

**VILLAGE BOARD
COMMITTEE OF THE WHOLE MEETING**

**APRIL 21, 2014 - 7:00 P.M.
LEMONT VILLAGE HALL
418 MAIN ST.
LEMONT, IL 60439**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. UNFINISHED BUSINESS**
- IV. DISCUSSION ITEMS**
 - A. 931 SINGER AVE. VARIATION DISCUSSION
(PLANNING & ED)(STAPLETON)(JONES/GLAS)**
 - B. BIRCH PATH PUD & ANNEXATION AND REZONING DISCUSSION
(PLANNING & ED)(STAPLETON)(JONES/GLAS)**
 - C. REFUNDING GENERAL OBLIGATION BONDS SERIES 2005 (SALES TAX ARS) AND
SERIES 2012B GATEWAY TIF DISCUSSION
(ADMIN./FINANCE)(REAVES/SNIEGOWSKI)(SCHAFFER/SMITH)**
 - D. EAGLE CREST PARKING DISCUSSION
(PD)(MIKLOS)(SHAUGHNESSY)**
 - E. CANAL LEASE PROCESS DISCUSSION
(ADMIN./FINANCE)(REAVES/SNIEGOWSKI)(SCHAFFER/SMITH)**
 - F. CHANNEL 6 PROGRAM AND VEHICLE DONATION DISCUSSION
(ADMIN.)(REAVES)(SCHAFFER)**
- V. NEW BUSINESS**
- VI. AUDIENCE PARTICIPATION**
- VIII. ADJOURN**



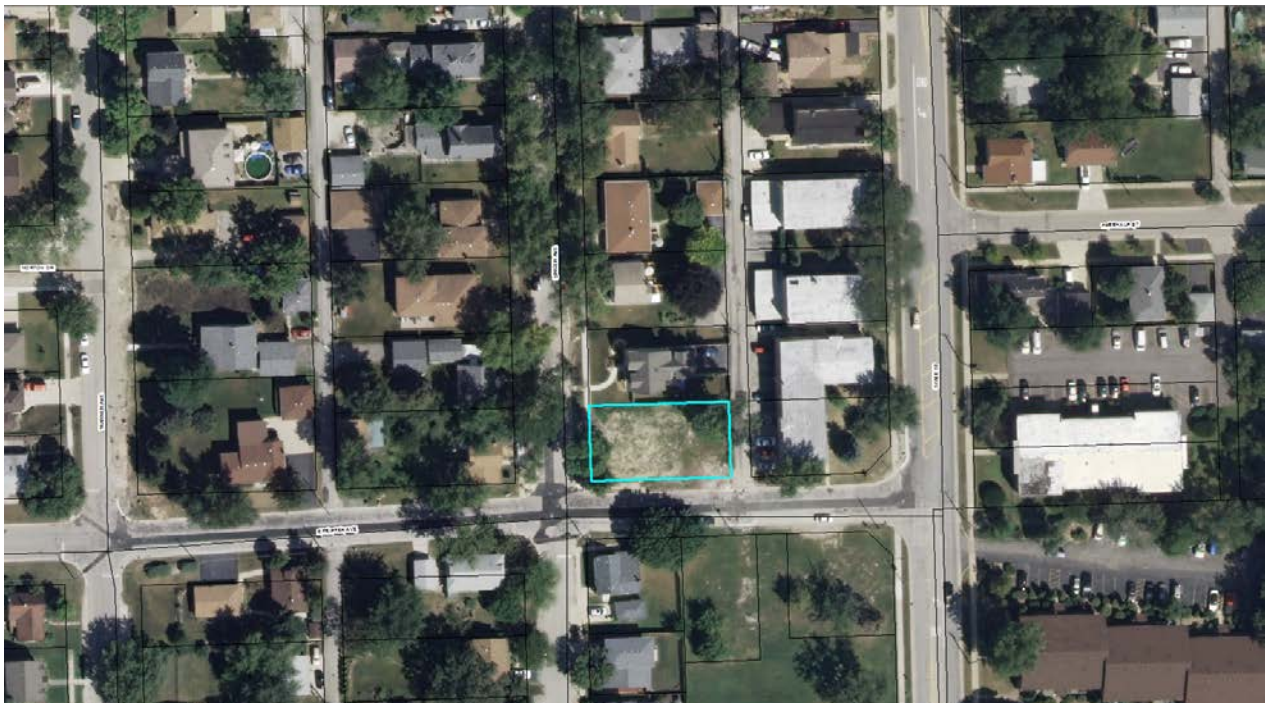
Village of Lemont
Planning & Economic Development Department

418 Main Street · Lemont, Illinois 60439
phone 630-257-1595 · fax 630-257-1598

TO: Committee of the Whole
FROM: Martha M. Glas, Village Planner
THRU: Charity Jones, AICP, Planning & Economic Development Director
SUBJECT: Case 14-02 931 Singer Ave. Variation
DATE: April 16, 2014

SUMMARY

Tracey Nappier, acting on behalf of owner Leslie Zalewski, is seeking a variation from §17.07.020.F.2 of the Unified Development Ordinance. The variation would allow a proposed detached garage to be accessed from the street as opposed to the alley as required by code in the R-4A district. The subject property is a corner lot and is currently vacant. The applicant intends on constructing a home and a detached garage on the property. Access to the garage is proposed off of Peiffer Ave. Staff and PZC recommended approval.



PROPOSAL INFORMATION

Case No. 14-02
Project Name 931 Singer Ave. Variation

General Information

Applicant	Tracy Nappier
Owners	Leslie Zalewski
Status of Applicant	Agent acting on behalf of the owner
Requested Actions:	Variation to allow access from a proposed garage onto the street (Peiffer Ave.) as opposed to the alley as required by code in the R-4A district
Site Location	931 Singer Ave. (PIN 22-29-119-010-0000)
Existing Zoning	R-4A
Size	6,630 sq ft
Existing Land Use	Previously single family, currently vacant lot
Surrounding Land Use/Zoning	R-4A to the north, south and west; R-6 to the east
Comprehensive Plan 2002	The Comprehensive Plan calls for this site to be Medium density 2-6 units/acre within a Tear Down Area Overlay.
Zoning History	N/A

Special Information

Public Utilities

BACKGROUND

The applicant is a prospective purchaser of the property and acting on behalf of the owner. The subject property is a corner lot at Singer Ave. and Peiffer Ave. The home and detached garage that existed on the property was demolished in 2006. The detached garage on the property at the time did exit onto Peiffer Ave. and a curb depression is present in the area. A new construction permit was submitted in 2006 and cancelled within the same year. The regulations have changed since the original submission. The property is currently zoned R-4A Single Family Preservation and Infill. When an alley is present, driveways are required to access off the alley.

CASE HISTORY

PZC Public Hearing. The Planning & Zoning Commission conducted a public hearing on the requested variation at its March 19, 2014 meeting. Staff recommended approval of the variation as all 3 standards for evaluating variation requests were met. PZC voted 5-0 to recommend approval of the variation.

STANDARDS FOR VARIATIONS

UDO Section 17.04.150.D states that variation requests must be consistent with the following three standards to be approved:

1. The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

Analysis. The general purpose of the UDO is specified in UDO Section 17.01.050. Of the eight components listed, four are not applicable to the variation request. The variation request to allow a driveway access the street as opposed the alley is consistent with the remaining four components.

- **Promoting and protecting the general health, safety and welfare.** The variation request will not injure the health, safety and general welfare of the public. Currently the sidewalk network along the north end of Peiffer Ave. is fragmented. (see photo below) A sidewalk currently exists from Walter to Warner Ave. but does not continue from Warner Ave. to Singer Ave. The sidewalk along the southern edge of the subject property is partial and when completed, will terminate at the alley. No public sidewalk is present on the southern side of the apartment complex from the alley to State St. There is an existing curb cut on Peiffer Ave. Any pedestrian walking along Peiffer Ave. would have to execute caution before the alley and as such an additional driveway would have minimal impact on pedestrian safety.



- **Ensuring adequate natural light, air, privacy, and access to property.** The variation will have no impact on light and air to the property. The variation would make the property accessible from Peiffer Ave.
- **Protecting the character of established residential neighborhoods.** The subject site is located in an established residential area and is zoned R-4A. This area encompasses the majority of the older and historic homes in the village. Lots in this district are typically narrow and deep. The property is adjacent to a multifamily apartment complex which is zoned R-6. The apartment complex, which faces State St., currently has parking spaces in the rear of the building. These spaces are accessed through the alley.

The intent of requiring driveway access from an alley when one is available is to promote development that creates uninterrupted lengths of sidewalk for pedestrian use. Blocks without driveway interruptions provide safer places for children to play and reduce the amount of hard surface in front yards when the lots are narrow. The subject site being a corner lot, does

provide uninterrupted sidewalk in the front of the home. The driveway interruption would be on Peiffer Ave. The overwhelming majority of homes located along Peiffer Ave. from Walter St. to Singer Ave. have garage access onto Peiffer Ave. or intersecting streets (see photo below) The subject property, providing access from Peiffer Ave. would not impact the character of this block substantially and would maintain the integrity of the Singer Ave. block face.

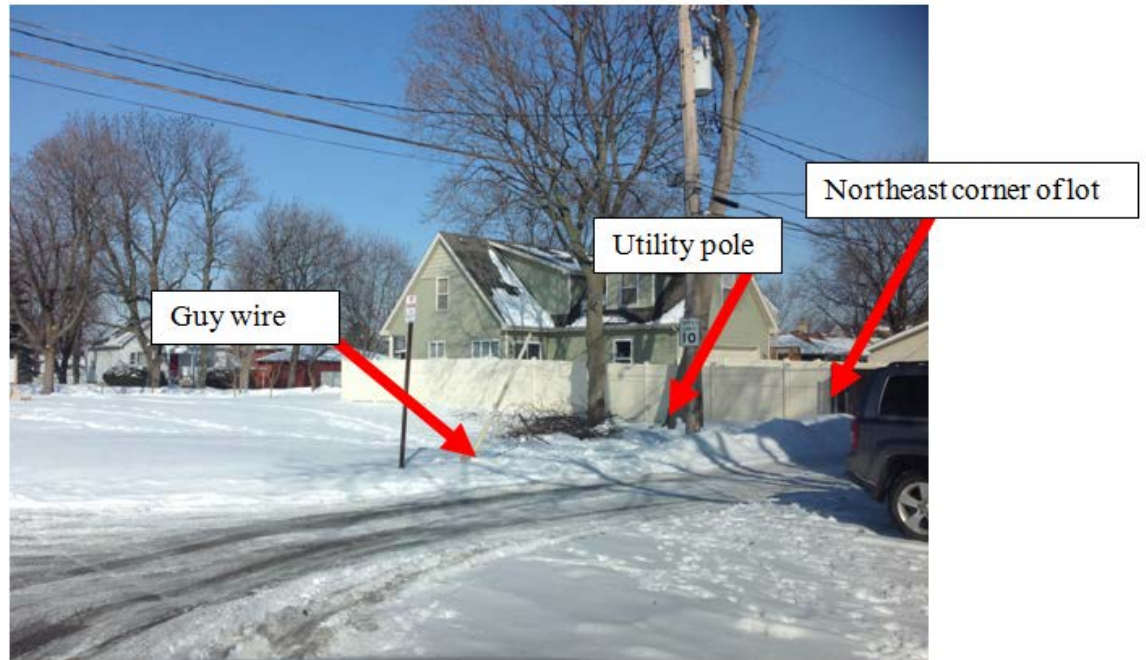


- **Conserving the value of land and buildings throughout the Village.** Investments that allow a property to be fully utilized add value to the land and generally conserve value throughout the Village.
2. The plight of the owner is due to unique circumstances, and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unique conditions that are not generally found on other properties in the same zoning district;

Analysis. The UDO states that in making a determination whether there are unique circumstances, practical difficulties, or particular hardships in a variation petition, the Planning and Zoning Commission shall take into consideration the factors listed in UDO §17.04.150.D.2.

- **Particular physical surroundings, shape or topographical conditions results in a particular hardship upon the owner as distinguished from a mere inconvenience.** The subject property is currently vacant. The garage associated with the previous home was accessed from Peiffer Ave. A utility pole is located 20 ft. south of the northeast corner of the lot along the rear property line and restricts access from the alley. The utility pole guy wire is located an additional 20 ft. south of the utility pole along the rear lot line and further restricts the ability to access a garage from the alley.

The current location of the pole and associated wire limits the garage placement. (See photo below) In the northeastern corner of the lot, the 3ft. setback requirement would limit the available space to 17 ft. if the garage was to be accessed from the alley. This particular location is also where two mature trees are located and the applicant expressed a desire to retain the trees. Being a 60 ft. lot, the same is true in the southeastern corner of the lot as the guy wire is grounded in a location that leaves 20 ft. of available space. With a 3 ft. setback, the available space is reduced. A standard 2 car garage is 20 ft. at the minimum.



- ***The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district.*** The conditions upon which this petition is based would not generally be applicable to other properties in the R-4A district. The location of the utility pole and guy wire is unique to this property.
- ***The alleged difficulty or hardship has not been created by any person presently having an interest in the property.*** The location of the utility pole and guy wire makes access from the alley impractical and this has not been caused by any person presently having interest in the property.
- ***The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject project is located.*** Driveway access from the garage onto Peiffer Ave. would not be detrimental to the public welfare or injurious to other property in the neighborhood. The driveway is proposed in the same location as what previously existed on Peiffer. The home is proposed to face Singer Ave. and as such will not create an interruption of sidewalk on the primary block face. The secondary block face, or Peiffer Ave., consists primarily of homes that exit onto Peiffer Ave.

- **The variation will not impair an adequate supply of light and air to adjacent properties or substantially increase congestion in the public street or increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the neighborhood.** No parking is permitted along Peiffer Ave. on the north side of the street so a driveway would not decrease the quantity of on street parking available in the neighborhood. Exiting the lot onto Peiffer Ave. from a driveway would create the same traffic as exiting onto Peiffer Ave. from the alley. Being a corner lot, exiting directly onto Peiffer Ave. may decrease the congestion at the intersection of the alley and Peiffer Ave. particularly because of the extra vehicles associated with the adjacent apartment complex and parking space.
3. The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

Analysis. See the analysis contained within section one of the variation standards, regarding the UDO's purposes of protecting the character of established residential neighborhoods and conserving the value of land and buildings throughout the Village.

RECOMMENDATIONS

Staff and PZC recommended approval of the variation request. The UDO requires that the applicant demonstrate consistency with all three of the variation standards contained within §17.04.150.D. and staff finds that they were substantially met.

