

- provide wildlife habitat and support biodiversity
- provide areas for recreational opportunities
- improve soil health and reduce soil loss
- improve air and water quality

The original 42 categories of natural resource areas were later simplified to 12 categories; barrens, bottomland, cultural (farms), forest, marsh, other wetlands, prairie, slough, swamp, special geographic features, wet prairie, and water. The maps do not represent exact site conditions, but represent the observations of individual surveyors as they crossed through the area.

This site is recorded as prairie land cover on the early 1800's map. The Kane-DuPage Soil & Water Conservation District recommends preserving as much of the natural character of the site as possible, using native plants for landscaping, and removing and controlling invasive species.

NATIONAL WETLAND INVENTORY (NWI)

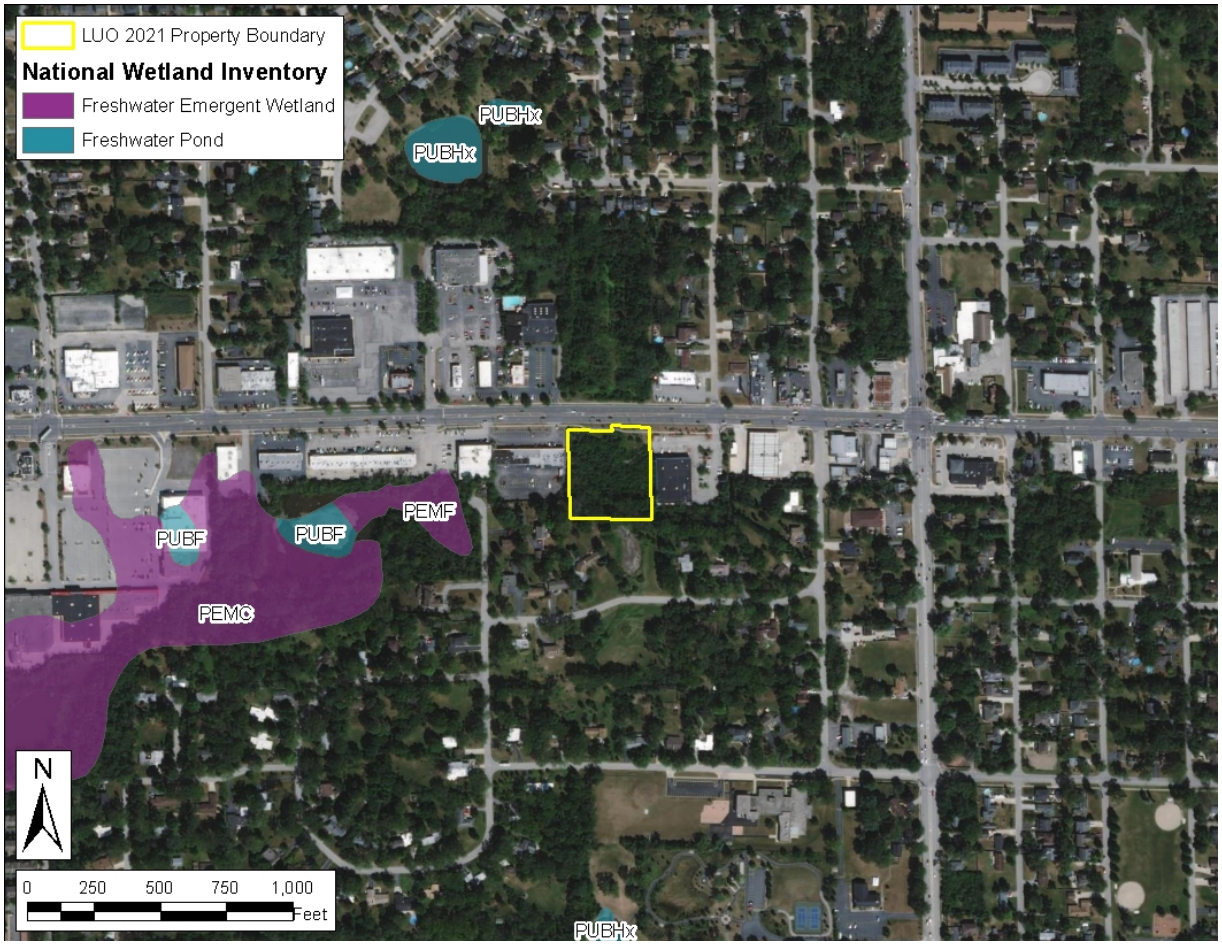

Figure 3: National Wetland Inventory (NWI) Map

The National Wetland Inventory (NWI), conducted by the U.S. Fish and Wildlife Service, identifies significant wetlands throughout the country. All U.S. federal agencies define wetlands as follows, "Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas." Other common wetlands located in this part of Illinois are fens, wet meadows, seasonally saturated soils, and farmed wetlands.

Wetlands are protected and regulated by federal, state, and local laws, without regard to size. Wetlands are valuable, productive, and diverse ecological systems and provide multiple benefits, including:

- controlling flooding by slowing the release of excess water downstream or through the soil,
- cleansing water by filtering out sediment and pollutants,
- functioning as recharge areas for groundwater,
- providing essential breeding, rearing, and feeding habitat for many species of wildlife.

A review of the National Wetland Inventory indicates that there are no NWI wetlands on this site. Although the NWI is very thorough, it is not a complete inventory of all possible wetlands. Other regulated wetlands may be present.

The KDSWCD recommends contacting the U.S. Army Corps of Engineers and the DuPage County Stormwater Management Department before commencing any construction activities that may impact wet areas or floodplains. Please see the Regulatory Agencies page near the end of this report for wetland regulation information.