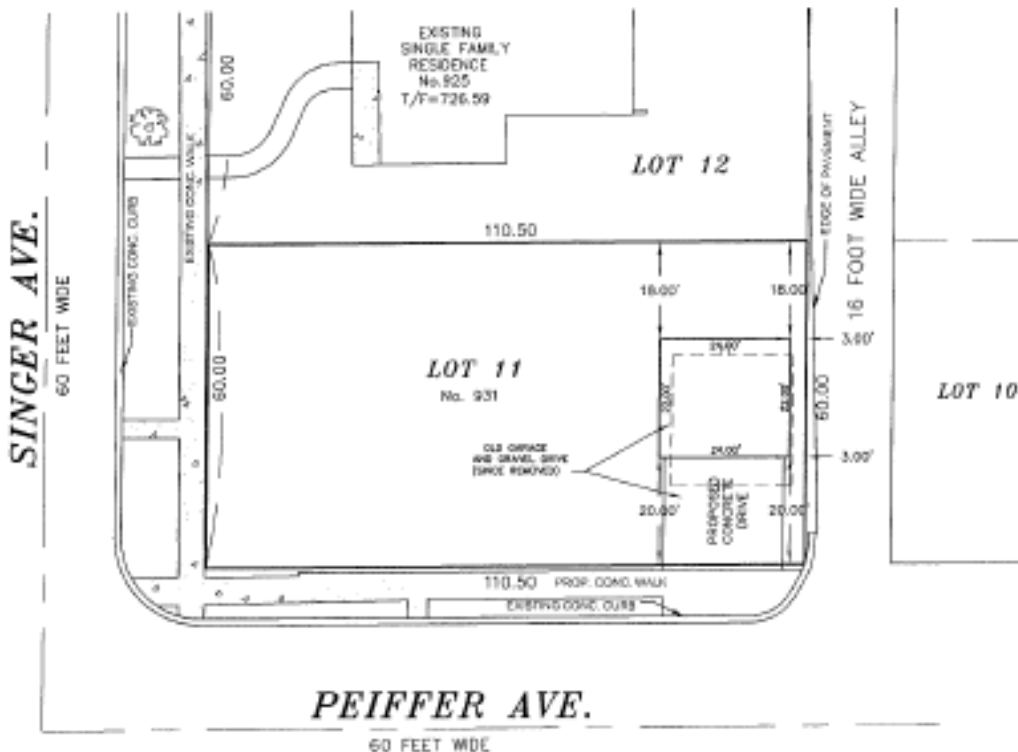
ATTACHMENTS

1. Exhibit A – Site plan
2. Site Photos
3. PZC Minutes - draft 3/19/14
4. Applicant submissions

EXHIBIT A – Site plan

PLAT OF SURVEY

LOTS 11 IN BLOCK 3 IN NORTON AND WARNER'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



Proposed

NO DATA HEREIN SHOULD BE USED FOR CONSTRUCTION OR ESTABLISHING BOUNDARY OF FENCE LINES. FOR BUILDING RESTRICTIONS AND/OR ENCUMBRANCES, REFER TO THE DEED, CONTRACT, TITLE POLICY OR LOCAL ZONING REGULATIONS.

BOUNDARY DIMENSIONS ARE BASED ON THE PUBLIC RECORDS AND/OR THE LEGAL DESCRIPTION. LEGAL DESCRIPTION ABOVE HAS BEEN PROVIDED BY THE CLIENT AND MUST BE COMPARED WITH DEED AND/OR TITLE POLICY. NO DIMENSIONS SHALL BE ASSIGNED BY SCALE MEASUREMENTS ON THIS DOCUMENT.

DISCREPANCIES FOUND BETWEEN FIELD CONDITIONS AND DIMENSIONS SHOWN ON THIS DOCUMENT SHALL BE REPORTED TO THIS OFFICE IMMEDIATELY. LIABILITY OF LANDTECH CONSULTANTS ASSOCIATED WITH THIS DOCUMENT AND THE WORK IT REPRESENTS IS LIMITED TO THE COST OF PRODUCING IT.

LANDTECH CONSULTANTS LTD. AN ILLINOIS PROFESSIONAL DESIGN FIRM, SURVEY AND PROFESSIONAL ENGINEERING CORP. # 054-081269 HEREBY CERTIFIES THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN MEASURED IN THE FIELD AND THAT THIS DOCUMENT IS A TRUE AND CORRECT REPRESENTATION OF SAID FIELD WORK. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF. LANDTECH CONSULTANTS CORPORATE LOCKSMITH CERTIFIES APRIL 30, 2015.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MIRROR STANDARDS FOR A BOUNDARY SURVEY.

DATED THE 14TH DAY OF FEB., 2014. CORP. LIC. # 04-20288

BY ILLINOIS LICENSED PROFESSIONAL LAND SURVEYOR, MATTHEW D. DUHAN
ILLINOIS SURVEYORS LICENSE # 3107, MY LICENSE EXPIRES 11/30/14

JOB NUMBER 140202
 ORDERED BY KEN PASIEWCZ
 COPYRIGHT 2005 LANDTECH CONSULTANTS INC. SCALE: 1" = 20'

Landtech

Consultants INC.

ENGINEERING · SURVEYING · LAND PLANNING

13711 N. 159th STREET LOCKPORT, IL 60441
 PHONE (708)301-8200 FAX (708)301-6204

Exhibit B Site Photos



Looking north from the alley



Looking east towards the alley and adjacent apartment complex



Looking southwest from the alley

Exhibit B Site Photos



Looking northwest from Peiffer Ave.



Looking northwest from Peiffer Ave.



Curb cut on Peiffer Ave.

Village of Lemont
Planning and Zoning Commission
Regular Meeting of March 19, 2014

A meeting of the Planning and Zoning Commission of the Village of Lemont was held at 6:30 p.m. on Wednesday, March 19, 2014 in the second floor Board Room of the Village Hall, 418 Main Street, Lemont, Illinois.

I. CALL TO ORDER

A. Pledge of Allegiance

Chairman Spinelli greeted the audience and called the meeting to order at 6:31 p.m. He then led the Pledge of Allegiance.

B. Verify Quorum

Upon roll call the following were:

Present: Kwasneski, Maher, McGleam, Messer, Spinelli

Absent: Sanderson and Sullivan

Planning and Economic Development Director Charity Jones, Planner Martha Glas, and Village Trustee Ron Stapleton were also present

C. Approval of Minutes from the February 19, 2014 Meeting

Commissioner Kwasneski made a motion, seconded by Commissioner McGleam to approve the minutes from the February 19, 2014 meeting with no changes. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

II. CHAIRMAN'S COMMENTS

Chairman Spinelli thanked Commissioner Sanderson for filling in for him last month. He then asked the audience to stand and raise his/her right hand. He then administered the oath.

III. PUBLIC HEARINGS

A. Case 14-02 – 931 Singer Ave. Variation.

A public hearing for variation to allow a proposed detached garage to be accessed from the street as opposed to the alley as required by code in the R-4A district.

Chairman Spinelli called for a motion to open the public hearing.

Commissioner Messer made a motion, seconded by Commissioner Maher to open the public hearing for Case 14-02. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Mrs. Glas, Planner for the Village of Lemont, said the variation is to allow a detached garage to be accessed from the street as opposed to the alley as required by the R-4A district. She had then shown pictures of the proposed property on the overhead screen. She stated to the west is Singer Avenue and to the south is Peiffer. The applicant is requesting a variation to allow access onto Peiffer. Staff in reviewing the request finds that there is a demonstrated hardship on the property in its surroundings. She said there is a utility pole where the alley is and a guy wire that limits the access from the alley. The distance of the utility pole to the corner is about 20 feet and the guy wire is an additional 20 feet. Additionally, the character of the block faces Singer Avenue with the majority of the homes having access from the alley. Mrs. Glas stated the majority of the homes on Peiffer do have access along Peiffer. Staff is recommending approval in that all three standards for the variation have been met.

Chairman Spinelli asked if the Commissioner's had any questions for staff.

Commissioner Maher said in the staff report there was mention of a cut out on the curb. He stated he did not see a cut out.

Mrs. Glas stated there is a picture in the staff report that shows a slight depression and the curb would have been off of Peiffer. She said it is an area where the previous garage had access.

Chairman Spinelli showed Commissioner Maher where the curb cut or depression is. He then asked the applicant to step forward.

Tracy Nappier, 12500 Briarcliffe Drive, Lemont said she was hoping that the Commission would approve the variation request for the driveway. She stated that staff did a good job with presenting.

Chairman Spinelli asked if this variance was granted can the garage be built without the primary residence being built.

Mrs. Glas said that the home would have to be built. She stated the applicant wanted to get assurance that the garage would be permissible the way she wants it prior to submitting a building permit for the home and garage.

Chairman Spinelli asked if any of the Commissioners had any questions for the applicant. None responded. He then asked if there was anyone in the audience that would want to speak in regards to this Case. None responded. He then called for a motion to close the public hearing.

Commissioner Maher made a motion, seconded by Commissioner McGleam to close the public hearing for Case 14-02. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Chairman Spinelli asked if there were any further comments or questions. He then called for a recommendation to the Mayor and Village Board.

Commissioner Maher made a motion, seconded by Commissioner Kwasneski to recommend to the Mayor and Village Board approval for a variation to allow a detached garage to be accessed from the street as opposed to the alley as required by code in the R-4A district. A roll call vote was taken:

Ayes: McGleam, Kwasneski, Maher, Messer, Spinelli

Nays: None

Motion passed

Commissioner Maher made a motion, seconded by Commissioner Kwasneski to authorize the Chairman to approve the Findings of Fact for Case 14-02 as prepared by staff. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

B. Case 14-03 – Chicago Blaze Rugby Club Variations.

A public hearing for 10 variations pertaining to the redevelopment of the site. The redevelopment includes the construction of a new clubhouse facility and associated parking.

Chairman Spinelli called for a motion to open the public hearing for Case 14-03.

Commissioner Kwasneski made a motion, seconded by Commissioner Messer to open the public hearing for Case 14-03. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Mrs. Glas said this variation request consists of 10 variations. The variations are related to the redevelopment on the site which includes the construction of a 4,738 square foot clubhouse facility and associated parking. She stated some additional background would be that the property was subject to an annexation agreement (O-11-98) which allows for the continued use of the site as a rugby club with athletic fields. There is an exemption for having to provide street lighting and parkway trees. It also requires 50 feet of right-of-way to be dedicated. She said paved parking and associated

Variation Application Form

APPLICANT INFORMATION

Tracy Nappier

Applicant Name

Company/Organization

202 Stephen Street, Lemont, Illinois 60439

Applicant Address

(630) 988-7229

Telephone & Fax

tracy@adcommgrp.com

E-mail



CHECK ONE OF THE FOLLOWING:

- Applicant is the owner of the subject property and is the signer of this application.
- Applicant is the contract purchaser of the subject property.
- Applicant is acting on behalf of the beneficiary of a trust.
- Applicant is acting on behalf of the owner.

PROPERTY INFORMATION

931 Singer Avenue, Lemont, Illinois 60439

Address of Subject Property/Properties

22-29-119-010-0000

Parcel Identification Number of Subject Property/Properties

60' x 110.50'

Size of Subject Property/Properties

DESCRIPTION OF REQUEST

To obtain a variance to allow a new driveway with access from Peiffer

Brief description of the proposed variation

Avenue in an R-4A Single Family Preservation In Fill Residential District

REQUIRED DOCUMENTS

See Form 500-A, Variation Application Checklist of Required Materials, for items that must accompany this application.

FOR OFFICE USE ONLY

Application received on: 2/20/14

By: mmg

Application deemed complete on: 2/24/14

By: mmg

Current Zoning: R-4A

Fee Amount Enclosed: 250⁰⁰

Escrow Amount Enclosed: 500⁰⁰

Variation Application Form

Village of Lemont

APPLICATION FEE & ESCROW**Application Fee = \$250 (per zoning lot)**

Fee is non-refundable. A zoning lot is defined as "a single tract of land located within a single block that (at the time of filing for a building permit) is designated by its owner or developer as a tract to be used, developed, or built upon, under single ownership or control" (Unified Development Ordinance Chapter 17.02).

Required Escrow = \$500

At the time of application, the applicant shall submit a check for the establishment of an escrow account. The escrow money shall be used to defray costs of public notice, consultants, or other direct costs incurred by the Village in association with the variation application. Additionally, should the applicant fail to remove the required public notice sign in a timely manner, the escrow account may be used to defray the costs of the sign's removal. After completion of the variation review process, any unused portion of the escrow account will be refunded upon request.

AFFIRMATION

I hereby affirm that I have full legal capacity to authorize the filing of this application and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. I permit Village representatives to make all reasonable inspections and investigations of the subject property during the period of processing of this application. I understand that as part of this application I am required to establish an escrow account to pay for direct costs associated with the approval of this application, such as the fulfillment of public notice requirements, removal of the public notice sign, taking of minutes at the public hearing and fees for consultants hired by the Village to evaluate this application. I understand that the submitted fee is non-refundable and that any escrow amount leftover upon project completion will be refunded upon request. I understand that I am responsible for the posting of a public hearing sign and for the mailing of legal notice to all surrounding property owners as required by Village ordinances and state law.

Tracy Nappier 2/20/2014
Signature of Applicant Date

State County

I, the undersigned, a Notary Public in and for the aforesaid County and State, do hereby certify that TRACY NAPIER is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and that said person signed, sealed and delivered the above petition as a free and voluntary act for the uses and purposes set forth.

Valerie M. Smith
Notary Signature

Given under my hand and notary seal this 20th day of February A.D. 20 14.

My commission expires this 11th day of July A.D. 20 16.



Variation Application Checklist of Required Materials

Materials Required at Submittal of Application

A complete application for a variation must include **all** of the following items. Any application that does not include all of the following items will not be considered complete. The Planning & Economic Development Department **will not** schedule a public hearing for any variation request until a complete application has been submitted.

✓
_____ **Application Form.** One original copy of the attached *Variation Application Form*, signed by the applicant and notarized.

✓
_____ **Application Fee.** A non-refundable fee of \$250 per zoning lot.

✓
_____ **Escrow Account.** \$500 per application. Any unused portion may be refunded upon request after completion of the variation review process.

✓
_____ **Proof of Ownership & Applicant Authorization.** One copy of a deed that documents the current ownership of the subject property. If the applicant is the owner, this is the only documentation necessary. If the applicant is not the owner, the following are required in addition to a copy of the deed:

- If the applicant is the contract purchaser of the property, a copy of said contract must be attached.
- If the applicant is acting on behalf of the beneficiary of a trust, a notarized letter from an authorized trust officer identifying the applicant as an authorized individual acting in behalf of the beneficiaries must be attached. The letter must also provide the name, address and percentage of interest of each beneficiary.

○• If the applicant is acting on behalf of the owner, a notarized letter of consent from the owner must be attached.

If the property owner is a company, a disclosure of the principals of the company must be included in the application materials. For example, an LLC may submit a copy of the LLC Management Agreement.

_____ **Submittal Packet.** 22 collated copies of a submittal packet for distribution at public meetings and one electronic copy for Village files. Additional copies of the submittal

packet may be required after initial submission of the variation application. Planning & Economic Development Staff will advise if/when additional copies are needed.

Any plans and maps included in the submittal packet should contain the following: a north arrow or other indication of true north or map north; the date of map/plan preparation; the name of the person preparing the map/plan; and a scale, the scale may be expressed verbally (e.g. 1 inch equals 60 ft.) but other forms of scale are preferable (e.g. scale bar or ratio such as 1:24,000).

The submittal packet shall include the following:

- **Legal Description.** A legal description of the subject property.
- **Variation Criteria Worksheet.** The applicant must address the standards listed on the attached *Variation Criteria Worksheet*.
- **Additional Plans or Documents as Required by the Planning & Economic Development Director.** Department staff will advise if any additional materials are necessary.