DUPAGE COUNTY WETLANDS

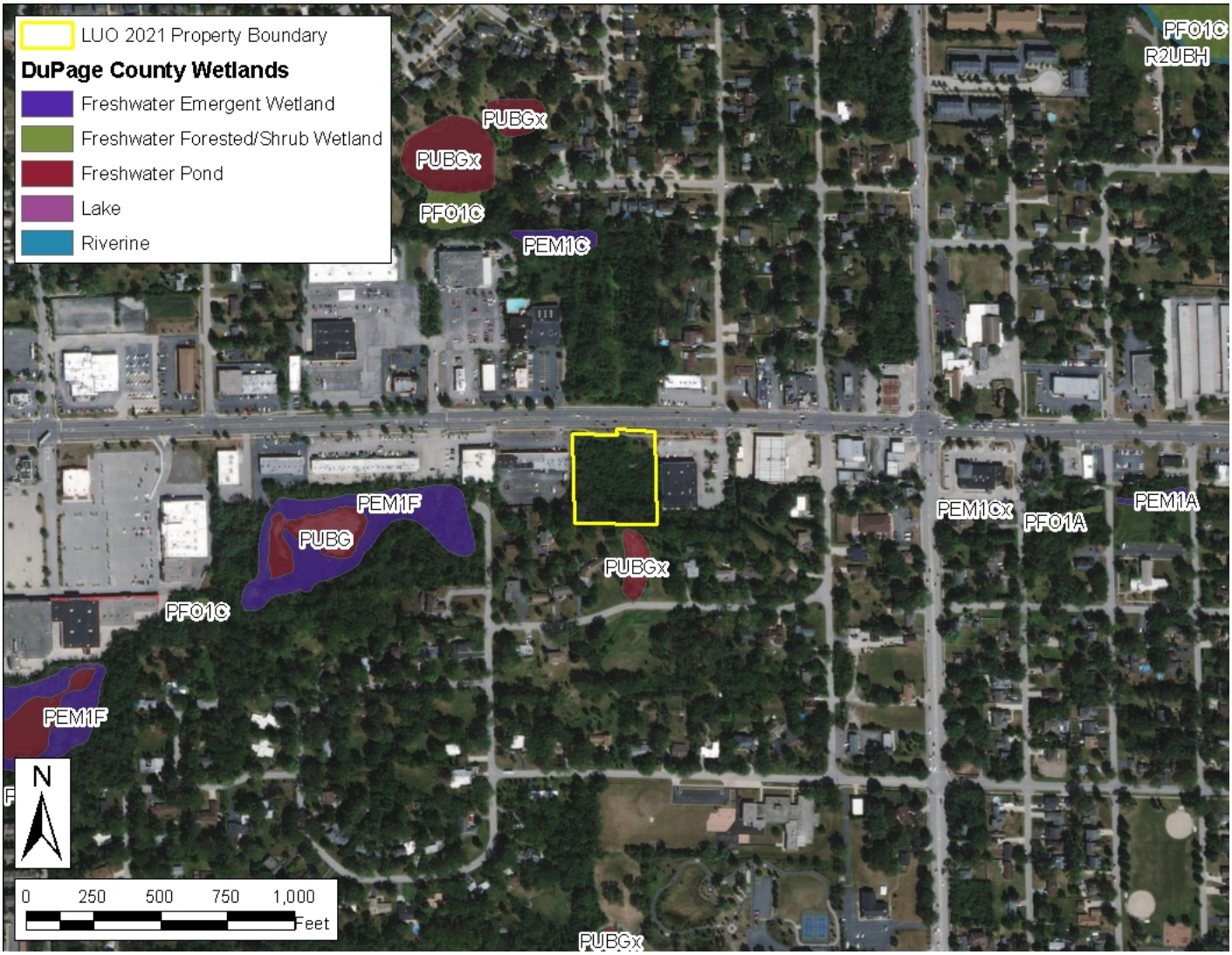

Figure 4: DuPage County Wetland Map

Completed in 2014 and updated periodically, the DuPage County Wetland Initiative was a cooperative effort between DuPage County and the U.S. Environmental Protection Agency to identify the location and quality of the wetlands of DuPage County and to develop wetland protection strategies. This initiative was developed to provide improved awareness of the locations, functions, and values of wetlands and other waters of the United States. The information can be used by federal, state, and local government to aid in zoning, permitting, and land acquisition decisions. In addition, the information can provide data to agencies, landowners, and private citizens interested in restoration or protection of aquatic sites and resources. For more detailed information regarding wetlands in DuPage County, please refer to the information at:

https://www.dupageco.org/EDP/Stormwater_Management/Natural_Areas/30881/

A review of the DuPage County Wetlands Map revealed that no wetlands were identified on this site.

FLOODPLAINS

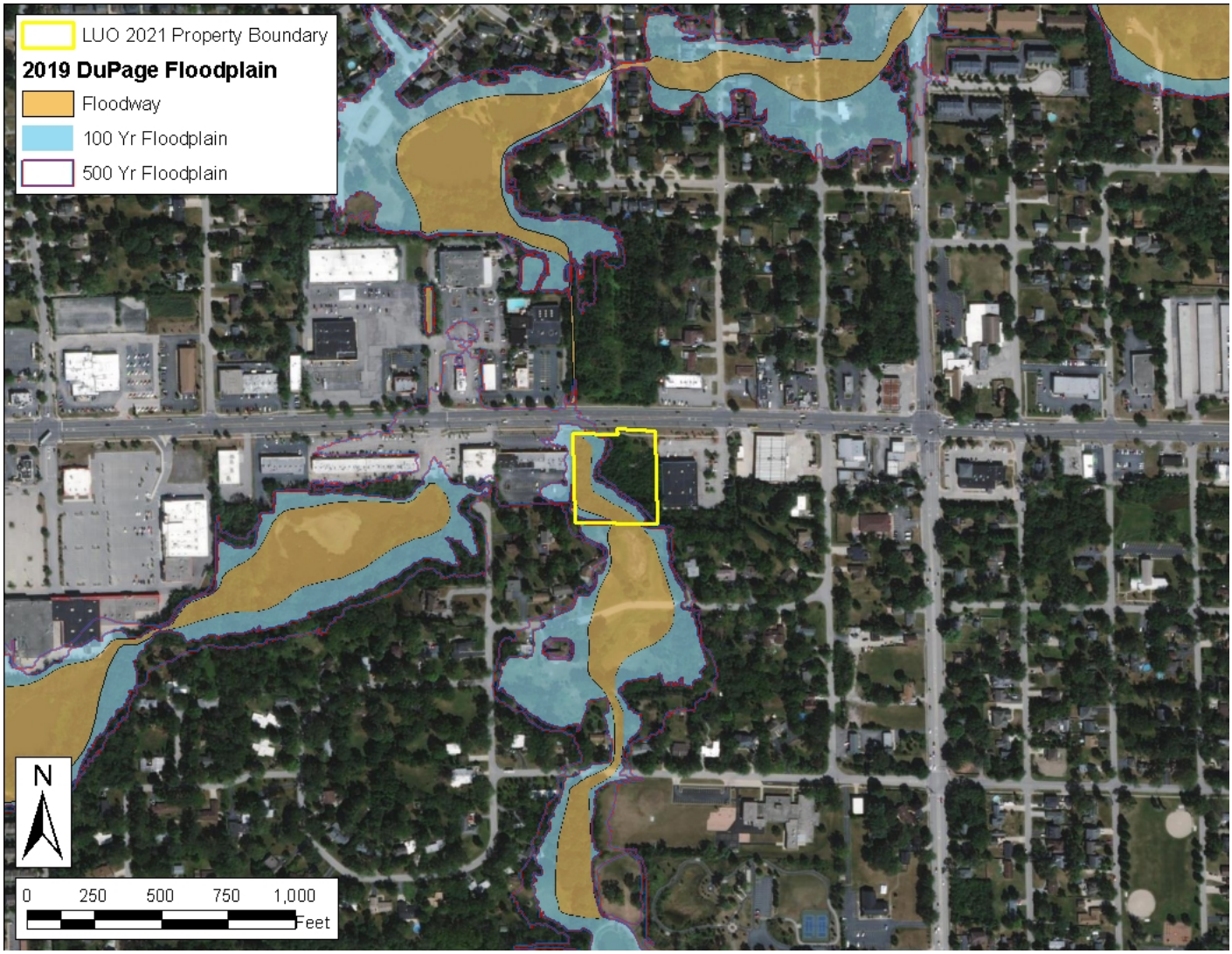

Figure 5: Floodplain map - Federal Emergency Management Agency (FEMA)

Undeveloped floodplains provide many natural resources and functions of considerable economic, social, and environmental value. Floodplains often contain wetlands and other important ecological areas as part of a total functioning system that impacts directly on the quality of the local environment.

Here are a few of the benefits and functions of floodplains:

- natural flood storage and erosion control
- water quality maintenance
- groundwater recharge
- nutrient filtration
- biological productivity/wildlife habitat
- recreational opportunities/aesthetic value

Also, development in a floodplain has a hazardous risk of damage by high flood waters and stream overflow. For this reason, floodplains are generally unsuited to most development and structures.

According to the FEMA Flood Insurance Rate Map, **approximately 71 percent** of this site is within the boundaries of a 100-year floodplain. Any development in the floodplain, other than restoration efforts, is generally unsuited and hazardous and will impede the beneficial functions of the floodplain. Please see the Regulatory Agencies page near the end of this report for information regarding floodplain regulations.

WATERSHEDS AND STREAMS

Watersheds are areas of land that eventually drain into a river or stream. Everyone lives in a watershed, no matter if a river or stream is nearby. Watersheds may be named according to its major river or stream. Watersheds, such as the Mississippi River watershed, may be extremely large, encompassing multiple states. Watersheds may also be subdivided into smaller units. Some very small watersheds may not contain a named stream. However, the water that drains from that watershed eventually reaches a stream or river. Watersheds may also be referred to as hydrologic units (HU) and may be identified by a number.

Two major watershed subbasins occur in DuPage County: the Des Plaines Subbasin, which covers a majority of DuPage County; and the Lower Fox Subbasin, which occupies the western portion of the county. These two subbasins are part of the Illinois River watershed and part of the greater Mississippi River watershed. Three large watersheds are identified in the county; the West Branch of the DuPage River, the East Branch of the DuPage River, and Salt Creek. These watersheds have been subdivided into smaller local watersheds for planning.

Local watershed management planning is an important effort that involves citizens of a watershed in the protection of their local water resources. Water quality is a reflection of its watershed.

Common Watershed Goals:

- Protect and restore natural resources
- Improve water quality
- Reduce flood damage
- Enhance and restore stream health
- Guide new development to benefit watershed goals
- Preserve and develop green infrastructure
- Enhance education and stewardship

There are many watershed plans that have already been developed in DuPage County. Please follow the link below to the DuPage County Stormwater Management Watershed Plans.

https://www.dupageco.org/EDP/Stormwater_Management/6597/

Rivers and Streams are necessary components of successfully functioning ecosystems. It is important to protect the beneficial functions and integrity of our local streams and rivers. Development near stream systems has the potential to increase flooding, especially in urban areas where there is a lot of impervious surface and a greater amount of stormwater runoff. Pollution is also an issue for stream systems in urban and rural areas. It is rare for any surface waters to be impacted by only one source of pollution. With few exceptions, every land-use activity is a potential source of nonpoint source water pollution.

The Illinois Environmental Protection Agency (IEPA) provides the following in regards to nonpoint source pollution, “Nonpoint source pollution (NPS) occurs when runoff from rain and snowmelt carries pollutants into waterways such as rivers, streams, lakes, wetlands, and even groundwater. Examples of or sources of NPS pollution in Illinois include runoff from farm fields, livestock facilities, construction sites, lawns and gardens, city streets and parking lots, surface coal mines, and forestry. The major sources of NPS pollution in Illinois are agriculture, urban runoff, and habitat modification.”

Nutrient management is of vital importance to the health of our rivers and streams. Nutrient load in our local streams and rivers has contributed to the Gulf of Mexico hypoxia, or a “dead zone” located where the Mississippi River meets the Gulf of Mexico. This dead zone has little to no biological activity. Yearly averages indicate the dead zone to be greater than 5,000 square miles in size. Illinois was required and has introduced a plan to reduce nutrient loss from point source pollution sources, such as wastewater treatment plants and industrial wastewater, as well as nonpoint pollution sources. Read Illinois’s Plan for reducing nutrient loss here:

https://www2.illinois.gov/epa/topics/water-quality/watershed-management/excess-nutrients/Pages/nutrient-loss-reduction-strategy.aspx

AQUIFER SENSITIVITY

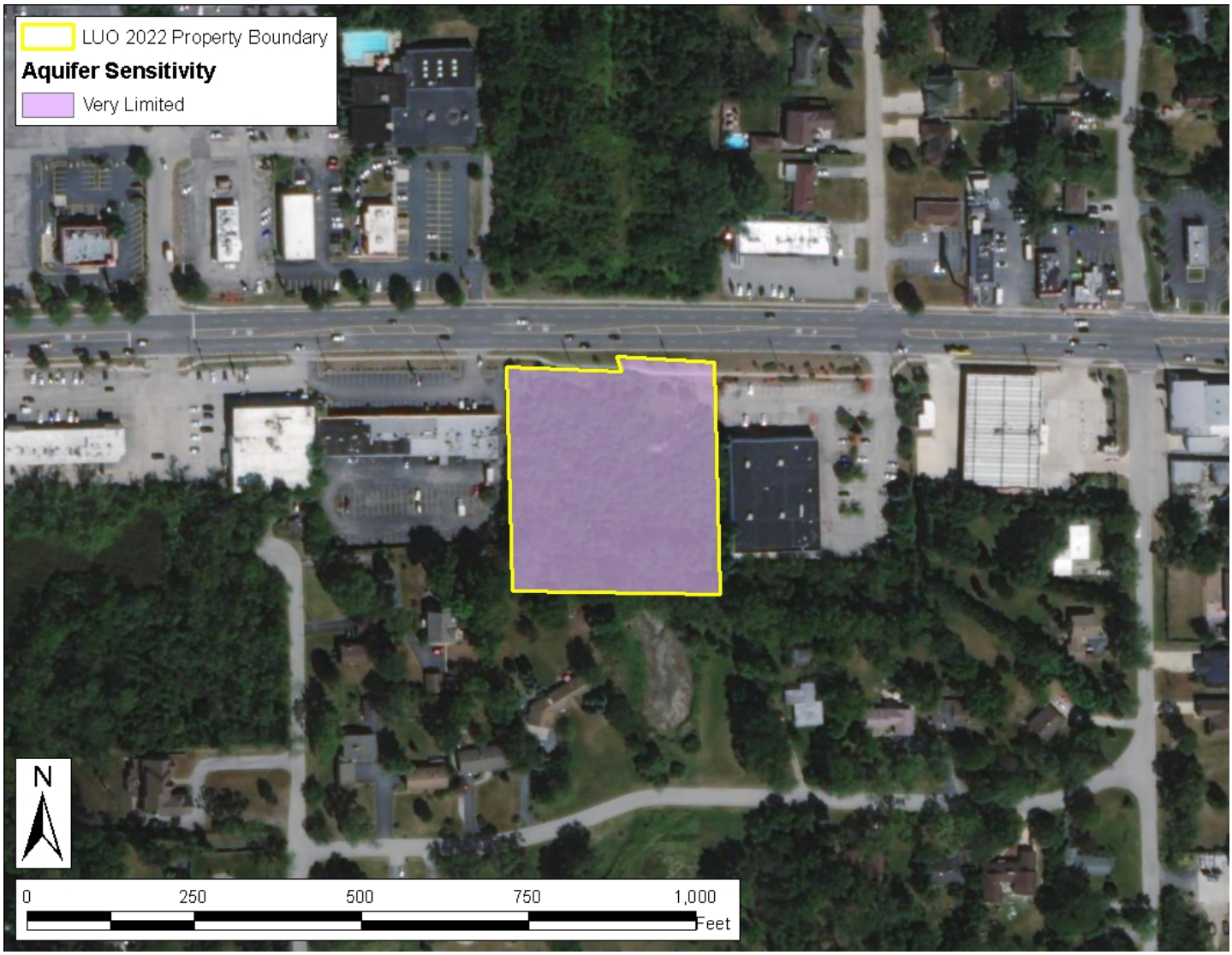

Figure 6: Aquifer sensitivity to contamination map

The U.S. Environmental Protection Agency defines aquifer sensitivity/contamination potential as "a measure of the ease with which a contaminant applied on or near the land surface can migrate to an aquifer." Aquifers function as a storage area for groundwater recharge, which makes them a reliable source of fresh water. Groundwater from aquifers is a valuable source of drinking water when it remains uncontaminated.