Materials Required when Public Notice is Served

The following items **are not** required at the time of application submittal. However, these items must be submitted to the Planning & Economic Development Department prior to the public hearing before the Planning & Zoning Commission or Zoning Hearing Officer. Once the applicant has fulfilled the public notice requirements, the following items must be submitted:

_____ **Affidavit of Public Notice.** The attached *Affidavit of Public Notice* must be submitted by the applicant once he/she has completed the necessary public notice requirements. A signed and notarized original form should be submitted to the Planning & Economic Development Department no later than 15 days prior to the scheduled public hearing for the variation request. More explanation regarding public notice requirements is contained in the attached *Variation Public Notice Requirements* document.

_____ **Copy of Written Notice.** Once the applicant has sent the required written notice of public hearing, a copy shall be submitted to the Planning & Economic Development Department. The copy of the written notice should be submitted at the time that the notice is sent to the surrounding property owners. More explanation regarding public notice requirements is contained in the attached *Variation Public Notice Requirements* document.

_____ **Address List.** A list of all addresses to which the applicant sent the written notice of public hearing shall be submitted to the Planning & Economic Development Department at the time the written notice is sent to the surrounding property owners. More explanation regarding public notice requirements is contained in the attached *Variation Public Notice Requirements* document.

Variation Criteria Worksheet

Unified Development Ordinance (UDO) Section 17.04.150.D.1 establishes the criteria that all applications for variations must meet. In addition, Section 17.04.150.D.2 of the Unified Development Ordinance requires that the Planning & Zoning Commission or Zoning Hearing Officer take the following conditions into consideration when determining whether a request qualifies for a variation. You may want to consider the following in your variation request:

- The particular physical surroundings, shape, or topographical condition of the specific property involved results in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations of the Unified Development Ordinance were fulfilled;
- The conditions upon which the petition for variation is based would not be applicable, generally, to other property within the same zoning classification;
- The alleged difficulty or hardship has not been created by any person presently having an interest in the property;
- The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject property is located; and
- The variation will not impair an adequate supply of light and air to adjacent properties, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

Please describe below how your variation request meets the criteria of UDO Section 17.04.150.D.1. Attach additional sheets if necessary.

UDO Section 17.04.150.D.1.a

The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

Other corner lots on Peiffer and Norton with alleys utilize
street access to their garages.

UDO Section 17.04.150.D.1.b

The plight of the owner is due to unique circumstances and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unusual conditions that are not generally found on other properties in the same zoning district; and

There is a Commonwealth Edison Utility Pole directly in the center of the lot which would significantly impact access to the garage through the alley.

UDO Section 17.04.150.D.1.c

The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

The previous residence and garage provided access from Peiffer and not the alley. Furthermore, the adjacent multi-family building to the East provides parking in the alleyway which will contribute to additional traffic congestion. By allowing access from Peiffer, the Owner/Occupant will be able to accommodate guest parking in the driveway as opposed to street parking.

February 20, 2014

Village of Lemont
Planning and Zoning Department
418 Main Street
Lemont, Illinois 60439

RE: Variance - 931 Singer Avenue, Lemont, IL
Permanent Tax Index Number: 22-29-119-010-0000

Dear Sir:

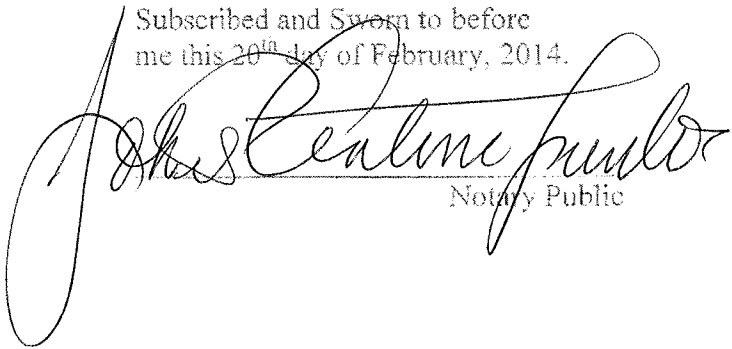
Please be advised that I am the owner of the property above-described and hereby authorize Tracy Nappier to appear on my behalf and to pursue a variance in connection with a side-load driveway access off of Peiffer Avenue. The property is currently under contract to construct a single family home and I am allowing Tracy to act on my behalf in connection with said variance.

Very truly yours,

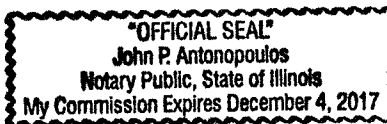


Leslie Zalewski

Subscribed and Sworn to before
me this 20th day of February, 2014.



Notary Public





Doc#: 0730505024 Fee: \$28.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 11/01/2007 10:41 AM Pg: 1 of 3

**WARRANTY DEED
(INDIVIDUAL)**

The Grantor MAJESTIC HOME BUILDERS, INC, an Illinois Corporation § 384989
of 742 McCarthy Street, Lemont, County of Cook, State of Illinois, for and in consideration of TEN and 00/100 DOLLARS, and other good and valuable consideration in hand paid conveys and warrants to

LESLIE ZALEWSKI
of 14720 Main Street, Lemont, Illinois 60439, the following described Real Estate situated in the County of Cook in the State of Illinois, to wit: (Legal Description on other side) hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Subject to general taxes for 2006 and subsequent years, covenants and restrictions of record.

P.I.N. 22-29-119-010

Address: 931 Singer, Lemont, Illinois 60439

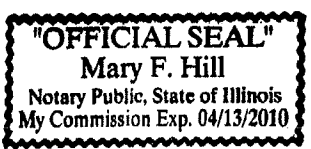
DATED this 25th day of October 2007.

MAJESTIC HOME BUILDERS, INC.

By: [Signature]
JOHN KNOELK, its President

State of Illinois, County of COOK ss. I, the undersigned, a Notary Public in and for said county, in the State aforesaid, DO HEREBY CERTIFY that personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and seal this 25th
day of October 2007



[Signature]
NOTARY PUBLIC

I hereby declare that the attached deed represents a transaction exempt under provisions of Paragraph E of Section 4 of the Real Estate Transfer Tax Act.

BOY 334 CTM

2 CB
16

LEGAL DESCRIPTION

of premises commonly known as 931 Singer, Lemont, Il 60439

LOT 11 IN BLOCK 3 IN NORTON AND WARNER'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PREPARED BY: Mary Frances Hill, Attorney at Law
12400 S. Harlem, Palos Heights, IL. 60463

MAIL TO:

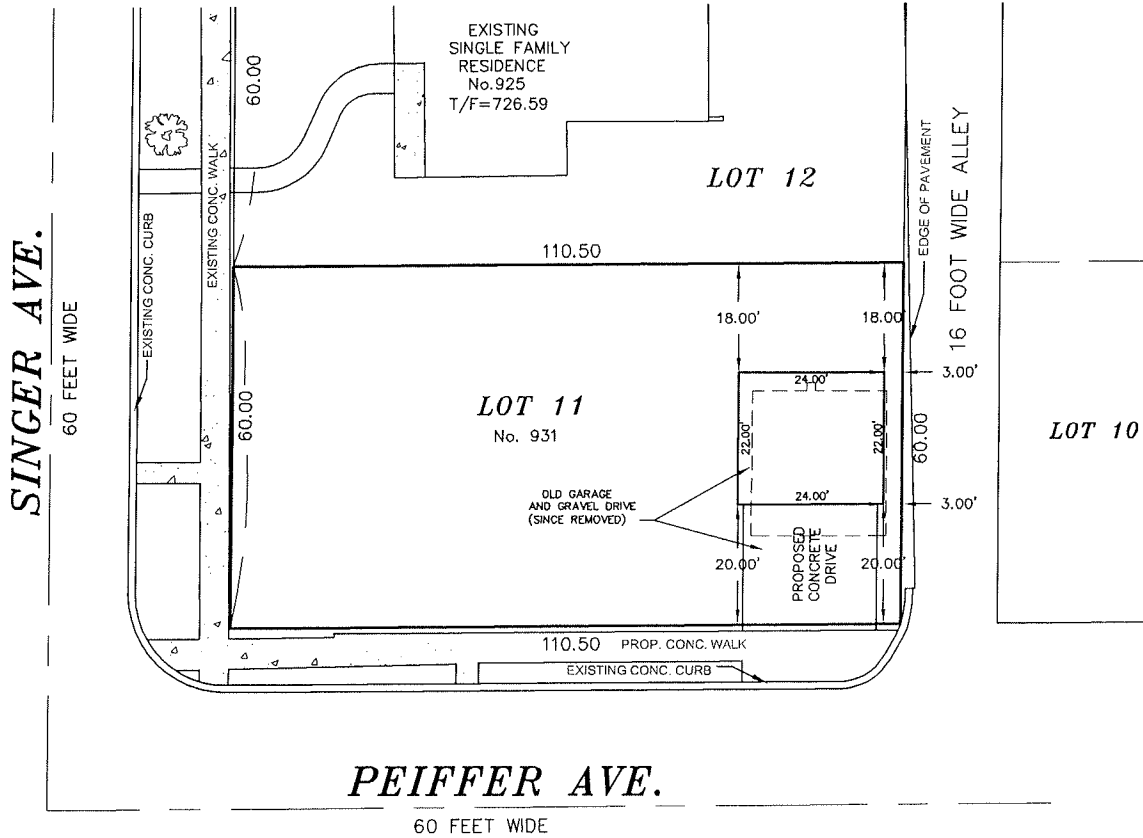
Leslie Zalewski
931 Singer
Lemont, IL 60439

SEND SUBSEQUENT TAX BILLS TO:

Leslie Zalewski
931 Singer
Lemont, Illinois 60439

PLAT OF SURVEY

LOTS 11 IN BLOCK 3 IN NORTON AND WARNER'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



Proposed

NO DATA HEREIN SHOULD BE USED FOR CONSTRUCTION OR ESTABLISHING BOUNDARY OF FENCE LINES. FOR BUILDING RESTRICTIONS AND/OR EASEMENTS, REFER TO THE DEED, CONTRACT, TITLE POLICY OR LOCAL ZONING REGULATIONS.

BOUNDARY DIMENSIONS ARE BASED ON THE PUBLIC RECORDS AND/OR THE LEGAL DESCRIPTION. LEGAL DESCRIPTION ABOVE HAS BEEN PROVIDED BY THE CLIENT AND MUST BE COMPARED WITH DEED AND/OR TITLE POLICY. NO DIMENSIONS SHALL BE ASSUMED BY SCALE MEASUREMENTS ON THIS DOCUMENT.

DISCREPANCIES FOUND BETWEEN FIELD CONDITIONS AND DIMENSIONS SHOWN ON THIS DOCUMENT SHALL BE REPORTED TO THIS OFFICE IMMEDIATELY. LIABILITY OF LANDTECH CONSULTANTS ASSOCIATED WITH THIS DOCUMENT AND THE WORK IT REPRESENTS IS LIMITED TO THE COST OF PRODUCING IT.

LANDTECH CONSULTANTS LTD. AN ILLINOIS PROFESSIONAL DESIGN FIRM, SURVEY AND PROFESSIONAL ENGINEERING CORP. # 184-001289 HEREBY CERTIFIES THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN MEASURED IN THE FIELD AND THAT THIS DOCUMENT IS A TRUE AND CORRECT REPRESENTATION OF SAID FIELD WORK. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF. LANDTECH CONSULTANTS' CORPORATE LICENSURE EXPIRES APRIL 30, 2015.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 14TH DAY OF FEB., 2014 CORP. LIC. # 184-001289

BY ILLINOIS LICENSED PROFESSIONAL LAND SURVEYOR, MATTHEW D. DUNN
ILLINOIS SURVEYORS LICENSE # 3107, MY LICENSE EXPIRES 11/30/14

JOB NUMBER 140202

ORDERED BY KEN PASIEWICZ

COPYRIGHT 2006 LANDTECH CONSULTANTS INC.

SCALE: 1" = 20'



Landtech

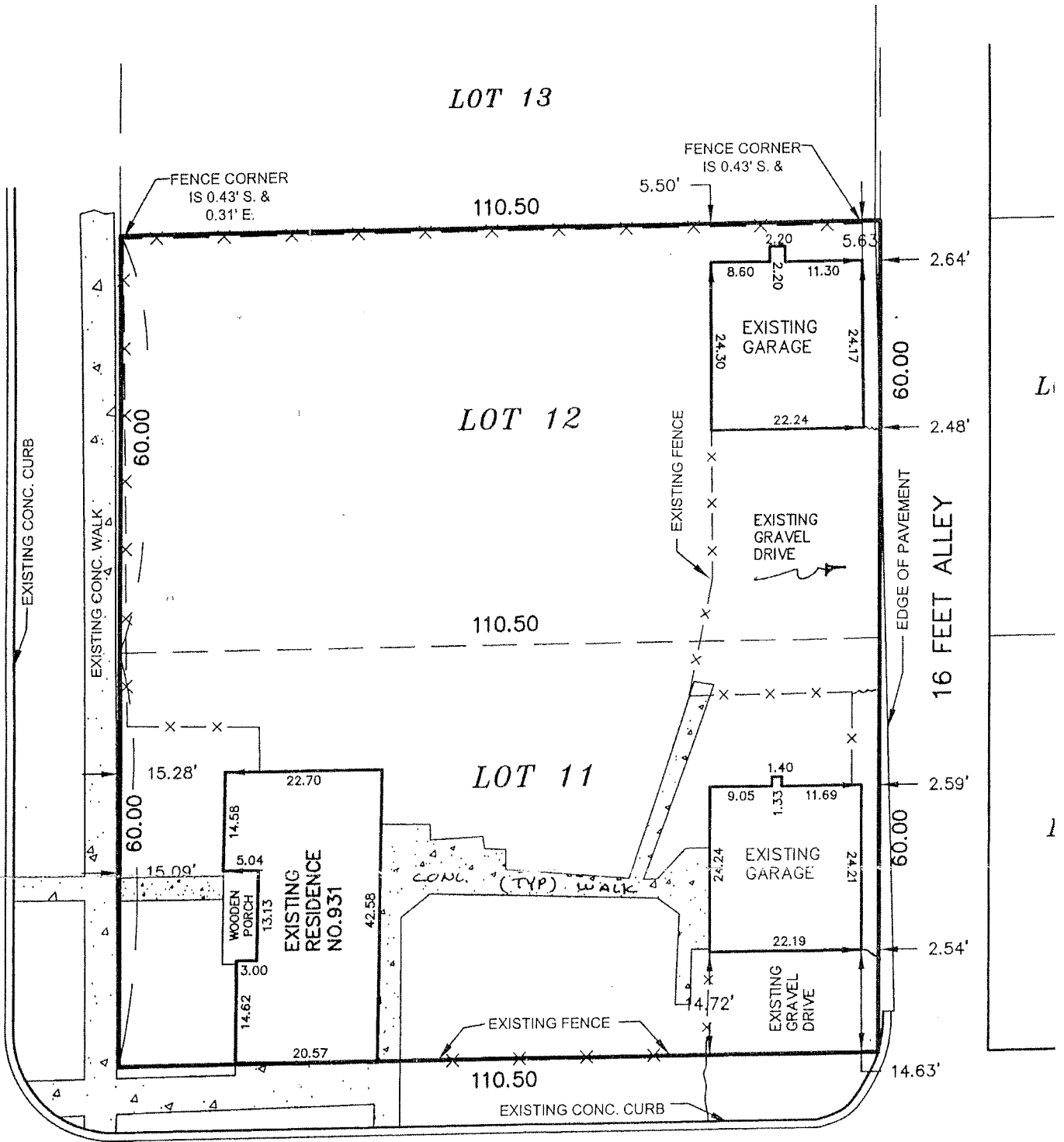
Consultants INC.

ENGINEERING · SURVEYING · LAND PLANNING

13711 W. 159th STREET LOCKPORT, IL. 60441
PHONE (708)301-6200 FAX (708)301-6204

CHRYSLER AVE.

60 FEET WIDE



PEIFFER AVE.

60 FEET WIDE

ORIGINAL CONDITION

THIS PLAN SHOULD BE USED FOR CONSTRUCTION OR ESTABLISHING BOUNDARY OF LOT OR FOR BUILDING RESTRICTIONS AND/OR EASEMENTS, REFER TO THE DEED, ZONING POLICY OR LOCAL ZONING REGULATIONS.

DIMENSIONS ARE BASED ON THE PUBLIC RECORDS AND/OR THE LEGAL DESCRIPTION. INFORMATION ABOVE HAS BEEN PROVIDED BY THE CLIENT AND MUST BE COMPARED WITH TITLE POLICY. NO DIMENSIONS SHALL BE ASSUMED BY SCALE MEASUREMENTS ON

JOB NUMBER 260135





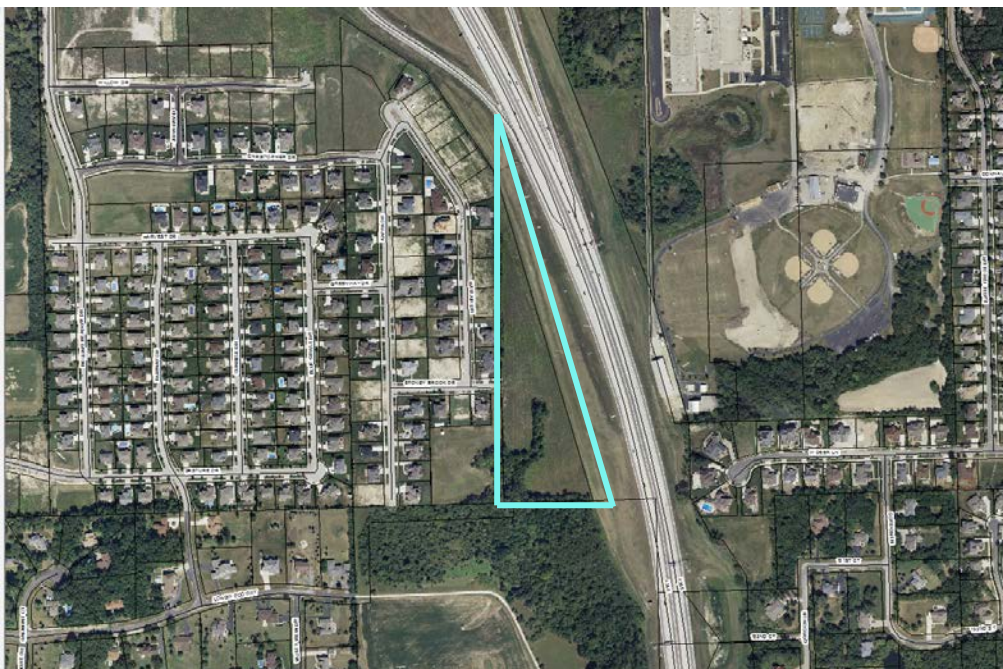
Village of Lemont
Planning & Economic Development Department

418 Main Street · Lemont, Illinois 60439
phone 630-257-1595 · fax 630-257-1598

TO: Committee of the Whole
FROM: Martha M. Glas, Village Planner
THRU: Charity Jones, AICP, Planning & Economic Development Director
SUBJECT: Case 13-11 Birch Path PUD & Annexation and Rezoning
DATE: April 21, 2014

SUMMARY

John M. Ford of Tempo Development Inc., the contract purchaser of the subject property, has requested a preliminary PUD plan/plat approval, annexation and rezoning to R-4 Single-Family Detached Residential District for approximately 6.5 acres of property at the east end of Stoney Brook Drive in Mayfair Estates. Staff recommended approval with conditions. PZC added supplemental conditions but ultimately did not recommend approval. The petitioner submitted an alternate layout for consideration by the Committee of the Whole at the December 16, 2013 meeting. The alternative layout met some of the concerns that PZC members had but also created other concerns. At the December COW meeting, staff recommended approval of the plans with conditions. The petitioner has been unable to meet all of the conditions and has submitted a revised site plan with preliminary engineering.



PROPOSAL INFORMATION

Case No. 13-11
Project Name Birch Path PUD & Annexation

General Information

Applicant	John M. Ford, of Tempo Development, Inc.
Status of Applicant	Contract purchaser of the subject property
Requested Actions:	Preliminary Planned Unit Development (PUD) approval for a 19 lot single family development.
	Annexation and Rezoning to the R-4 Single-Family Detached Residential District for PIN 22-31-200-007-0000
Site Location	6.5 acres +/- at the east end of Stoney Brook Drive in Mayfair Estates, Lemont, IL (PIN 22-31-200-007-0000)
Existing Zoning	R-4 Single Family Residence, Unincorporated Cook County
Size	Approximately 6.5 acres
Existing Land Use	Vacant
Surrounding Land Use/Zoning	North: I-355 Tollway property South: R-4 Single Family Residence, Unincorporated Cook County East: I-355 Tollway West: R-4 Single-Family Detached Residential
Comprehensive Plan 2002	The 2002 Comprehensive Plan map designates this area as low-density residential (0-2 du/acre)
Zoning History	N/A

Special Information

Public Utilities	The site can be serviced by Village water and sewer.
Transportation	Traffic study completed. It estimates that traffic generated by the project would represent a less than an 11 % increase in total traffic volume and this can be safely accommodated by the existing roadway network.
Physical Characteristics	The site is west of the I-355 tollway south of 127 th Street near Mayfair Estates Subdivision. Topography in this area varies from 739 ft. to 762 ft.

BACKGROUND

The petitioner submitted an application for a technical review of this proposal in July of 2013 and subsequently met with the Committee of the Whole. The petitioner made changes to the original proposal to address some of the initial Village concerns. The preliminary PUD/Plat, annexation and rezoning application consists of annexing approximately 6.5 acres, rezoning the property to R-4, and developing the parcel as a PUD of 19 single family dwelling units.

The petitioner is requesting a preliminary PUD approval to allow reduced lot standards for R-4 zoning to accommodate site constraints and to increase the economic viability of

the project. More details on the background and the case history can be found in the December staff report.

CASE HISTORY SUMMARY

PZC Public Hearing. The Planning & Zoning Commission conducted a public hearing on the preliminary PUD, annexation and rezoning at its November 20, 2013 meeting. Several neighbors were present for the case, five of which spoke at the hearing. Resident concerns were about the increase in traffic, noise, density and about impacts of the development on property values.

PZC members had mixed reactions to the proposal. Some members thought the development would be a good addition to the community by increasing housing diversity and others expressed concerns about the reduced lot sizes, setback variation requests and the home sizes. Members also expressed concern over intended use and maintenance of the outlots.

December Committee of the Whole meeting. After the PZC hearing, the petitioner presented staff with an alternative site layout. As part of this site layout, the petitioner proposed to join the Birch Path detention facility with the Mayfair Estates basin. The alteration allowed the developer to increase the lot widths to help address some of the concerns expressed by PZC. It also allowed for a berm to be constructed along the tollway on the east and southeast corner of the subject site (on outlot B) to create a better sound barrier from the tollway.

When the Mayfair Estates detention area was designed it was developed in an L-shape to preserve a small ravine in the area. The proposed alternative layout impacts the ravine and requires the removal of the existing trees near the detention area (see Attachment 6 for photos of the Mayfair detention basin). The Arborist recommended that there be a plan to mitigate for the loss of trees from the Mayfair detention basin if the alternative layout was pursued.

In addition to the revised detention, the alternative layout included the following changes from the preliminary site plan presented to the PZC:

- A 1 acre triangular piece at the north end of the subject site was added to the PUD and labeled as outlot C. No access was provided to this outlot.
- Lot widths were increased from 60' to 65'-70'
- Rear yard setbacks were increased from 15' to 20'
- Front yard setbacks were increased from 15' to 25'
- Side yard setbacks were increased from 6' to 10'
- Lot areas increased from 5,147 sq. ft.-10,176 sq. ft. to 5,920 sq. ft.-7,652 sq. ft.
- The south cul-de-sac was changed to conform to Village requirements
- The sidewalk near Lot 45 was adjusted per the request of the Planning & Zoning Commission.

Staff presented the original preliminary plan and the alternative layout at the December COW meeting and discussed the costs and benefits of the new proposal. Staff recommended approval of the preliminary PUD/Plat with the following seven recommendations and conditions:

- 1) If the alternative layout were pursued, the petitioner should give consideration to the use of naturalized detention to provide water quality benefits to help offset impacting the ravine. The basin is at the headwaters of a tributary to the Long Run Creek and an area that contributes to the quality of the creek and Long Run Creek watershed.
- 2) The proposed berm should be added regardless of which option was pursued because the berm would help mitigate noise. The berm was proposed in the southeastern corner of the lot where there is currently a gap as the existing Tollway berm does not go to the end of the property
- 3) Side yard setbacks be increased from 6ft. to 10ft. to meet the minimum require side yard setbacks for lots of this width in the R-4 zoning district.
- 4) The fate of the 1 acre triangular piece (outlot C) at the north end of the site is resolved prior to approval of the preliminary PUD/Plat. The outlot should either be designated as common open space, or proposed for consolidation into the adjacent Mayfair lots. If the outlot is to be common open space, access to the lot must be provided, passive recreation amenities should be added, and it's maintenance should be addressed.
- 5) The access and maintenance plan for the common landscaped areas, including the Tollway, shall be resolved prior to approval of the preliminary PUD/Plat.
- 6) Final approval of the landscape plan, including approval from the Tollway prior to Final PUD/Plat approval.
- 7) Submittal and approval of residential design guidelines prior to Final PUD/Plat approval.

Current Status. The petitioner has pursued the alternative layout and has completed preliminary engineering (Attachment 2). The petitioner has been unable to meet all the original conditions for preliminary approval and has submitted revisions for consideration. As mentioned, the shared detention will require the removal of the trees existing in Mayfair detention area. A tree survey has not yet been completed, but the loss of trees will be mitigated and shown on the final landscape plan.

As discussed in the previous section, staff placed conditions on approval and made recommendations at the last COW meeting. The current status is outlined below:

- 1) If the alternative layout were pursued, the petitioner should give consideration to the use of naturalized detention to provide water quality benefits to help offset impacting the ravine.

Status. The petitioner has stated that the detention area will have a turf bottom design to match Mayfair's detention design. While this is against what was recommended by staff, it is understandable as naturalized detention would likely be difficult unless the entire basin was retrofitted. Grant funds can be pursued to retrofit the basin at a later date, should the Village decide to improve the water quality and storage benefits of the basin.

- 2) The proposed berm be should be added regardless of which option is pursued because the berm would help mitigate noise.

Status. The berm was originally proposed in the southeastern corner of the lot where there is currently a gap, as the existing tollway berm does not go to the end of the property. The berm is currently proposed to run along the southern border of the property, which has existing vegetation. The berm is not located in the area where there is a gap and does not appear to provide a noise mitigation benefit. Additional landscaping in the southeastern corner would help and is recommended for consideration.

- 3) Side yard setbacks be increased from 6ft. to 10ft. to meet the minimum required side yard setbacks for lots of this width in the R-4 zoning district.

Status: The petitioner complied with condition when the alternative layout was submitted for consideration. The petitioner is now requesting rear yard setback variations from 20ft to 10ft on lots 8, 9, 16, and 17 as shown in the geometry plan (Attachment 1).

- 4) The fate of the 1 acre triangular piece (outlot C) at the north end of the site is resolved prior to approval of the preliminary PUD/Plat.

Status: The petitioner originally indicated that this land will be divided and sold to either the adjacent lot owners in Mayfair Estates or the purchasers of the Birch Path parcels which abut the outlot. Staff requested that letters of intent from the buyers be submitted or that the lots were platted as they would be proposed for sale. The petitioner has not been able to secure any commitments.

The attached plans show that outlot C is now proposed to be common area to be maintained by an HOA. An access easement is shown on the revised plans, however, that access area should be made part of outlot C rather than an easement over private property. Additionally, proposed amenities such as a walking trail or benches and landscaping material should be shown on the preliminary landscape plan.

- 5) The access and maintenance plan for the common landscaped areas, including the tollway is resolved prior to approval of the preliminary PUD/Plat.

Status: The petitioner stated that the maintenance of outlot A and the new outlot C, will be the responsibility of a homeowners association.

The landscaping along the western border of the parcel, east of the Tollway has been reduced to a 15ft landscape strip to accommodate the preference of the Tollway. The submitted Tollway permit states that the Tollway will take over maintenance of the Tollway property landscaping after two years. The Tollway, does not however, guarantee preservation of the material. Staff has reached out to the tollway contact for additional clarification but has not made contact at the time of writing this report. The Tollway permit is provided for reference as Attachment 4.

- 6) Final approval of the landscape plan, including approval from the Tollway, prior to Final PUD/Plat approval.

Status: As discussed above, the Tollway has agreed to maintain the landscaping after two years but does not guarantee the preservation of the material.

The landscape plan needs to be revised to match the most recent preliminary plat prior to preliminary approval.

Additionally, the petitioner has not submitted a tree survey but has agreed to submit a survey before Final PUD approval and to mitigate for any trees lost due to the shared detention. Required mitigation will be determined by the Village Arborist prior to Final PUD approval. The submitted landscaping plan (Attachment 3) does not show any landscaping in outlot C or outlot B near the berm area. Landscaping that will be required as mitigation should be planted in these areas of outlots B & C. These changes must be incorporated for Final PUD/Plat approval.

- 7) Submittal and approval of residential design guidelines prior to Final PUD/Plat approval.

Status: The petitioner is aware of the requirement and has submitted elevations for the proposed homes for the Committee of the Whole to consider. Staff finds the home designs to be a nice compliment to the neighboring homes. The proposed homes will consist of a brick knee wall around four sides of the home, stone accents and wood-textured surface composite siding. Approval of home plans or residential guidelines will be required prior to Final PUD/Plat approval. Sample elevations can be seen in Attachment 5.