According to the Illinois State Geological Survey, this site lies completely or partially within a zone rated as **very limited** with respect to potential for contamination from spilled or applied substances to the soil surface.

Contact the KDSWCD for references regarding application of chemicals and best management practices to reduce the risk of aquifer contamination from this site.

TOPOGRAPHY AND OVERLAND FLOW

Figure 7: Topographic map showing contour lines

Topographic maps (contour maps) give information on the elevation of the land, which is important to determine slope steepness, natural water flow paths, and watershed information. The natural water flow path can determine where water leaves a property and where it may impact surrounding natural resources. Slope, along with soil erodibility factors, affect the potential of soil erosion on a site. Contour maps can also help determine the areas of potential flooding. It is important to consider the direction of water flow and erosion potential on all construction sites. Areas where water leaves the site should be monitored for sediment and other pollutants, which could contaminate downstream waters.

The map above shows contour lines with 2 feet elevation distance between each line. The high point of this property is in the eastern portion of the site at an elevation of approximately 716 feet above sea level. The property generally drains to the west via overland flow. The lowest elevation on the property is approximately 704 feet above sea level.

STORMWATER MANAGEMENT

Managing stormwater and stormwater runoff is critical for all development. Stormwater runoff from a site usually increases as a result of soil compaction, more impervious surfaces, loss of vegetation, and soil degradation during construction activities. Increased runoff causes downstream flooding, soil erosion, sedimentation, and pollution of surface waters. The KDSWCD recommends the use of onsite stormwater management strategies whenever possible. These strategies include: stormwater retention and detention basins; bioswales, raingardens, and the use of natural depressions and vegetated swales; deep-rooted native plants; permeable pavers or permeable asphalt. Combinations of these and other practices may be able to retain stormwater onsite. The Illinois Environmental Protection Agency (IEPA) now recommends that stormwater pollution prevention plans include post-construction stormwater management to keep as much stormwater on the site, as possible.

Site assessment with soil testing should help to determine what stormwater management practices are best for your site. Insufficient stormwater management has the potential to cause or aggravate flooding conditions on surrounding properties, or elsewhere in the watershed. Please refer to the DuPage County Stormwater Ordinance for stormwater requirements and minimum standards.

https://www.dupageco.org/EDP/Stormwater_Management/Regulatory_Services/1420/

SOIL EROSION

Soil erosion is the degradation of soil, mostly caused by the force of rain and the movement of water detaching soil particles and carrying the soil off the site. Factors that affect soil erosion are the slope of the land, the inherent properties of the soil, and the cover (or lack of cover) on the soil surface. Extra care must be taken to prevent or reduce soil erosion on construction sites containing highly erodible soils.

The potential for soil erosion during and after construction activities could have major impacts, both onsite and offsite. The erosion and resulting sedimentation may become a primary nonpoint source of water pollution. Eroded soil during the construction phase can create unsafe conditions on roadways, degrade water quality, and destroy aquatic ecosystems lower in the watershed. Soil erosion also increases the risk of flooding due to choking culverts, ditches, and storm sewers, and reduces the capacity of natural and man-made detention facilities.

Construction and development activities should include a soil erosion and sedimentation control plan. Erosion and sedimentation control measures include:

- staging the construction to minimize the amount of disturbed areas present at the same time,
- keeping the ground covered, either by mulch or vegetation, and
- keeping runoff velocities low.

Many construction sites are required to develop and follow a Stormwater Pollution Prevention Plan (SWPPP) in order to be in compliance with local, state, and federal laws regarding soil erosion and stormwater management. Soil erosion and sedimentation control plans, including maintenance responsibilities, should be clearly communicated to all contractors working on the site. Special care must be taken to protect any wetlands, streams, and other sensitive areas.

Please refer to the Illinois Urban Manual for erosion and sediment control information and technical guidance when creating erosion and sediment control plans. The practice standards and standard drawings from the Illinois Urban Manual represent the minimum standard in Illinois. Contact the DuPage County Stormwater Management Department for specific information on permits. Contact the KDSWCD for assistance in preparing a stormwater pollution prevention plan.

HIGHLY ERODIBLE LAND (HEL)

Figure 8: Highly Erodible Land map

Soils vary in their susceptibility to erosion. Highly erodible land (HEL) is land that can erode at excessive rates. Highly erodible land is generally sloping and contains soils that are susceptible to soil erosion by runoff and raindrop impact. The susceptibility to erosion and the highly erodible rating depend upon several factors and properties of the soil. Fine-textured soils high in clay have low erodibility values, because the soil particles are resistant to detachment. Coarse-textured soils, such as sandy soils also have low erodibility values because the water infiltrates and they have less runoff. Medium textured soils, such as loams, are moderately susceptible to detachment and they produce moderate runoff. Soils having a high silt content, like many soils in DuPage County, are the most erodible of all soils. They are easily detached and they tend to crust and produce large amounts and rates of runoff.

Other factors that affect the erodibility of soils include the force of the rainfall, the steepness and length of the slope of the land, and the amount of organic matter in the surface soil layer.

Highly Erodible Land (HEL) contains soils that have been determined by the USDA Natural Resources Conservation Service (NRCS) to be highly erodible. The HEL determination uses a formula involving the properties previously described, to determine the Soil Erodibility Index. Soils that have a Soil Erodibility Index above a certain value are considered highly erodible or potentially highly erodible. **Soils on this site are considered potentially highly erodible by the NRCS.**

SOILS & SOIL INTERPRETATIONS

Soils are our foundation for life and most of what we do and need depend upon the soil. Soil is a dynamic ecosystem of living things; plants, animals, and microscopic organisms. Soil is also a substance composed of various minerals and organic matter, interfused with lots of pore spaces which help move and store air and water. Soils are formed over hundreds and thousands of years, taking about 500 years to form an inch of topsoil. Soil is formed by the influences of climate, organisms (plants and animals), topography, the material in which it is developing (parent material), and time. There are thousands of soil series in the world. In Illinois, there are over 600 different soil series. Each soil series is unique in its content and its behavior for a particular use.

The different soils across the U.S. have been mapped and identified by the USDA Natural Resources Conservation Service (NRCS) in a soil survey. The soil map of this area (Figure 9: Soil Survey) indicates different soil map units. Each soil map unit and corresponding symbol represent a phase of a soil series. Phases include slope, erosion, flooding frequency, etc. of each soil. Each soil and associated phase have strengths and limitations for a variety of land uses such as septic systems, buildings site development, local roads, and many other uses. **See the Soil Map Units Table in the Soil Survey section for the composition of soil map units of the site. See the Soil Interpretations section for the soil interpretations for the proposed use of the site.**

How the soil is managed as a resource, can be either beneficial or detrimental for the environment or for any particular use. It is difficult to change the inherent properties of the soil, such as the mineral composition or the amount of sand, silt, or clay in the soil. However, it is easy to compact the soil and erode the soil so much that many of the soil functions, such as water storage, infiltration, rooting medium, carbon storage, and soil health can all be compromised or destroyed. Management techniques to protect the integrity and functions of the soil include:

- limiting traffic on the site to reduce compaction of the soil surface,
- keeping the soil covered as much as possible, with deep rooted grasses or with mulch or other erosion control practices,
- disturbing only the areas necessary for the footprint of structures and reducing or eliminating mass grading of sites.