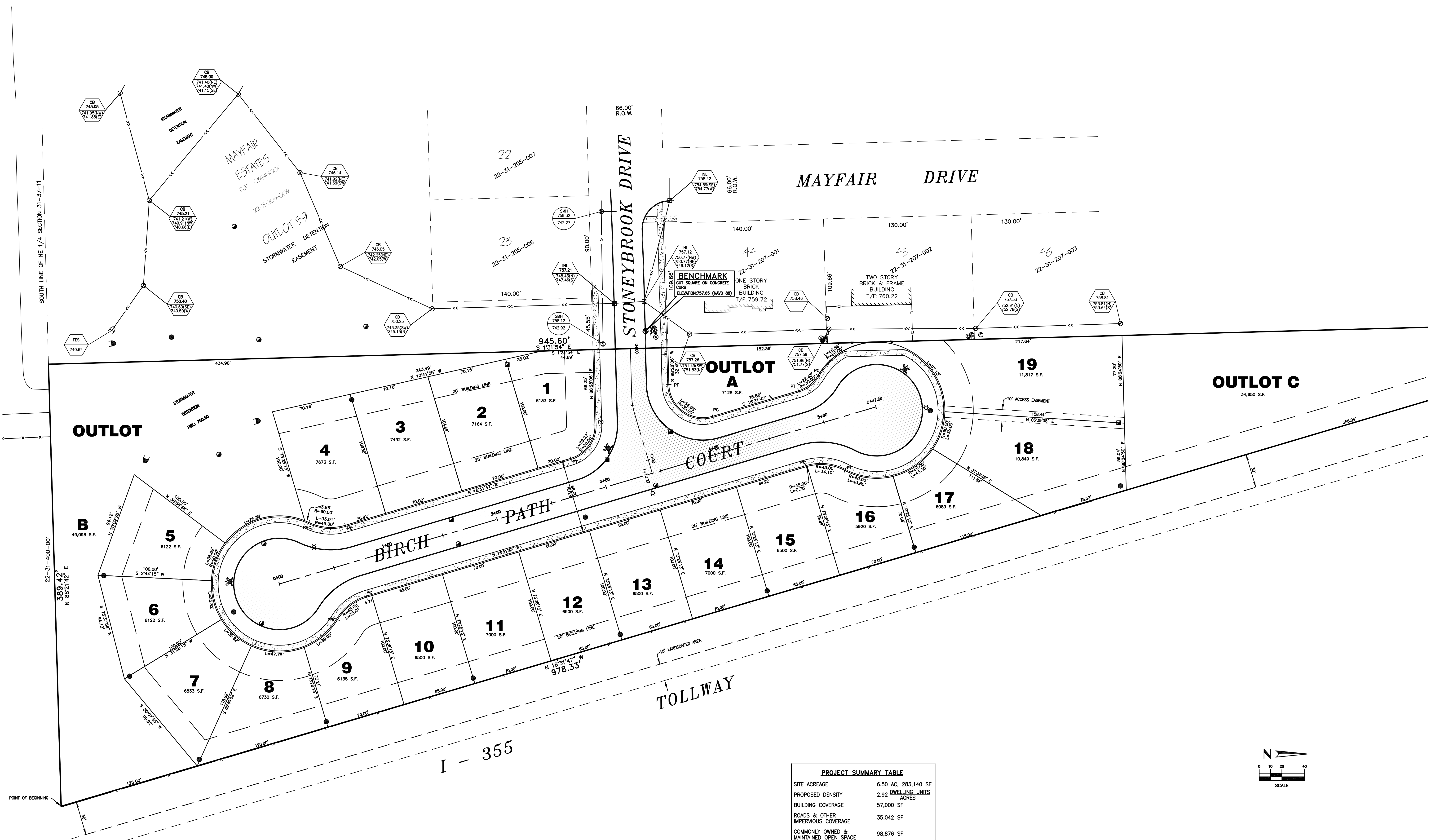
CONCLUSIONS & RECOMMENDATIONS

As previously discussed, due to the development constraints of the property, staff finds the proposed development suitable for the site. As a PUD, the proposal is more economically viable than a subdivision developed with current lot standards. The close proximity to I-355 and the small acreage make it a challenge to sustain large home development. The proposal is more environmentally sensitive in that it has smaller lots and smaller homes. The final design guidelines will be developed for final PUD approval, but staff finds that the home elevations submitted for consideration are a good start and would make a nice compliment to the neighboring homes.

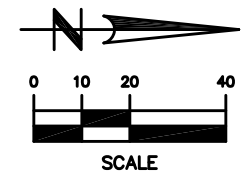
The proposal is increasing housing diversity in the community. This allows younger families an opportunity to purchase in the community and older residents a place to downsize without leaving Lemont. Because housing is not a one size fits all product, housing development that produces options for attracting new and retaining current residents is an asset to the community. The lot sizes are comparable to what can be found in the R-4A district. Based on the above, staff recommends approval of the annexation, rezoning and preliminary PUD/Plat with the comments and requirements as described above.

ATTACHMENTS

1. Preliminary PUD/Plat Geometry Plan, dated 4/14/14
2. Preliminary PUD/Plat Grading Plan, dated 4/14/14
3. Landscape plan, dated 2/26/14
4. Tollway permit
5. Sample elevations
6. Mayfair detention



PROJECT SUMMARY TABLE	
SITE ACREAGE	6.50 AC, 283,140 SF
PROPOSED DENSITY	2.92 DWELLING UNITS ACRES
BUILDING COVERAGE	57,000 SF
ROADS & OTHER IMPERVIOUS COVERAGE	35,042 SF
COMMONLY OWNED & MAINTAINED OPEN SPACE	98,876 SF
OFF STREET PARKING	38 (MIN) SPACES



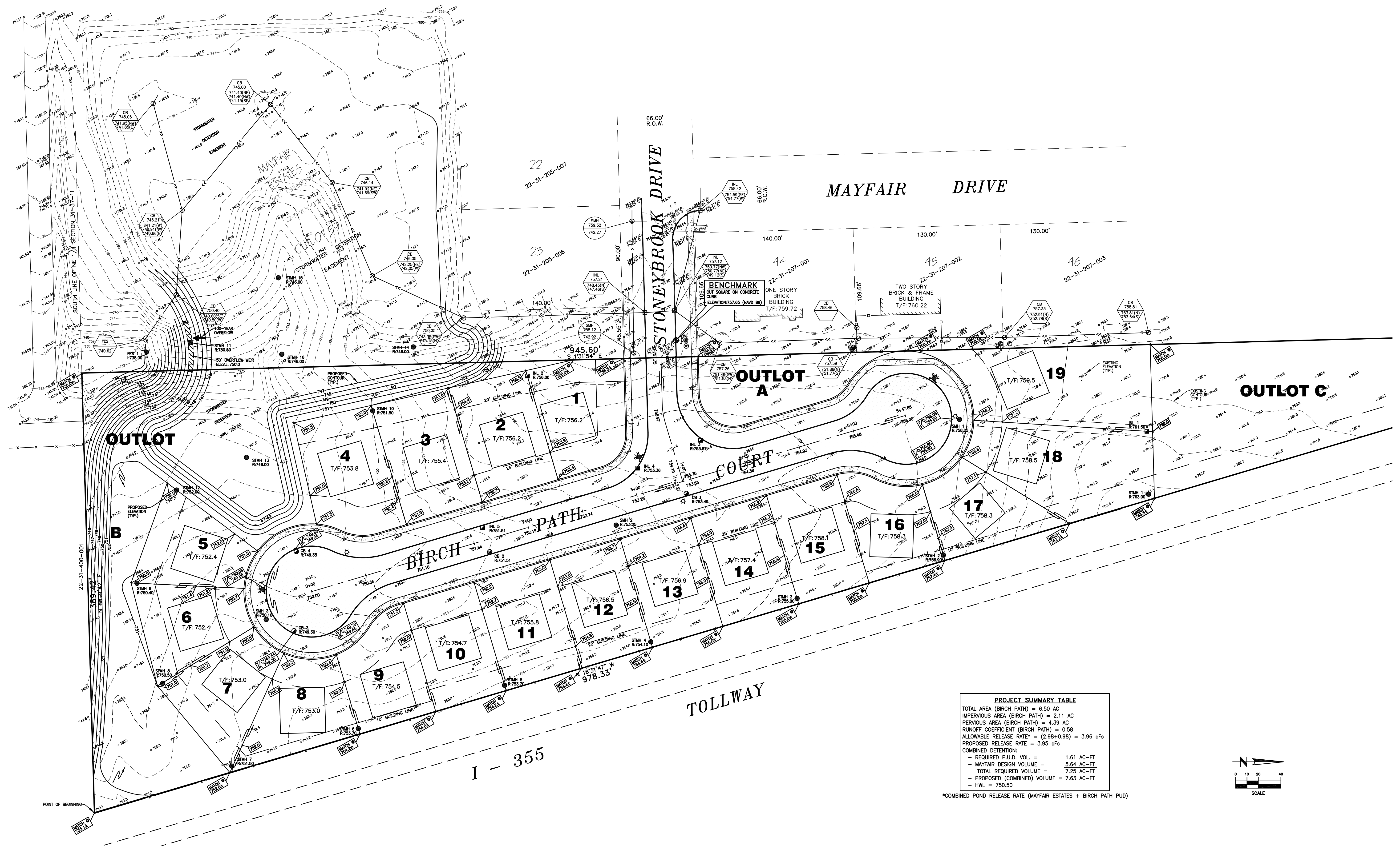
DATE	REVISIONS	REV. BY
3/10/14	ISSUED FOR REVIEW	T.G.

LANDMARK
 ENGINEERING LLC
 DESIGN FIRM REGISTRATION NO. 184-005577
 7808 WEST 103RD STREET
 PALOS HILLS, ILLINOIS 60465-1529
 Phone: (708) 589-5737
 Fax: (708) 589-2281

BIRCH PATH P.U.D.
 127TH & I-355, LEMONT, IL
 GEOMETRY PLAN

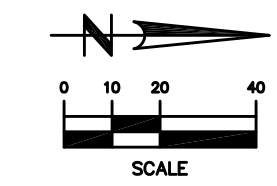
DRAWN BY: T.G.
 DESIGNED BY: B.H.
 CHECKED BY: M.L.

SHEET
 3 OF 10
 13-04-061



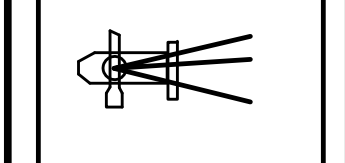
PROJECT SUMMARY TABLE	
TOTAL AREA (BIRCH PATH) =	6.50 AC
IMPERVIOUS AREA (BIRCH PATH) =	2.11 AC
PERVIOUS AREA (BIRCH PATH) =	4.39 AC
RUNOFF COEFFICIENT (BIRCH PATH) =	0.58
ALLOWABLE RELEASE RATE* = (2.98+0.98) =	3.96 cfs
PROPOSED RELEASE RATE =	3.95 cfs
COMBINED DETENTION:	
- REQUIRED P.U.D. VOL. =	1.61 AC-FT
- MAYFAIR DESIGN VOLUME =	5.64 AC-FT
- TOTAL REQUIRED VOLUME =	7.25 AC-FT
- PROPOSED (COMBINED) VOLUME =	7.63 AC-FT
- HWL =	750.50

*COMBINED POND RELEASE RATE (MAYFAIR ESTATES + BIRCH PATH PUD)



REV. BY	REVISIONS	DATE
T.C. <td>ISSUED FOR REVIEW <td>3/10/14</td> </td>	ISSUED FOR REVIEW <td>3/10/14</td>	3/10/14
T.G. <td>VILLAGE COMMENTS <td>4/14/14</td> </td>	VILLAGE COMMENTS <td>4/14/14</td>	4/14/14

LANDMARK
 ENGINEERING LLC
 DESIGN FIRM REGISTRATION NO. 184-000377
 7808 WEST OGDON STREET
 PALMS HILLS, ILLINOIS 60448-1529
 Phone: (708) 599-2291
 Fax: (708) 599-2291



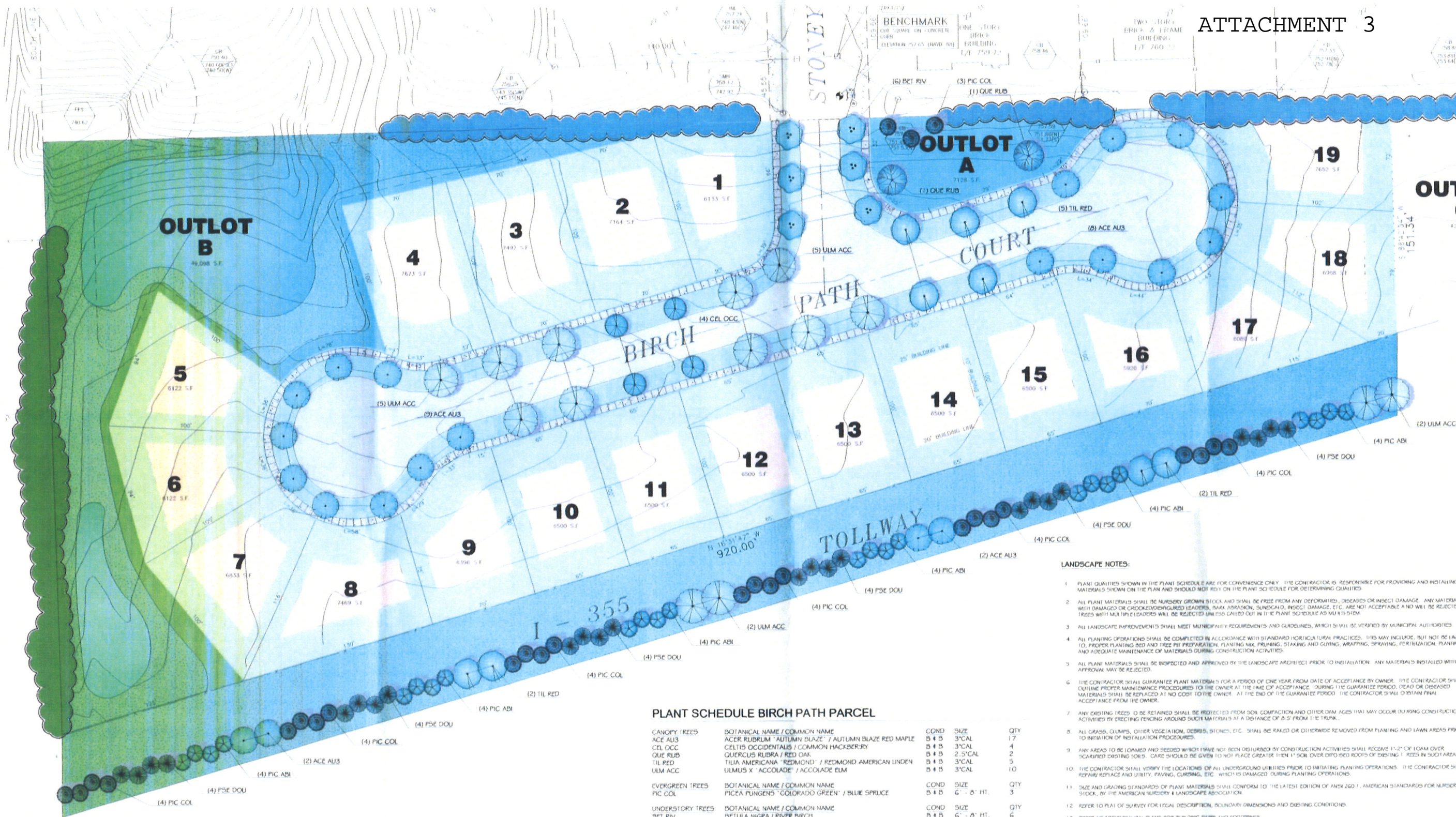
BIRCH PATH P.U.D.
 127TH & I-355, LEMONT, IL
 GRADING PLAN

DRAWN BY: T.G.
 DESIGNED BY: B.H.
 CHECKED BY: M.L.

SHEET
 5 OF 10
 13-04-061

5.5G	8-1-B
5.5G	10-24-13
5.5G	1-16-14
5.5G	1-24-14
5.5G	2-14-14
5.5G	2-20-14

Landscape Plan
Berzu Aleja - Birch Path
Lemont, Illinois



- LANDSCAPE NOTES:**
- PLANT QUALITIES SHOWN IN THE PLANT SCHEDULE ARE FOR CONVENIENCE ONLY. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING AND INSTALLING ALL MATERIALS SHOWN ON THE PLAN AND SHOULD NOT RELY ON THE PLANT SCHEDULE FOR DETERMINING QUALITIES.
 - ALL PLANT MATERIALS SHALL BE NURSERY GROWN STOCK AND SHALL BE FREE FROM ANY DEFORMITIES, DECAYED OR INSECT DAMAGE. ANY MATERIALS WITH DAMAGED OR CROOKED/DEFORMED LEADERS, BARK ABRASION, SUNSCOLD, INSECT DAMAGE, ETC. ARE NOT ACCEPTABLE AND WILL BE REJECTED. TREES WITH MULTIPLE LEADERS WILL BE REJECTED UNLESS CALLED OUT IN THE PLANT SCHEDULE AS MULTILEADER.
 - ALL LANDSCAPE IMPROVEMENTS SHALL MEET MUNICIPALITY REQUIREMENTS AND GUIDELINES, WHICH SHALL BE VERIFIED BY MUNICIPAL AUTHORITIES.
 - ALL PLANTING OPERATIONS SHALL BE COMPLETED IN ACCORDANCE WITH STANDARD HORTICULTURAL PRACTICES. THIS MAY INCLUDE, BUT NOT BE LIMITED TO, PROPER PLANTING BED AND TREE PIT PREPARATION, PLANTING MIX, PRUNING, STAKING AND GUYING, WRAPPING, SPRAYING, FERTILIZATION, PLANTING AND ADEQUATE MAINTENANCE OF MATERIALS DURING CONSTRUCTION ACTIVITIES.
 - ALL PLANT MATERIALS SHALL BE INSPECTED AND APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. ANY MATERIALS INSTALLED WITHOUT APPROVAL MAY BE REJECTED.
 - THE CONTRACTOR SHALL GUARANTEE PLANT MATERIALS FOR A PERIOD OF ONE YEAR FROM DATE OF ACCEPTANCE BY OWNER. THE CONTRACTOR SHALL OUTLINE PROPER MAINTENANCE PROCEDURES TO THE OWNER AT THE TIME OF ACCEPTANCE. DURING THE GUARANTEE PERIOD, DEAD OR DISEASED MATERIALS SHALL BE REPLACED AT NO COST TO THE OWNER. AT THE END OF THE GUARANTEE PERIOD, THE CONTRACTOR SHALL OBTAIN FINAL ACCEPTANCE FROM THE OWNER.
 - ANY EXISTING TREES TO BE RETAINED SHALL BE PROTECTED FROM SOIL COMPACTION AND OTHER DAMAGES THAT MAY OCCUR DURING CONSTRUCTION ACTIVITIES BY DIRECTING FENCING AROUND SUCH MATERIALS AT A DISTANCE OF 8'-0" FROM THE TRUNK.
 - ALL GRASS, CLUMPS, OTHER VEGETATION, DEBRIS, STONES, ETC. SHALL BE RAKED OR OTHERWISE REMOVED FROM PLANTING AND LAWN AREAS PRIOR TO INITIATION OF INSTALLATION PROCEDURES.
 - ANY AREAS TO BE LOAMED AND SEEDED WHICH HAVE NOT BEEN DISTURBED BY CONSTRUCTION ACTIVITIES SHALL RECEIVE 1"-2" OF LOAM OVER SCARIFIED EXISTING SOILS. CARE SHOULD BE GIVEN TO NOT PLACE GREATER THAN 1" SOIL OVER DPTD SOED ROOTS OF EXISTING TREES IN SUCH AREAS.
 - THE CONTRACTOR SHALL VERIFY THE LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO INITIATING PLANTING OPERATIONS. IF THE CONTRACTOR SHALL REPAIR, REPLACE AND UTILITY, PAVING, CURBING, ETC. WHICH IS DAMAGED DURING PLANTING OPERATIONS.
 - SIZE AND GRADING STANDARDS OF PLANT MATERIALS SHALL CONFORM TO THE LATEST EDITION OF ANSI Z60.1, AMERICAN STANDARDS FOR NURSERY STOCK, BY THE AMERICAN NURSERY & LANDSCAPE ASSOCIATION.
 - REFER TO PLAN OF SURVEY FOR LEGAL DESCRIPTION, BOUNDARY DIMENSIONS AND EXISTING CONDITIONS.
 - REFER TO ARCHITECTURAL PLANS FOR BUILDING SIZES AND FOOTPRINTS.
 - REFER TO ENGINEERING PLANS FOR DETENTION CALCULATIONS, UTILITY LOCATIONS, TOPOGRAPHIC INFORMATION AND THE LIKE.
 - ALL PLANT MATERIAL ON THIS PLANNING PLAN REPRESENTS THE INTENTION AND INTENSITY OF THE PROPOSED LANDSCAPE MATERIAL. THE EXACT SPECIES AND LOCATIONS MAY VARY IN THE FIELD DUE TO LOGISTICAL ISSUES IN THE SITE IMPROVEMENTS AND THE AVAILABILITY OF PLANT MATERIAL AT THE TIME OF INSTALLATION. ANY SUCH CHANGES MUST FIRST BE APPROVED BY THE VILLAGE IN WRITING.
 - ALL PLANT MATERIAL SHALL BE PLANTED WITH A MINIMUM OF SIX INCHES OF ORGANIC SOIL AND MULCHED WITH A SHREDDED BARK MATERIAL TO A MINIMUM 3" DEPTH.
 - ALL BEDS SHALL BE EDGED, HAVE WEED FREEMERGENTS APPLIED AS RECOMMENDED RATE.
 - ALL PARKWAYS AND PARKING LOT ISLANDS SHALL HAVE 50% AS A GROUND COVER, UNLESS OTHERWISE NOTED.
 - ALL LAWN AREAS ON THIS PLAN SHALL BE GRADED SMOOTH AND TOPPED WITH AT LEAST 4" OF TOPSOIL. ALL LAWN AREAS TO BE ESTABLISHED USING SOO UNLESS OTHERWISE NOTED.
 - THIS LANDSCAPE PLAN ASSUMES THE SITE WILL BE PREPARED WITH TOP SOIL SURVIVABLE FOR THE ESTABLISHMENT OF THE LANDSCAPE MATERIAL. PREPARED ON THIS PLAN IF ADDITIONAL TOP SOIL IS REQUIRED IT IS UP TO THE LANDSCAPE CONTRACTOR ON THE PROJECT TO PROVIDE, SPREAD AND PREPARE THE SITE AS NEEDED FOR THE IMPLEMENTATION OF THIS LANDSCAPE PLAN.
 - ALL MATERIAL MUST MEET INDUSTRY STANDARDS AND THE LANDSCAPE ARCHITECT HAS THE RIGHT TO REFUSE ANY POOR MATERIAL OR WORKMANSHIP.
 - LANDSCAPE ARCHITECT IS NOT RESPONSIBLE FOR UNDESIRABLE SITE CONDITIONS.
 - ALL PLANTINGS SHALL BE SPACED EQUAL DISTANT, BACK FILLED WITH AMENDED SOIL IN A HOLE TWICE THE ROOTBALL DIAMETER, WATERED, FERTILIZED, PRUNED, AND HAVE ALL TAGS AND TIES REMOVED.
 - ALL BEDS TO BE FORMED 12" TO 24" ABOVE GRADE AND MEET DRAINAGE REQUIREMENTS.
 - LAWN AND BED AREAS SHALL BE ROTO TILLED, RAKED OF CLUMPS AND DEBRIS.

PLANT SCHEDULE BIRCH PATH PARCEL

CANOPY TREES	BOTANICAL NAME / COMMON NAME	COND	SIZE	QTY
ACE AUS	ACER RUBRUM "AUTUMN BLAZE" / AUTUMN BLAZE RED MAPLE	B 4 B	3" CAL	17
CEL OCC	CELSTIS OCCIDENTALIS / COMMON HACKBERRY	B 4 B	3" CAL	4
QUE RUB	QUERCUS RUBRA / RED OAK	B 4 B	2.5" CAL	2
TIL RED	TILIA AMERICANA "REDMOND" / REDMOND AMERICAN LINDEN	B 4 B	3" CAL	5
ULM ACC	ULMUS X "ACCOLADE" / ACCOLADE ELM	B 4 B	3" CAL	10
EVERGREEN TREES	BOTANICAL NAME / COMMON NAME	COND	SIZE	QTY
PIC COL	PICEA PUNGENS "COLORADO GREEN" / BLUE SPRUCE	B 4 B	6" - 8" HT.	3
UNDERSTORY TREES	BOTANICAL NAME / COMMON NAME	COND	SIZE	QTY
BET RIV	BETULA NIGRA / RIVER BIRCH	B 4 B	6" - 8" HT.	6

SEEDING SCHEDULE BIRCH PATH PARCEL

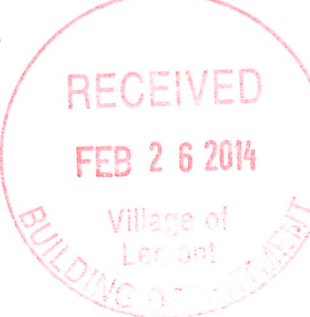
FESCUE PRAIRIE	24,124 SF
WETLAND	17,704 SF

PLANT SCHEDULE ISTHA R.O.W.

CANOPY TREES	BOTANICAL NAME / COMMON NAME	COND	SIZE	QTY
ACE AUS	ACER RUBRUM "AUTUMN BLAZE" / AUTUMN BLAZE RED MAPLE	B 4 B	3" CAL	4
TIL RED	TILIA AMERICANA "REDMOND" / REDMOND AMERICAN LINDEN	B 4 B	3" CAL	4
ULM ACC	ULMUS X "ACCOLADE" / ACCOLADE ELM	B 4 B	3" CAL	4
EVERGREEN TREES	BOTANICAL NAME / COMMON NAME	COND	SIZE	QTY
PIC ABI	PICEA ABIES / NORWAY SPRUCE	B 4 B	6" - 8" HT.	24
PIC COL	PICEA PUNGENS "COLORADO GREEN" / BLUE SPRUCE	B 4 B	6" - 8" HT.	24
PSE DOU	PSEUDOTSUGA MENZIESII / DOUGLAS FIR	B 4 B	6" - 8" HT.	24

SEEDING SCHEDULE ISTHA R.O.W.

FESCUE PRAIRIE	47,364 SF
----------------	-----------



PREPARED FOR:
Terrapin Development
100 A B 04
Lemont, IL
DATE:
7-25-13
SCALE:
1" = 30'
COURTNEY HAHN
LPA
REV HOUSEP

© 2013 Copyright. This Drawing is the Property of John G. Schiava Landscape Architects, Inc. All Rights Reserved.

Tempo Development, Inc.

(708)-751-2070
ford.johnmike@gmail.com



The Illinois State Toll Highway Authority
Permit # 14-01

1. Planting area will be approximately 900 feet from south property line going north
2. Planting area will be 30 feet off fence line to avoid ditch area, and will be within a 15 foot wide planting area running north to south
3. Tree to be planted will be, Douglas Pine, Norway Pine, Colorado Blue Spruce, with a few Maples, Lindens, and Elm as shown on plan
4. Construction entrance will be at North end of the site. Developer will install a temporary gate and will restore fence upon completion
5. Contour shown on plan
6. Plan will meet planting notes specified by ISTHA # D7-01
7. No plants exist in our proposed planting area
8. Start time Summer or Fall of 2014
9. ROW fence line and ditch area will be shown on plan, and JULIE will locate any utilities in area, ISTHA will also locate any utilities
10. Developer will maintain planting area for two years, then ISTHA will take over maintenance responsibility
11. All plan are submitted to the Village of Lemont for review
12. Any restoration needed caused by this planting plan will be done by developer



*The Illinois Tollway
2700 Ogden Avenue
Downers Grove, Illinois 60515-1703
Phone: 630/241-6800
Fax: 630/241-6100
TTY: 630/241-6898*

March 7, 2014

Mr. Mike Ford
Tempo Development, Inc.
11901 South 92nd Street
Palos Park, IL 60464

**RE: Permit NS 14-01
Tempo Development, Inc.
Installing Landscape
Birch Path Development
127th Street
North-South Tollway, Mile Post 8.5**

Dear Mr. Ford:

Enclosed are two (2) Formal Permits **NS 14-01** for the above referenced permit. Please have them signed and return both copies back to the Tollway for further processing.

A Permit bond of \$40,000.00 is required. A partially completed bond form is enclosed.

Enclosed is a packet of information titled "**Requirements for Work Performed on Toll Highway Right-of-Way**". We require the **Contractor** to furnish a Certificate of Insurance providing the coverage as shown on the enclosed sheet entitled "Contractor's Insurance Requirements". Notice of cancellation before the expiration date of the policies will be delivered in accordance with the policy provision. The Permit Number must be shown on the Certificate.

The contractor must also locate underground utilities as required by Illinois law. In addition, Tollway facilities must be located by accessing the online website a www.illinoisvirtualltollway.com/utilitylocates before work can begin. Please call Patricia Mathez at 630.241.6800 extension 3306 for any questions regarding the locating procedure.

Should you have any questions, please call me at 630. 241.6800 extension 3941.

Sincerely,

Dana Havranek
Permit Utility Manager

DBH:pm

cc: Paul Kovacs, P.E.
John Benda

PERMIT NO. NS 14-01

THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY

THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY (hereinafter called "Tollway") hereby grants a concession in the form of this Permit this _____ day of _____ 2014.

TO:

NAME TEMPO DEVELOPMENT, INC.

ADDRESS 11901 South 92nd Street

Palos Park, IL 60464

FOR THE PURPOSE OF:

Permit NS 14-01 grants permission to Tempo Development Inc. to install general landscaping according to the landscape plan dated 02/20/14. The landscaping is being installed for the Birch Path Development in the Village of Lemont on the North-South Tollway at 127th Street.

Mile Post 8.5

This permit is granted only in so far as the Illinois Tollway has the legal right to do so and is subjected to the rights of third parties including the rights of adjacent property owners and any property rights granted to others.

EFFECTIVE DATE

Work may commence under this permit only after the Tollway has received the Permit Bond, insurance coverage and accepted the terms and condition of this Permit.

CONSTRUCTION

All work and construction done under this Permit shall be performed at the location and in accordance with plans and specifications filed with the application for this Permit and approved by the Tollway, which are made a part hereof; and also subject to the terms and conditions contained in this Permit.