Soils and Onsite Waste Disposal

Soils are often used for onsite waste disposal or underground septic systems to dispose of sewage, especially for individual homes that are not connected to a municipal sewage system. No interpretive rating is given in this report for on-site wastewater disposal (septic systems). The detail of the soil information in the soil survey is not precise enough to determine suitability for the small area required for a septic system. **A Certified Professional Soil Classifier, in cooperation with the county department of public health, must conduct a soil evaluation to determine the suitability of the parcel for on-site wastewater disposal (i.e. septic system), as required by the State of Illinois.**

Soil Interpretation Ratings

The soil interpretation (limitation) ratings are used mainly for engineering designs for proposed uses, such as dwellings with or without basements, local streets and roads, small commercial buildings, etc. The ratings given are based on NRCS national criteria and are defined and used as follows:

Not Limited – This limitation rating indicates that the soil properties are generally favorable for the specified use and that any limitations are minor and easily overcome.

Somewhat Limited - This rating indicates that the soil properties and site features are unfavorable for the specified use, but that the limitations are moderate and can be overcome or minimized with special planning and design.

Very Limited - This indicates that one or more soil properties have severe limitations and are very unfavorable and difficult to overcome. A major increase in construction effort, special designs, or intensive maintenance is required. These costly measures may not be feasible for some soils that are rated as Very Limited.

Contact the KDSWCD for questions concerning the soil and refer to the **Illinois Urban Manual** for best management practices to protect the soil resource.

SOIL SURVEY

Figure 9: Soil Survey

The soil map unit symbol consists of a combination of numbers and letters which represent the interpretive phase of a soil series for an area of the landscape. Areas within the line of that symbol will have similar soil properties and interpretations.

Table 1: Soil Map Units

SOIL MAP UNIT SYMBOL	PERCENT OF PARCEL	ACRES
330A – Peotone	68%	1.66
531B – Markham	32%	0.78
805B – Orthents	<1%	0.002
	Total	**2.442**

All percentages and acreages are approximate.

The soil map in this report has been enlarged beyond the original scale. Enlargement of this map may cause misunderstanding of the accuracy and precision of the mapping. When enlarged, maps do not show the small areas of contrasting soil that could have been identified if the mapping was completed at a larger scale. The depicted soil boundaries and interpretations derived from the map units do not eliminate the need of onsite sampling, testing, and detailed study of specific sites for intensive uses. Thus, this map and its interpretations are intended for planning purposes only.

The KDSWCD suggests to contact a certified professional soil classifier to conduct an onsite investigation for point-specific soil information to determine the capabilities and the limitations of the soil for a specific use.

SOIL MAP UNIT DESCRIPTIONS

The map units delineated on the detailed soil map in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions in the report, along with the map, can be used to determine the composition and properties of a unit.

A map unit delineation of a soil map represents an area dominated by one or more major kinds of soil or miscellaneous area. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. The scale of the maps limits the detail that can be shown. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils. These minor components are inclusions within the named map unit.

LIST OF MAP UNITS

330A	Peotone silty clay loam, 0 to 2 percent slopes
531B	Markham silt loam, 2 to 4 percent slopes
805B	Orthents clayey, undulating

SOIL INTERPRETATIONS – Small Commercial Buildings

Figure 50: Soil Interpretations for Small Commercial Buildings

Small commercial buildings are structures that are less than three stories high and do not have basements. The foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at the depth of maximum frost penetration.

The ratings are based on the soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs. The properties that affect the load-supporting capacity include depth to water table, ponding, flooding, subsidence, linear extensibility, and compressibility. Compressibility is inferred from the Unified classification of the soil. The properties that affect the ease and amount of excavation include flooding, depth to a water table, ponding, slope, depth to bedrock, hardness of bedrock, and the amount and size of rock fragments. **The high-water table is often a limiting factor in DuPage County.**

Areas not shaded represent NOT LIMITED, and good performance and very low maintenance can be expected. Yellow represents SOMEWHAT LIMITED, and fair performance and moderate maintenance can be expected. Red represents VERY LIMITED, and poor performance and high maintenance are to be expected.

See the preceding Soils Section for more information concerning soil limitations.

SOIL INTERPRETATIONS – Shallow Excavations

Figure 61: Soil Interpretations for Shallow Excavations

Shallow excavations are trenches or holes dug to a maximum depth of 5 or 6 feet for graves, utility lines, open ditches, or other purposes. The ratings are based on the soil properties that influence the ease of digging and the resistance to sloughing. Depth to bedrock, hardness of bedrock, the amount of large stones, and dense layers influence the ease of digging, filling, and compacting. Depth to the seasonal high-water table, flooding, and ponding may restrict the period when excavations can be made. Slope influences the ease of using machinery. Soil texture, depth to the water table, and linear extensibility (shrink-swell potential) influence the resistance to sloughing. **The high-water table is often a limiting factor in DuPage County.**

Areas not shaded represent NOT LIMITED, and good performance and very low maintenance can be expected. Yellow represents SOMEWHAT LIMITED, and fair performance and moderate maintenance can be expected. Red represents VERY LIMITED, and poor performance and high maintenance are to be expected.

See the preceding Soils Section for more information concerning soil limitations.

SOIL INTERPRETATIONS – Local Roads and Streets

Figure 72: Soil Interpretations for Local Roads and Streets

Local roads and streets have an all-weather surface and carry automobile and light truck traffic all year. They have a subgrade of cut or fill soil material; a base of gravel, crushed rock, or soil material stabilized by lime or cement; and a surface of flexible material (asphalt), rigid material (concrete), or gravel with a binder.

The ratings are based on the soil properties that affect the ease of excavation and grading and the traffic-supporting capacity. The properties that affect the ease of excavation and grading are depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, depth to a water table, ponding, flooding, the amount of large stones, and slope. The properties that affect the traffic-supporting capacity are soil strength (as inferred from the AASHTO group index number), subsidence, linear extensibility (shrink-swell potential), the potential for frost action, depth to a water table, and ponding. **The high-water table is often a limiting factor in DuPage County.**

Areas not shaded represent NOT LIMITED, and good performance and very low maintenance can be expected. Yellow represents SOMEWHAT LIMITED, and fair performance and moderate maintenance can be expected. Red represents VERY LIMITED, and poor performance and high maintenance are to be expected.

See the preceding **Soils Section** for more information concerning soil limitations.

SOIL INTERPRETATIONS – Lawns and Landscaping

Figure 83: Soil Interpretations for Lawns and Landscaping

Lawns and landscaping require soils on which turf and ornamental trees and shrubs can be established and maintained. Irrigation is not considered in the ratings. The ratings are based on the soil properties that affect plant growth and trafficability after vegetation is established. The properties that affect plant growth are pH (acidic or alkaline conditions); depth to a water table; ponding; depth to bedrock; the available water capacity in the upper 40 inches; and the content of calcium carbonate. The properties that affect trafficability are flooding, depth to a water table, ponding, slope, stoniness, and the amount of sand, clay, or organic matter in the surface layer. **The high-water table is often a limiting factor in DuPage County.**

Areas not shaded represent NOT LIMITED, and good performance and very low maintenance can be expected. Yellow represents SOMEWHAT LIMITED, and fair performance and moderate maintenance can be expected. Red represents VERY LIMITED, and poor performance and high maintenance are to be expected.

See the preceding **Soils Section** for more information concerning soil limitations.

WATER TABLE

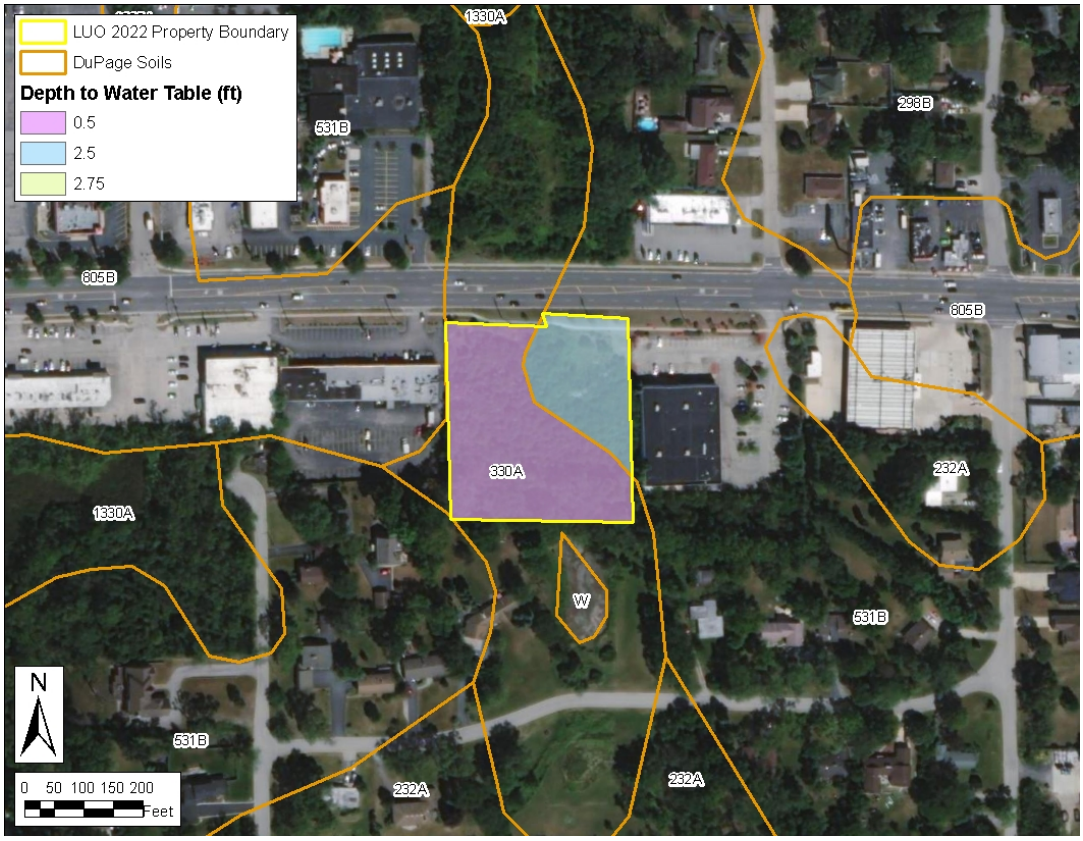

Figure 94: Map showing the depth to a seasonal high-water table

A seasonal high-water table, or the depth to a zone saturated with water in the soil during the wet season (typically spring through early summer), is present in most soils in DuPage County, as it is in much of Illinois. The relatively low relief and flat landscape of the region slows the dissipation of water from the soil. This saturated zone fluctuates throughout the year and is closer to the surface in the spring and drops to deeper levels during summer and fall. Soils that are lower on the landscape are generally wetter than those soils higher on the landscape or on more sloping landscape positions. Some soils, especially those in landscape depressions and low-lying areas, have a water table above the soil surface. Water that occurs above the soil surface is considered "ponded" water. Ponding is different from flooding, as the water in ponded areas comes from water rising from below the soil surface or from runoff from adjacent areas. Flooding comes from the overflow of water from rivers and streams.

The duration of the seasonal high-water table may have been altered by artificial drainage systems, especially those areas in cropland or former cropland. Even when soils are artificially drained, they will likely retain wet characteristics and the wetness will be difficult to eliminate entirely. However, artificial drainage may shorten the duration of the seasonal high-water table.

The wetness from the seasonal high-water table is a limiting property of the soil for many uses, especially homesites with or without basements, septic absorption fields, commercial buildings, and roads and streets. Most sites that are zoned for construction will require improved drainage, sump pumps, foundation drains, and other management practices to reduce the wetness. Any change to the natural drainage of the site has the potential to create flooding issues downstream from the site, so use caution in installing drainage systems.

The Soil Survey indicates a seasonal high-water table at a depth of 0.5 to 1.0 feet of the soil surface during the spring and early summer in most years, on the wettest soils of the site.