Permit No. NS 14-01

THIS PERMIT is subject to the following terms and conditions:

(a) This permit is granted only insofar as the Illinois Tollway has the legal right to do so under applicable provisions of 605 ILCS 10/11 et. seq. of the Illinois Revised Statutes (as amended), and in accordance with all current Tollway Standard Specifications and Utility Regulations adopted from time to time by the Illinois Tollway. Permittee agrees to fully comply with any and all legal obligations, including but not limited to obtaining all necessary permits, in advance of entering and or while upon, traversing or using any Tollway owned Right-of-Way, or real property. This Permit is subject to the rights of impacted third party property owners, including but not limited to any and all abutting and/or underlying property owners. Permittee shall address all such rights prior to initiating any of its activities. It is fully understood and agreed to that in granting the concession contemplated herein, said concession is related only as to the land owned or under the control of the Tollway. The Tollway does not have the required legal authority and may not otherwise grant any concession or access on real property not owned or under its control. The Tollway will not be a party to any negotiations between Permittee and third party property owners.

(b) Nothing contained in this permit shall in any way be construed as a sale, lease or other disposition or encumbrance of the toll Highway right-of-way or any part thereof as creating any charge or lien on the revenues of the Illinois Tollway.

(c) All work done under this permit and any maintenance or repairs during or after installation shall be at expense of permittee and at no cost or risk whatsoever to the Illinois Tollway.

(d) Should it at any time be necessary or convenient, in the sole discretion of the Tollway, in connection with the improvement, maintenance, operation or safety of the Tollway to change, alter, relocate or remove permittee's work or improvements, such change, alteration, relocation or removal shall promptly be made by the permittee at the written direction of the Chief Engineer of the Tollway, at no cost or expense to the Tollway. In the event the facility must be removed, the permittee will be given the opportunity to reinstall the facility in a different location. If permittee fails to change, alter, relocate, or remove the facility upon said written demand, the required work may be performed by the Tollway, and permittee shall promptly reimburse the Tollway for all engineering, construction and administrative costs, fees and expenses, including legal expenses, incurred by the Tollway in connection therewith.

(e) This permit does not in any way release the permittee from any liability for damage to persons or property caused by or resulting from the work covered by this permit and by the operation of the facilities installed under this permit and is effective only insofar as the Tollway has jurisdiction and does not sanction any infringement of any applicable federal, state or local laws or regulations. Permittee shall be liable for any damage to Tollway property caused by permittee or its agents and employees, or by the installation and operation of the facility.

Permit NS 14-01

(f) The work authorized herein, while under the direct control and supervise of the permittee, shall be subject to inspections by the Illinois Tollway or its duly authorized representative.

(g) The work authorized herein shall be accomplished in accordance with all current Tollway Standard Specifications and Utility Regulations adopted from time to time by the Tollway.

(h) Written notice of beginning of the work shall be given to the Illinois Tollway at least three (3) days before the work begins. Written notice of completion of the work shall be given the Tollway no later than three (3) days after completion. Any notice required under this permit shall be mailed to the Chief Engineer or his authorized representative, at The Illinois Tollway, 2700 Ogden Avenue, Downers Grove, Illinois 60515.

(i) The Illinois Tollway, in issuing this permit, has relied upon the statements and representations made by the permittee in the application. In the event any statement or representation in said application is found to be false, the Tollway, at its option, may revoke the permit and, when so revoked, all rights of the permittee hereunder shall thereupon cease and be null and void.

(j) No trees or shrubbery in the right-of-way of the Tollway shall be trimmed, cut or disturbed without the approval of the Chief Engineer of the Tollway, or his authorized representative. Areas within the right-of-way disturbed by work covered under this permit shall be restored to the same condition as existed before such work begins. Restoration work shall be subject to the approval of the Tollway.

(k) Where fence removal is necessary, removal shall be accomplished by disconnecting the webbing from the post starting at pull post locations. When re-erecting the fence, old webbing must be discarded and new webbing must be used.

(l) The installation allowed by this permit shall not impede or restrict Tollway operation and shall not cause harm or interference to the Tollway's public safety communications systems.

(m) The Illinois Tollway's fiber optic cable and all other underground Tollway facilities must be located before digging on Tollway property. Request locates online at www.illinoisvirtualltollway.com/utilitylocates. The fiber optic cable must be located, hand excavated and exposed prior to starting work. Permittee agrees to pay a penalty of \$2,500.00 if the work is started before receiving proper authorization and failing to expose the fiber optic cable.

Permit NS 14-01

(n) Permittee, its successors and assigns, shall be responsible for and shall protect, indemnify and save harmless, the Tollway, its officers, directors, employees, successors, assigns and AECOM Technical Services, Inc. from any and all liability, loss, costs, fees, damages, expenses, claims, actions and suits of every kind and character due to, but not limited to, damage to property or injury to or death of any person whomsoever, arising directly or indirectly out of or incident to the granting of this permit, or the construction, maintenance, use, actions or inaction of permittee or its employees, agents and successors, all to the fullest extent permitted by law, and liability of permittee shall not be limited by any insurance required or provided by permittee. Nothing herein contained shall be construed as prohibiting the Tollway, AECOM Technical Services, Inc., its successors and assigns from defending any claims, actions or suits brought against the Tollway or AECOM Technical Services, Inc., through the selection and use of its own attorneys. The permittee shall be liable for all costs, fees and expenses incurred by the Tollway or AECOM Technical Services, Inc. in its defense of any such claim, action or suit, including reasonable attorney's fees.

(o) If the permittee must perform any work which the Tollway, in its sole discretion, determines will affect traffic or require traffic control or protection, the permittee shall submit maintenance of traffic plan to the Tollway for approval. No work affecting traffic shall be performed without the written approval of the Chief Engineer of the Illinois Tollway or his representative. All costs for traffic control, including any police protection determined by the Tollway to be necessary shall be paid for by the permittee. All traffic control shall be in accordance with the Illinois Tollway's Standard Specifications and Traffic Control Manual.

(p) **Insurance Requirements:** Before commencing work under this permit, the Tollway must receive sufficient insurance, in the form, term and amount specified, insuring permittee, the State of Illinois, the Tollway and its authorized representatives and AECOM Technical Services, Inc. against any damages and liability arising from or caused by the work authorized by this permit. It is understood and agreed that the Illinois Tollway shall be included an "additional insureds" on all liability coverages. This protection shall include all employees, directors, officers and volunteers of the agency. This coverage shall be primary to the "additional insureds" and not contributing with any other insurance or similar protection available to the "additional insureds" whether said other available coverage be primary, contributing or excess. "Failure of the Tollway to request any renewal or continuation of documentation of insurance in the form of certificates of insurance, policy endorsement or insurance policy does not constitute a waiver by the Tollway of the permit holder's obligation and requirements to maintain the minimal coverage specified. Whether stated in these provisions or elsewhere, the Tollway does not warrant the adequacy of the types of insurance protection or the minimum limits of policy protection specified."

(q) **Bond Requirements:** Before commencing work under this permit, the Illinois Tollway must receive a permit bond in the amount shown on the Bond form provided by the Tollway. \$40,000.00 Bond

Permit NS 14-01

(r) Permittee agrees to pay all costs necessary, including lost revenue, as determined by the Tollway and without time limitation, to eliminate voids and restore pavement caused by settlement that occurs over and along a casing or carrier pipe augered and jacked under Tollway pavement. The area between the casing and the surrounding soil must be grouted. Permittee agrees to pay all costs necessary, including lost revenue, to repair pavement and structures damaged by a directional drilling operation.

(s) Applicant certifies that it has not offered any money, gift or other consideration to any State or Tollway official, employee, agent, or representative for the purpose of influencing that action of the Illinois Tollway, including but not limited to the award of the sough after permit.

(t) The issuance of this permit based on the plans, specifications, and other data submitted to the Illinois Tollway shall not be a guarantee of the soundness of such plans or specification, and shall not be a basis for imposing liability upon the Illinois Tollway or any of its agents or employees. The issuance of this permit shall not prevent the Illinois Tollway, in its sole discretion, from requiring the correction of errors and omissions in the plans, specification and other data and from stopping the work upon discovery of such errors and omissions.

(u) Permit Fees: This permit is subject to the payment of the following fees:

Engineering review / administrative fee:	<u>\$ none</u>
Annual occupancy / maintenance fee:	<u>\$ none</u>

(v) The general landscape plan dated 02/20/2014 is acceptable (note that plants described in the memo are different than those on the plan) with the following exclusions/additions:

1. The contractor and Tempo Development you should be aware that a fiber optic cable runs adjacent to this location and excavation for plantings will not be allowed within a minimum of eight (8) feet of the located fiber line. Must be located prior to any digging.
2. The maximum size for deciduous trees shall be 2-1/2 inches caliper.
3. Plant locations shall be staked with plastic marking flags on wire staffs, and the locations approved by the Tollway Landscape Architect prior to the beginning plant activities, excavations or any earth disturbance.
4. The temporary access fencing shall be close and restored to existing condition upon initial installation of the plantings.
5. Tempo Development shall provide the Tollway with a two (2) year maintenance schedule and outline of activities for Tollway approval prior to beginning work; shall include a minimum of one (1) watering each month from April to September of each year. Access for maintenance activities shall be considered from the I-355 shoulder or another approved method and submitted for review on an individually requested basis.

Permit NS 14-01

6. Inspections will be held with the permit holder upon installation of the completed plantings and in the month of April and September for two (2) years following. Any items generated from the inspections and at the discretion of the Tollway, including plant replacements or removal shall be immediately completed within two (2) weeks of notice.
7. For the two (2) year maintenance and establishment period and upon final acceptance of the plantings the permit holder should be aware that the area will be maintained as determined by the Tollway and with no expectation of continued preservation.
8. Replace 'Redmond Linden' with 'Shademaster Honeylocust'.

The terms and conditions of this permit are accepted by:

PERMITTEE

TEMPO DEVELOPMENT, INC.

Permittee

Print Name

Title

APPROVED AS TO FORM AND CONSTITUTIONALITY

ATTORNEY GENERAL
STATE OF ILLINOIS

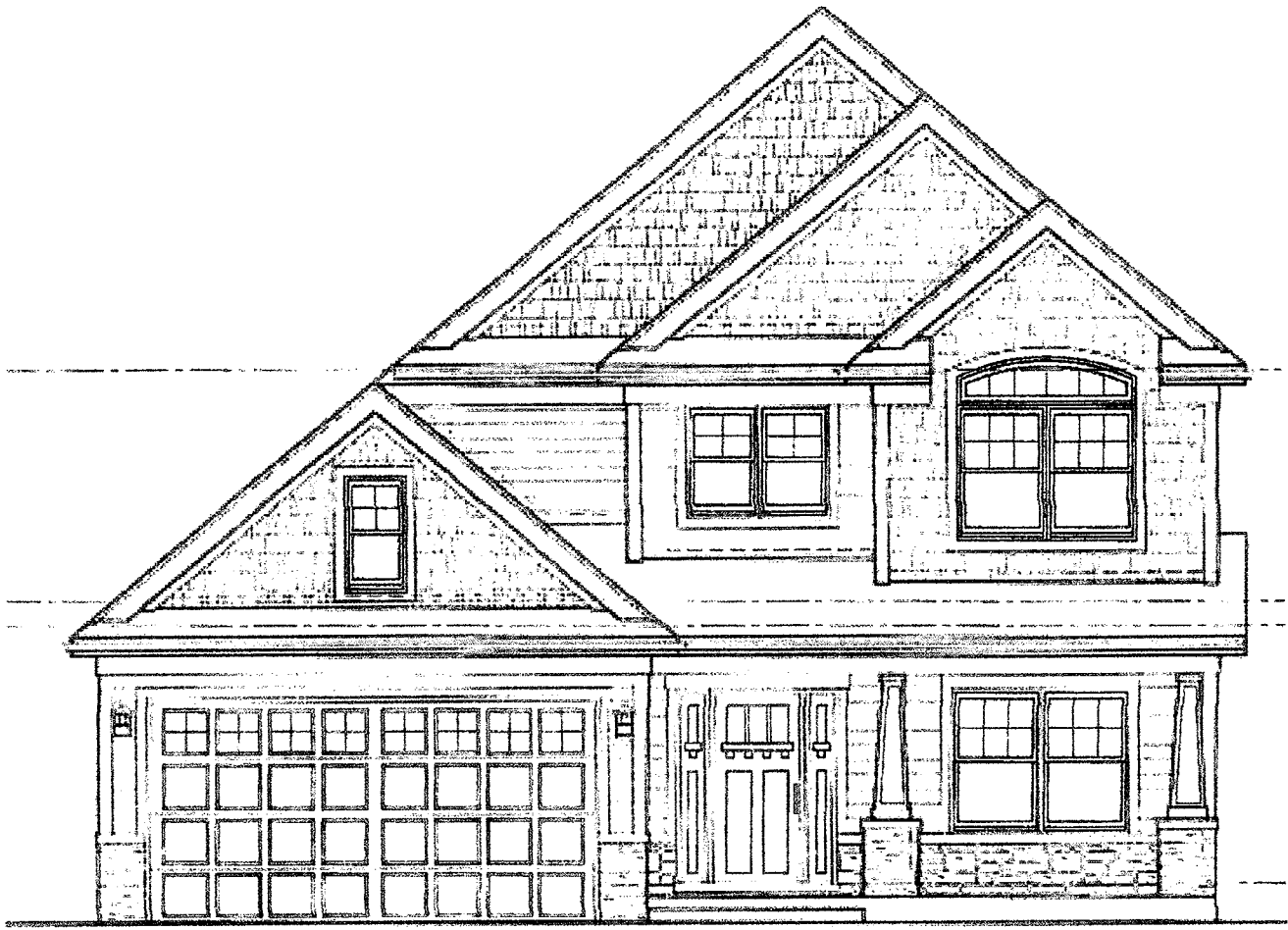
THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY

Recommended for approval by:

Paul D. Kovacs, P.E. Chief Engineer

RECEIVED
APR 14 2014
Village of
Lemont
BUILDING DEPARTMENT





FRONT ELEVATION





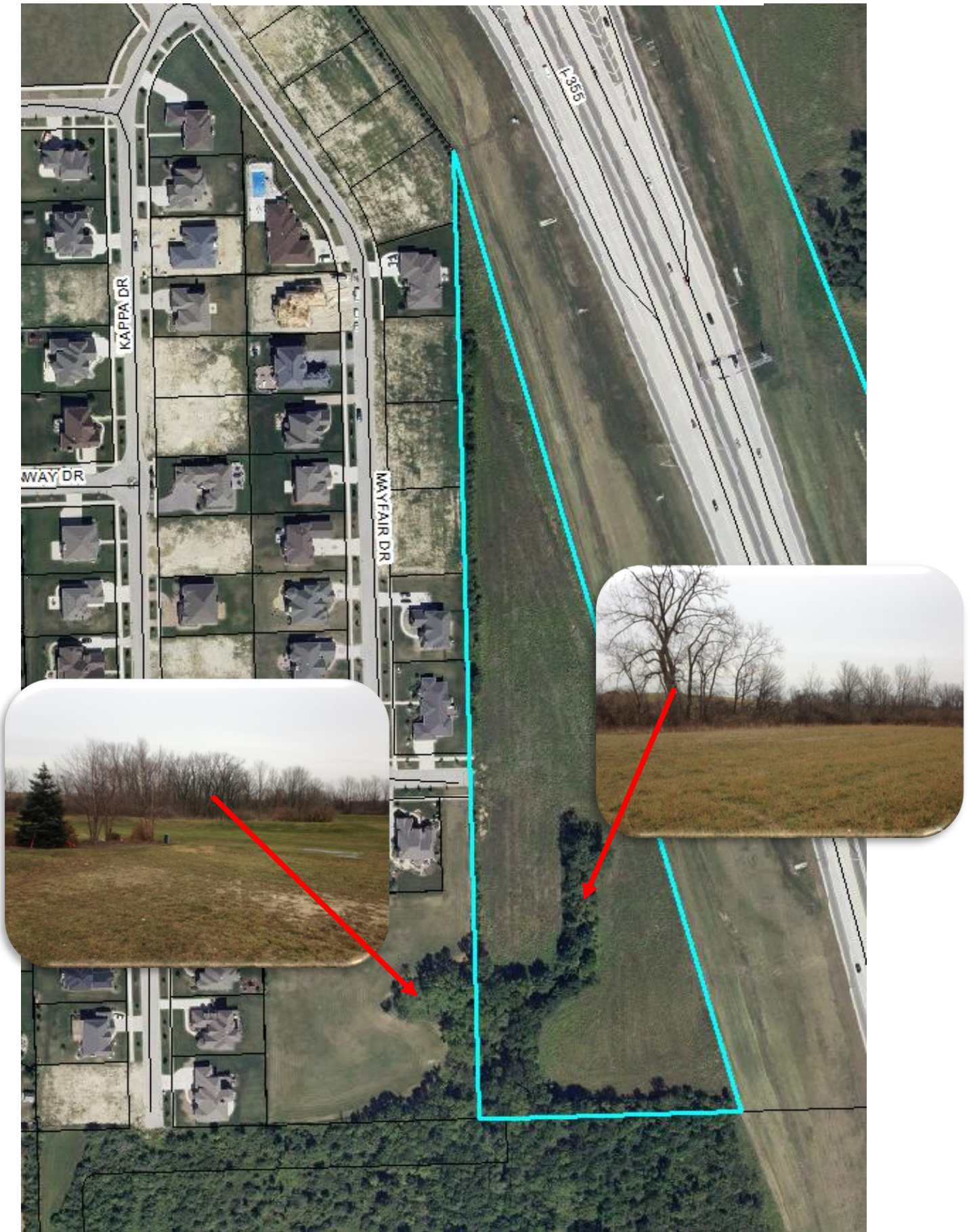
FRONT ELEVATION





FRONT ELEVATION

Site photos of Mayfair Estates detention area



Village Board Agenda Memorandum

To: Mayor & Village Board

From: George Schafer, Village Administrator
Chris Smith, Finance Director

Subject: Refunding General Obligation Bonds Series 2005 (Sales Tax ARS) and Series 2012B Gateway TIF

Date: April 16, 2014

BACKGROUND/HISTORY

Interest rates on General Obligation Bonds continue to be favorable. Over the past several years the Village has taken advantage of the favorable rates by advanced refunding and/or calling bonds with a net present value savings. According to the Village's Debt Management Policy the net present value savings of at least three percent or great must be achieved.

The Village's General Obligation Bonds Series 2005 have a current Net Interest Cost of 4.32% and are callable September 1, 2014. Bob Vail of Bernardi Securities ran the attached analysis and in today's market the Net Interest Cost would be 2.61% for an estimated savings of \$55,479. Additionally, the Gateway TIF bonds need to be restructured to match the TIF increment and the marketability of the acquired properties.

RECOMMENDATION

Staff recommends that the Board approves Refunding the 2005 General Obligation Bonds and Restructure the 2012B Gateway TIF bonds.

Village of Lemont, Cook, DuPage and Will Counties, Illinois

\$980,000 Taxable General Obligation Refunding Bonds (ARS), Series 2014A (TIF)
\$970,000 General Obligation Refunding Bonds (ARS), Series 2014B (Sales Tax)

PROPOSED TIMETABLE

TENTATIVE CLOSING: September 3, 2014

DATE:		✓	STEP IN PROCEDURE:
1.	Monday, April 21, 2014		COMMITTEE OF THE WHOLE MEETING: Bernardi Securities, Inc. presents refinancing and restructuring summaries to the Village Board.
2.	Monday, May 12, 2014		VILLAGE BOARD MEETING: Village declares intent to proceed with refunding its outstanding Bonds and also passes Authorizing Ordinance to start the 30-day petition period. Engagement letter with Bernardi Securities, Inc is approved.
3.	Week of May 12, 2014		Bernardi Securities, Inc. begins preparing preliminary documents and publishing Authorizing Ordinance/BINA Hearing in local newspaper.
6.	Monday, June 16, 2014		30-day petition period expires.
5.	Monday, June 23, 2014		VILLAGE BOARD MEETING: Village holds BINA Hearing prior to regularly scheduled Board meeting.
	Tuesday, July 15, 2014		Preliminary Official Statement (POS) is released to the Village for review.
7.	Tuesday, July 22, 2014		Moody's Rating Agency Call with Village and Bernardi Securities. Due Diligence Call with Disclosure Counsel and Village follows.
7.	Monday, July 28, 2014		Moody's Rating received on the Bonds.
9.	Monday, July 28, 2014		VILLAGE BOARD MEETING: Village passes Parameters Bond Ordinance for the Bonds. Bernardi Securities, Inc. presents preliminary pricing summary to Village Board.
11.	Friday, August 01, 2014		Preliminary Official Statement is finalized.
12.	Friday, August 08, 2014		Bernardi Securities, Inc. and Village staff discuss timing and preliminary interest rates.
7.	Monday, August 11, 2014		Bernardi Securities, Inc. begins pre-order selling period for local buyers. Bernardi Securities, Inc. contacts local institutional/retail investors.
8.	Friday, August 15, 2014		Final Pricing
	Friday, August 15, 2014		Bond Purchase Agreement is signed and final savings and interest rates are locked in.
10.	Wednesday, September 03, 2014		Closing. Bernardi Securities, Inc. coordinates with Bond Counsel & Paying Agent.

BERNARDISECURITIES

MUNICIPAL BOND SPECIALISTS

VILLAGE OF LEMONT, Cook, DuPage and Will Counties, Illinois

ESTIMATED DEBT SERVICE SAVINGS - Level for General Obligation Bonds (Sales Tax ARS), Series 2005 (as of April 9, 2014)

<i>Before Refunding</i>				<i>After Refunding (Alternate Bonds)</i>					
Year	Principal (12/1)	Interest (6/1 & 12/1)*	Total Debt Service	Year	Principal (12/1)	Interest (6/1 & 12/1)	2005 Existing Debt Service	Total Debt Service	Estimated Savings
2014	\$ 75,000	\$ 21,384	\$ 96,384	2014	\$ -	\$ 5,772	\$ 90,612	\$ 96,383	0
2015	80,000	39,993	119,993	2015	90,000	23,088	-	113,088	6,905
2016	80,000	36,873	116,873	2016	90,000	21,288	-	111,288	5,585
2017	85,000	33,753	118,753	2017	95,000	19,488	-	114,488	4,265
2018	85,000	30,268	115,268	2018	90,000	17,588	-	107,588	7,680
2019	90,000	26,783	116,783	2019	95,000	15,788	-	110,788	5,995
2020	95,000	22,958	117,958	2020	95,000	13,888	-	108,888	9,070
2021	100,000	18,920	118,920	2021	100,000	11,845	-	111,845	7,075
2022	105,000	14,520	119,520	2022	105,000	9,345	-	114,345	5,175
2023	110,000	9,900	119,900	2023	105,000	6,405	-	111,405	8,495
2024	110,000	4,950	114,950	2024	105,000	3,308	-	108,308	6,643
2025	-	-	-	2025	-	-	-	-	-
2026	-	-	-	2026	-	-	-	-	-
2027	-	-	-	2027	-	-	-	-	-
	<u>\$ 1,015,000</u>	<u>\$ 260,299</u>	<u>\$ 1,275,299</u>		<u>\$ 970,000</u>	<u>\$ 147,799</u>	<u>\$ 90,612</u>	<u>\$ 1,208,411</u>	<u>\$ 66,888</u>

Net Interest Cost..... 4.32%

Net Interest Cost..... 2.61%

Total Combined Net Savings: \$ 66,888

Present Value Savings (\$)..... \$ 55,479

Present Value Savings (%)..... 5.90%

* Assumes June 1, 2014 payment on 2005 Bonds.

As of April 9, 2014. Moody's "Aa2" Rated, Bank-Qualified - all estimated costs of issuance included. Dated September 1, 2014.

BERNARDISECURITIES

MUNICIPAL BOND SPECIALISTS

VILLAGE OF LEMONT, Cook, DuPage and Will Counties, Illinois

ESTIMATED DEBT RESTRUCTURING

for

Taxable General Obligation Bonds (ARS), Series 2012B - Gateway TIF

(as of April 9, 2014)

<i>Before Refunding (2012B Bonds)</i>				<i>After Refunding (2012B & 2014 Bonds)</i>						
Year Ending January 1,	Principal (1/1)	Interest (1/1 & 7/1)*	Total Debt Service	Year Ending January 1,	2012B Principal (1/1)	2012B Interest (1/1 & 7/1)	2014 Principal (1/1)	2014 Interest (1/1 & 7/1)	Total Debt Service	Difference
2014	\$ -	\$ -	\$ -	2014	\$ -	\$ -	\$ -	\$ -	\$ -	-
2015	295,000	93,610	388,610	2015	-	79,960	-	13,365	93,325	295,285
2016	300,000	178,370	478,370	2016	-	159,920	-	40,095	200,015	278,355
2017	315,000	169,370	484,370	2017	-	159,920	-	40,095	200,015	284,355
2018	325,000	159,920	484,920	2018	325,000	159,920	15,000	40,095	540,015	(55,095)
2019	330,000	150,170	480,170	2019	330,000	150,170	30,000	39,645	549,815	(69,645)
2020	345,000	138,620	483,620	2020	345,000	138,620	35,000	38,745	557,365	(73,745)
2021	360,000	124,820	484,820	2021	360,000	124,820	75,000	37,695	597,515	(112,695)
2022	370,000	110,420	480,420	2022	370,000	110,420	90,000	35,445	605,865	(125,445)
2023	385,000	95,620	480,620	2023	385,000	95,620	115,000	32,115	627,735	(147,115)
2024	405,000	79,450	484,450	2024	405,000	79,450	130,000	27,515	641,965	(157,515)
2025	420,000	61,630	481,630	2025	420,000	61,630	145,000	22,120	648,750	(167,120)
2026	440,000	42,310	482,310	2026	440,000	42,310	165,000	15,885	663,195	(180,885)
2027	460,000	21,850	481,850	2027	460,000	21,850	180,000	8,460	670,310	(188,460)
2028	-	-	-	2028	-	-	-	-	-	-
	\$ 4,750,000	\$ 1,426,160	\$ 6,176,160		\$ 3,840,000	\$ 1,384,610	\$ 980,000	\$ 391,275	\$ 6,595,885	\$ (419,725)

Net Interest Cost..... 4.23%

Net Interest Cost..... 4.36%

Net Present Value Savings:..... (51,344)

* Assumes 7/1/2014 Interest Payment is made on 2012B Bonds.

As of April 3, 2014. Moody's "Aa2" Rated, Taxable Rates - all estimated costs of issuance included. Dated September 1, 2014.

**Village Board
Agenda Memorandum**

To: Mayor & Village Board

From: Chief Kevin W. Shaughnessy

Date: April 18, 2014

Re: **Parking Restrictions on East side of Eagle Crest, Adjacent to
Centennial Pool**

BACKGROUND/HISTORY

Last year we temporarily restricted parking on the East side of Eagle Crest and it was very successful. The Police Department is recommending this change become permanent from May 1st – October 1st.

PROS/CONS/ALTERNATIVES (IF APPLICABLE)

RECOMMENDATIONS

Restrict parking on Eagle Crest adjacent to Centennial Pool on East side of Eagle Crest.

ATTACHMENTS

Ordinance

SPECIFIC VILLAGE BOARD ACTION REQUIRED

Ordinance Approval

Village Board Agenda Memorandum

To: Mayor & Village Board

From: George Schafer, Village Administrator
Chris Smith, Finance Director

Subject: Canal Leases

Date: April 16, 2014

BACKGROUND/HISTORY

The Village leases out a portion of the canal area to various businesses. The businesses pay an annual lease amount to the Village per various types agreements outlined below. Two properties listed below are billed per Resolution R-53-07, which was adopted by the Village Board in 2007. Kallemeyn property has a lease agreement with the Village until 2018 and Illinois Marine Towing is on an annual lease agreement.

		<u>2013-2014</u>	<u>Due date</u>	<u>Annual Increase</u>	<u>lease</u>	
Illinois Marine Towing	66' Right of Way - Stephen Street and Sanitary & Ship Canal	1,534.97	April 1st	CPI	Annual	
Kallemeyn	portion of the Illinois and Michigan Canal lands	2,230.47	May 1st	3%	2018	
Lucian Amato, P.O.	portion of the Illinois and Michigan Canal lands	1,526.01	May 1st	3%	Annual	R-53-07
Arthur Peterson, Inc	portion of the Illinois and Michigan Canal lands	1,015.75	May 1st	3%	Annual	R-53-07

Staff's intention is to standardize all the canal lease agreements as well as the annual invoice processing. The first step to the standardization is to recommend that all leases expire in 2018, which is consistent with Kallemeyn. It is staff's intention to reassess the amount billed per square foot as well as yearly inflation fact in 2017, prior to the ending of the 2018 leases.

RECOMMENDATION

Staff recommends that the Village Board adopts a resolution at the May 12, 2014 that converts the annual leases to a lease expiring 2018.

Village Board

Agenda Memorandum

To: Mayor & Village Board

From: George Schafer, Village Administrator

Subject: Discussion of Channel 6 Program and Vehicle Donation

Date: April 18, 2014

BACKGROUND/HISTORY

Staff would like to update the Board on the progress of the Channel 6 program implementation. There have been several steps that were outlined in previous meetings. The steps and any applicable updates are listed below:

1. Secure funding for and implement equipment upgrades

At the April 14th VB Meeting the Board authorized a PEG fee through Comcast to supplement the PEG revenues it receives from AT&T, to allocate to the station. Through these new revenues, the Village will be able to purchase necessary equipment for the station. Through existing IT resources and Channel 6 volunteers we will be able to implement this solution and improve the station

2. Determine the structure of Channel 6

It was recognized at a previous Committee Meeting that the structure of Channel 6 will need to be evaluated. Preliminary meetings have been held to brainstorm these ideas for the future of the station and will be discussed at the committee meeting.

3. Find a more efficient and secure means to transport/store the station's equipment

There is an opportunity for a donated vehicle from the Fire District to use as a production van. The request is fairly time sensitive and will need to be discussed. It needs to be determined if the vehicle is right for this purpose and if we are at a point in the process to utilize the donated property.

ATTACHMENTS:

None.

ACTION REQUIRED

Discussion Only.