HYDRIC SOILS

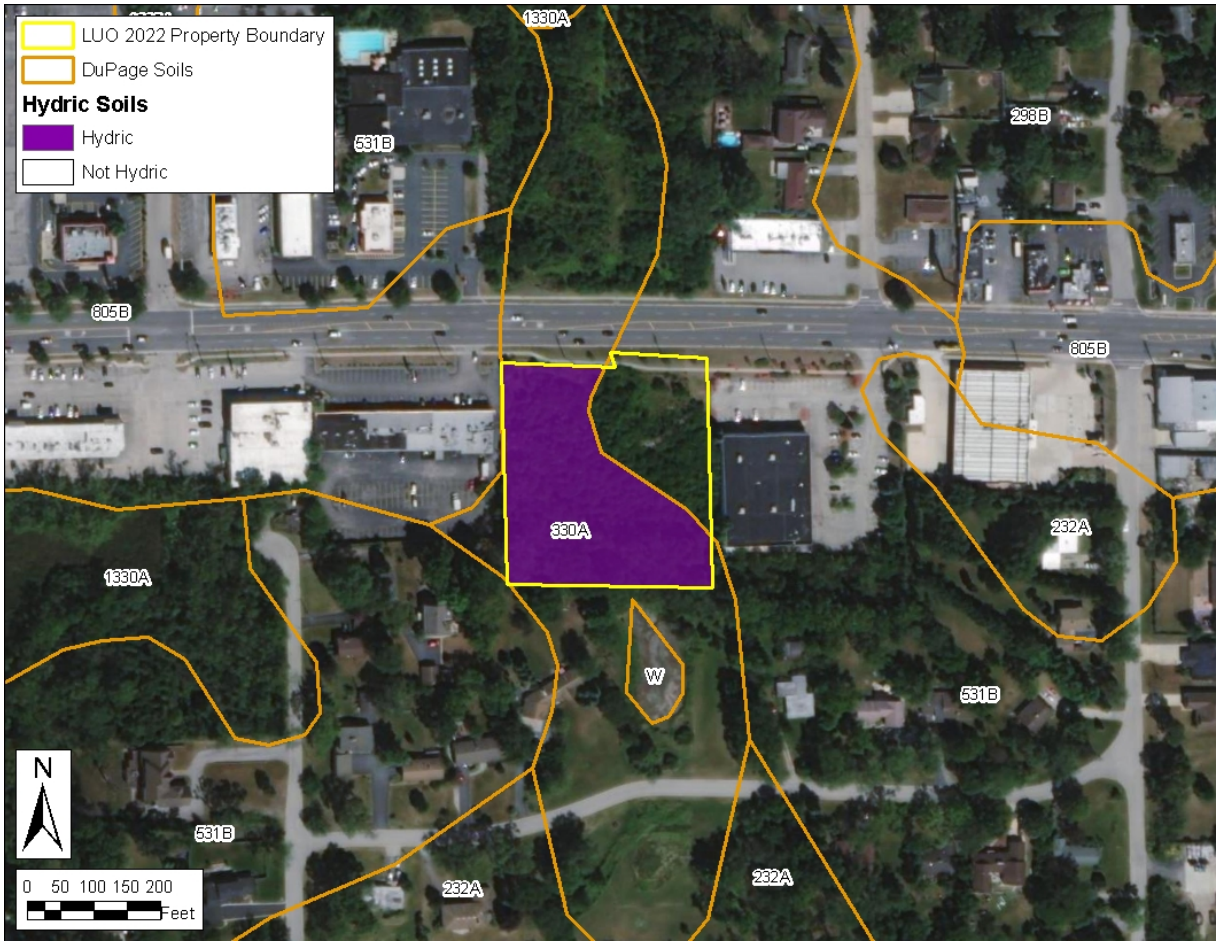

Figure 19: Hydric Soils map

Hydric Soils are wet soils that have a water table near the surface or above the surface, mostly in the spring and summer. The wetness is often a result of being on a lower position on the landscape. Many areas of hydric soils have been altered by artificial drainage systems. Even though they may have artificial drainage, they are still considered to meet the definition of a hydric soil. Although not all hydric soils are considered wetlands, hydric soils are a component of wetlands.

Even when hydric soils are artificially drained, they will likely retain wet characteristics and the wetness will be difficult to eliminate entirely. However, artificial drainage may shorten the duration of the seasonal high-water table. Most sites will require improved drainage, sump pumps, and other management practices to reduce the wetness. Any change to the natural drainage of the site has the potential to create flooding issues on and adjacent to the site, so use caution in installing drainage systems.

Some hydric soils are dominated by organic material (peat or muck) instead of mineral soil material and are not suitable construction sites, because of the low strength of the organic deposits. **Organic soils are extremely difficult to modify for other uses. Organic soils have been identified on this site.**

Hydric inclusions are small areas (inclusions) of hydric soils in the lower positions of a landscape dominated by higher, nonhydric soils and these inclusions are not identified on the soil map, given the map scale. However, hydric inclusions may still have a significant impact on your site.

The Soil Survey indicates that hydric soils or soils with hydric inclusions are on this site. A certified wetland determination may be needed prior to any earth disturbing activities. The KDSWCD recommends contacting the proper regulatory agencies shown near the end of this report.

REGULATORY INFORMATION

Wetlands, Rivers, Streams, and Other Waters: The laws of the United States, the State of Illinois, and local governments assign certain agencies specific and different regulatory roles to protect the waters within their jurisdictional boundaries. These roles include protection of navigation channels and harbors, protection against floodway encroachment, maintenance and enhancement of water quality, protection of fish and wildlife habitat, and protection of recreational resources. Unregulated use of waters could permanently destroy or alter the character of these valuable resources and adversely impact the public. Contact the proper regulatory authorities when planning any work associated with floodplains, wetlands, or other waters so that proper consideration and approval can be obtained.

Wetland and/or Floodplain Permit: Anyone proposing to dredge, fill, riprap, or otherwise alter the banks or beds of a floodplain or floodway; or construct, operate, or maintain any dock, pier, wharf, sluice, dam, piling, wall, fence, utility of a lake, stream, or river subject to federal, state, or local regulatory jurisdiction should apply for agency approvals.

Construction Permit: Anyone disturbing an acre or more of land during proposed construction activities should apply for the NPDES General Construction Permit ILR10. Building and stormwater permits should also be obtained locally from municipal government and/or DuPage County.

REGULATORY AGENCIES

Wetlands, Floodplains, Streams, & Other Waters:

U.S. Army Corps of Engineers, Chicago District,
111 North Canal Street
Chicago, IL 60606-7206
(312) 353-6400
http://www.lrc.usace.army.mil/

DuPage County Stormwater Management Department
Jack T. Knuepfer Bldg
421 N. County Farm Road
Wheaton, IL 60187
(630) 407-6700
https://www.dupageco.org/EDP/Stormwater_Management/1165/

Illinois Department of Natural Resources, Office of Water Resources
2050 W. Stearns Road
Bartlett, IL 60103
(847)608-3100
https://www.dnr.illinois.gov/WaterResources/Pages/PermitPrograms.aspx

NPDES General Construction Permit ILR10

Illinois Environmental Protection Agency, Division of Water Pollution Control
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794
(217)782-0610
https://www2.illinois.gov/epa/topics/forms/water-forms/Pages/default.aspx

The KDSWCD recommends early coordination with the regulatory agencies BEFORE finalizing work plans. This allows the agencies to recommend measures to mitigate or compensate for adverse impacts. Also, the agency can make possible environmental enhancement provisions early in the project planning stage. This could reduce time required to process necessary approvals. Please be advised that failure to coordinate with regulatory agencies could result in project shut down, fines and/or imprisonment.

CONTACTS

STATE AGENCIES

Illinois Department of Natural Resources
1 Natural Resources Way
Springfield, Illinois 62702-1271
(217)782-6302

Illinois Department of Transportation
2300 South Dirksen Parkway
Schaumburg, Illinois 62764-0001
(217)782-7820/(800)452-4368

Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217)782-3397

Illinois Natural History Survey
1816 South Oak Street MC652
Champaign, Illinois 61820
(217)333-6880

COUNTY / LOCAL OFFICES

DuPage County Government Center
Jack T. Knuepfer Administration Building
421 N. County Farm Road
Wheaton, IL 60187
630-407-6500

DuPage County Building& Zoning Department
(630) 407-6700

Department of Stormwater Management
(630) 407-6700

Forest Preserve District of DuPage County
3S580 Naperville Road
Wheaton, IL 60189
(630) 933-7200

DuPage County Health Department
111 N County Farm Road
Wheaton, IL 60187
Phone: 630-682-7400

Kane-DuPage Soil and Water Conservation District
2315 Dean Street Suite 100
St. Charles, Illinois 60175
(630) 584-7960 ext. 3

FEDERAL AGENCIES

U. S. Army Corps of Engineers
Regulatory Branch
231 S LaSalle Street, Suite 1500
Chicago, Illinois 60604
(312)846-5330
http://www.usace.army.mil

U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604
(312)353-2000 or (800)621-8431
http://www.epa.gov/region5/

U.S. Fish & Wildlife Service
Chicago Illinois Field Office
230 South Dearborn Suite 2938
Chicago, IL 60604
(847)298-3250
http://www.fws.gov/

U.S.D.A. Natural Resources Conservation Service
2315 Dean Street Suite 100
St. Charles, Illinois 60175
(630)584-7960 ext. 3
http://www.il.nrcs.usda.gov/

REFERENCES

Berg, Richard C, Aquifer Sensitivity Classification for Illinois Using Depth to Uppermost Aquifer Material and Aquifer Thickness, Cir. 560, 2001, Illinois State Geological Survey

Department of Energy and Natural Resources, Illinois State Geological Survey: Potential for Agricultural Chemical Contamination of Aquifers in Illinois: 1995 Revision Environmental Geology 148

Service Layer Credits Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Illinois Environmental Protection Agency, Nonpoint Source Pollution – What's It All About, 2015

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U.S. Dept. of Homeland Security, Federal Emergency Management Agency, National Flood Insurance Program, Q3 Flood Data, 2011

U.S. Dept of the Interior, Fish and Wildlife Service, National Wetlands Inventory, Photo Year 1983- 1984, Digitized 1985-1986

U.S. Geological Survey, Illinois Digital Orthophoto Quadrangles, 2006 photos, Published: Champaign, Illinois State Geological Survey, 2006

Wetlands of DuPage County, Illinois http://gis.dupageco.org/arcgis/rest/services/OpenData

2015 DuPage County, Illinois

2019 Farm Service Agency National Agriculture Imagery Program

EXECUTIVE SUMMARY
APPLICATION 22-009
March 11, 2022

Petitioner: Safa Property, LLC, 17W733 Butterfield Rd, Oakbrook Terrace, IL 60181

Contact Person: Mark Daniel, 630-833-3311

Unit of Government Responsible for Permits: Village of Lombard

Acreage: 2.44

Area of Disturbance (acreage): 2.00

Location of Parcel: Section 21, Township 39N, Range 11E

Property Address/PIN#: 06-21-100-013, at 855 E Roosevelt Rd, Lombard

Existing Land Use: Vacant

Proposed Land Use: Restaurant

NATURAL RESOURCE CONCERNS

Land Cover in the Early 1800's: This site is in an area previously identified as prairie. (See page 5 for more information.)

Wetlands: The National Wetland Inventory map and the DuPage County Wetland Map do not identify wetland areas on this site. If there are any indications of unidentified wetlands on this site, noticed during the proposed land use change, contact the appropriate county and federal wetland regulatory agencies (page 23).

Floodplain: There **are floodplain** areas identified on this site. (See page 8.)

Streams: There is **a stream** on this site. (See page 9.)

Aquifer Sensitivity: This site is classified as having a **very limited** potential for aquifer contamination. (See page 10.)

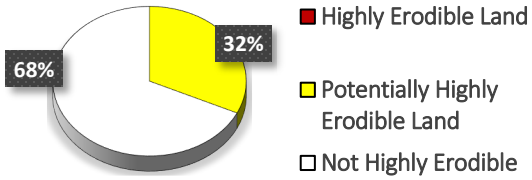
Topography and Overland Flow: Please refer to page 11 for information regarding site topography and drainage. The high point of this property is in the eastern portion of the site at an elevation of approximately **716** feet above sea level. The property generally **drains to the west** via overland flow. The lowest elevation on the property is approximately **704** feet above sea level.

Stormwater Management: This site may or may not need a Stormwater Pollution Prevention Plan (SWPPP). Contact the KDSWCD for questions or assistance in developing a SWPPP. See page 12 for information regarding stormwater management.

Soil Erosion: Many construction sites are required to develop and follow a Stormwater Pollution Prevention Plan (SWPPP) in order to be in compliance with local, state, and federal laws regarding soil erosion and stormwater management. Contact the KDSWCD for questions or assistance in developing a SWPPP. (See page 12).

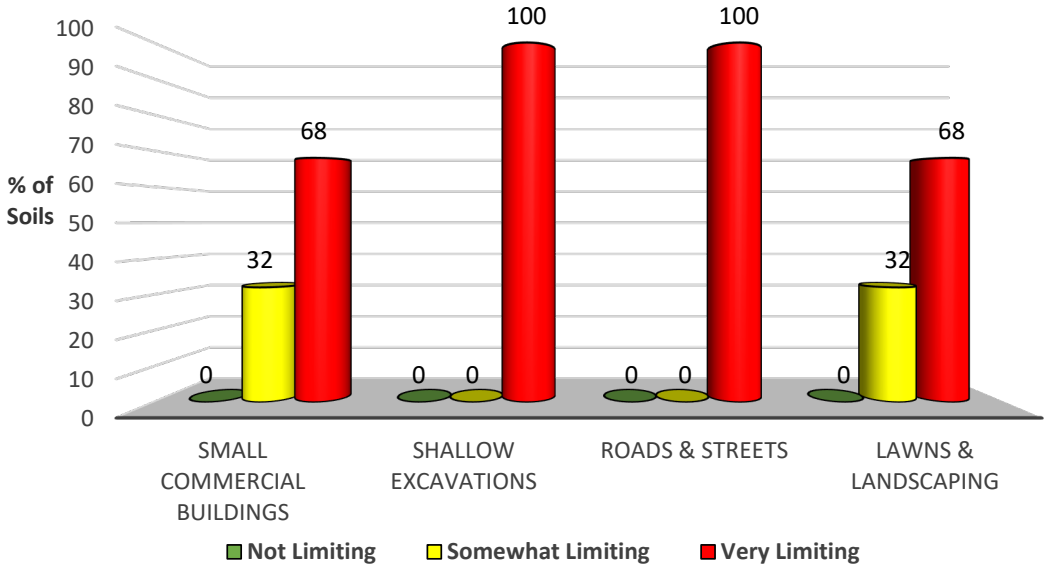
EXECUTIVE SUMMARY
APPLICATION 22-009
March 11, 2022

Highly Erodible Land: There are potentially highly erodible soils identified on this site. (See page 13.)

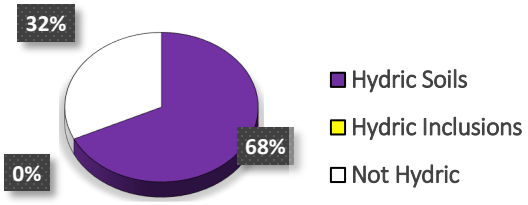


Regulations: Please note that additional permits are required for any development impacting wetlands, streams, or floodplain areas. Please see page 23 for regulation information.

Soil Interpretations: Soils at this site may contain limitations for the proposed use. See page 14 and attached Soils Tables on page 15. All information is from the Soil Survey of DuPage County, Illinois. The limiting factors for this site are: **seasonal high-water table, shrink-swell, low strength, ponding, frost action.**



Hydric Soils: There are hydric soils identified on this site. (See page 22.)



EXECUTIVE SUMMARY
APPLICATION 22-009
March 11, 2022

LAND USE OPINION

The most current natural resource data indicates the following concerns for this site: **Floodplain, Soil Limitations, High-water Table, Soil Erosion and Sediment Control, and Stormwater Management.** These concerns need to be managed, monitored, and/or considered in the planning and development of the site for the best possible results and for the least negative impact to the environment and natural resources.

SITE INSPECTION

Figure 101: Location of site inspection photos

A site inspection was conducted by Resource Assistant, Jennifer Shroder on March 8, 2022. The following photos were taken during this inspection and reflect the site conditions at that time.

SITE INSPECTION PHOTOS

Photo 1 facing southeast

Photo 2 facing southwest

Photo 3 facing west

Photo 4 facing southwest

Photo 5 facing west

Photo 6 facing west