



## Village Board Meeting September 1, 2016 6:00 p.m.

### 1. Call To Order

### 2. Roll Call

### 3. Pledge Of Allegiance

### 4. Open Forum

Participants are advised that the Open Forum procedure is a privilege and should not be abused. Upon completing an Open Forum request form and submitting it to the Village Clerk before the commencement of the meeting, participants will be recognized and given a chance to speak. The time limit to speak is 3 minutes. If deemed necessary by the Village Board, the matter may be referred to Village Staff or may be placed on a future agenda for Board consideration.

All participants are expected to exercise common courtesy and follow any rules of order established or announced by the Village Board and/or Mayor. Candidates for local public office may not use this forum for campaign purposes.

### 5. Reports

#### a. Board Reports

- Mayor
- Clerk
- Attorney
- Manager
- Trustees

*Background Of  
Subject Matter*

\*

*Type*

Discussion Only

### 6. Items To Be Removed From Consent Agenda

### 7. Consent Agenda (Omnibus Vote)

#### a. Village Board Minutes

##### i. Board Meeting Minutes

Board to consider approving the minutes of the Village Board meeting held August 18, 2016.

*Background Of  
Subject Matter*

Required Parliamentary Procedure

*Type*

Motion

*Documents:*

b. **Finance Ordinance**

i. **Finance Ordinance # 9**

Total to be announced at the meeting.

<i>Background Of Subject Matter</i>	*
<i>Type</i>	Motion

c. **Purchase Orders**

i. **PO 11039727**

Illinois EPA \$25,984.86

<i>Background Of Subject Matter</i>	Burlington & Lincoln Water Main Loan Repayment
<i>Type</i>	Purchase Order
<i>Budgeted</i>	Yes

*Documents:*

[PO 11039727.PDF](#)

ii. **PO 11039732**

CDW Governemnt Inc \$24,185.63

<i>Background Of Subject Matter</i>	Annual Microsoft Enterprise Agreement
<i>Type</i>	Purchase Order
<i>Budgeted</i>	Yes

*Documents:*

[PO 11039732.PDF](#)

iii. **PO 11039756**

Currie Motors \$116,495.00

<i>Background Of Subject Matter</i>	(3) Police Patrol Squad Vehicles (1) Police Administrative Vehicle
<i>Type</i>	Purchase Order
<i>Budgeted</i>	Yes

*Documents:*

[PO 11039756.PDF](#)

[VEHICLE REPLACEMENT PURCHASE SUMMARY 2016-09-01.PDF](#)

iv. **PO 11039768**

Standard Equipment Co \$195,962.00

**Background Of Subject Matter** Street Sweeper  
**Type** Purchase Order  
**Budgeted** Yes

**Documents:**

[PO 11039768.PDF](#)

v. **Total Of Purchase Orders**

\$ 362,627.49

**Background Of Subject Matter** \*  
**Type** Purchase Order

d. **Total Of Purchase Orders And Finance Ordinance**

Total to be announced at the meeting.

**Background Of Subject Matter** \*  
**Type** Motion

**8. Unfinished Business**

**9. New Business**

a. **Semi-Detached Single Family Residences - 224-226 W Burlington Ave**

Board to consider an ordinance approving the following requests from Peak Custom Homes LLC to allow for the construction of two new single-family semi-detached dwellings in the R-5 General Residence District:

1. Zoning Code Variance request for relief from the minimum square feet per building.
2. Zoning Code Variance request for relief from the maximum allowable density.
3. Site and Landscaping Plan approval.

**Background Of Subject Matter** Density variances were given a positive recommendation at the August 3 public hearing by the Planning & Zoning Commission, who discussed the proposed architecture and landscaping & continued that portion of the plan for further details.

**Recommendation** Revised plans were revised by the Commission and given a positive recommendation for Site & Landscaping Plan approval on August 17. The Comprehensive Plan recommends the type of residences that are proposed.

**Type** Ordinance

**Documents:**

[PZ16-019 PZC STAFF REPORT FOR BOARD MTG.PDF](#)

b. **LWV Odessa Ponds, LLC - Consolidation Of 3 Parcels**

Board to consider an ordinance approving the following requests from the Westmont

Village Apartments to consolidate three parcels with 94 separate property index numbers into two lots of record:

1. Preliminary and final Plat of Consolidation.
2. Plat of Vacation for Utilities.

<b>Background Of Subject Matter</b>	The two lots will continue to be used for existing multi-family apartments, which are currently under one ownership and a single management company. Applicant will return to Village Board for additional approvals for a new clubhouse for the property.
<b>Additional Background</b>	6704-24 Echo Lane, 6703-24 Tudor Lane, 6703-24 Alpine Lane, 6703-24 Park Lane, 6703-24 Lakeshore Drive, 6703-24 Cedar Lane, 6703-24 Vail Drive, 6703-24 Aspen Lane, and 6703-23 Maple Lane
<b>Recommendation</b>	Planning and Zoning Commission reviewed the project in July and August, and made a unanimous positive recommendation for approval, after answering questions and listening to comments from residential neighbors.
<b>Type</b>	Ordinance

**Documents:**

[PZ16-018 WESTMONT VILLAGE APTS PLAT VB PLAT ATTACHMENTS.PDF](#)  
[PLAT OF VACATION FOR UTILITIES.PDF](#)

c. **Westmont B Imports - New BMW Automobile Dealership**

Board to consider ordinances approving the following requests from Westmont B Imports, Inc. to build a new automobile dealership in the B-2 General Business District (420 & 430 E Ogden Ave, a portion of Westmont Dr, 645, 650 & 651 Westmont Dr, & 415 Plaza Drive):

1. Special Use Permit request to operate an automotive dealership in the B-2 General Business District.
2. Zoning Code Variance request to allow parking within the front yard setback.
3. Zoning Code Variance Request to increase the allowed height in the B-2 General Business District for the purpose of constructing a rooftop parking deck for an automobile dealership.
4. Preliminary Plat of Vacation for Westmont Drive.
5. Preliminary Plat of Consolidation.
6. Site and Landscaping Plan approval.

<b>Background Of Subject Matter</b>	At the three public hearings, the Commission discussed the scope of the project, including the parking deck, detention, construction and traffic impact on the surrounding area, access to the property, unloading, and landscaping and screening.
<b>Additional Background</b>	After much input from surrounding commercial neighbors regarding vacating Westmont Drive and the impact upon those businesses, the Commission made a positive recommendation regarding all requests.
<b>Recommendation</b>	Additional attachments from the public hearings can be viewed at the following link: <a href="https://drive.google.com/folderview?id=0B_1JZ48i7TxmZE91TkNnR2xHdlU&amp;usp=sharing">https://drive.google.com/folderview?id=0B_1JZ48i7TxmZE91TkNnR2xHdlU&amp;usp=sharing</a>
<b>Type</b>	Ordinance

**Documents:**

[PZ16-013 LAUREL BMW BOARD ATTACHMENTS.PDF](#)

[2016-08-09 LANDSCAPE PLAN.PDF](#)

d. **Video Gaming Regulations**

Board to consider an ordinance amending Chapter 10, "Alcoholic Beverages," of the Westmont Code of Ordinances to create a new liquor license classification related to video gaming.

<b>Background Of Subject Matter</b>	The proposed ordinance creates a new liquor license classification for liquor license holders that also desire to have video gaming. Existing businesses with video gaming are grandfathered from this requirement.
<b>Additional Background</b>	The number of video gaming liquor licenses would be capped at the current number of video gaming establishments - twelve. Businesses would have to operate in town for a least one year before applying for this license.
<b>Recommendation</b>	Approve.
<b>Type</b>	Ordinance

**10. Miscellaneous**

**11. Executive Session**

This Board may adjourn to closed session to discuss matters so permitted and may act upon such matters upon returning to open session.

**12. Adjourn**

*Note: Any person who has a disability requiring a reasonable accommodation to participate in the meeting should contact the ADA Compliance Officer, 9:00 A.M. to 5:00 P.M. Monday through Friday, Village of Westmont, Illinois, 60559; or telephone (630) 981-6210 voice, within a reasonable time before the meeting.*

Clerk's Office  
**Village of Westmont**

MINUTES OF THE BOARD MEETING HELD **Thursday, August 18th, 2016.**

**Mayor Gunter** called the meeting to order at **6:00 P.M.**

**WESTMONT VILLAGE BOARD MEETING ROLL CALL:**

**PRESENT:** Mayor Gunter P Clerk Szymiski P

**TRUSTEES:** Addington A Barker P  
Barry P Guzzo P  
Liddle P Nero P

**STAFF:**

<b>May</b> <u>P</u> (Village Mgr)	<b>Parker</b> <u>P</u> (Finance Director)	<b>Ziegler</b> <u>P</u> (Community Development Director)
<b>Crane</b> <u>A</u> (H.R. Director)	<b>McIntyre</b> <u>P</u> (Communications Director)	<b>Liljeberg</b> <u>P</u> (I.T. Manager)
<b>Chief Mulhearn</b> <u>P</u> (Police Dept.)	<b>Dep. Chief Brenza</b> <u>A</u> (Police Dept.)	<b>Dep. Chief Gunther</b> <u>P</u> (Police Dept.)
<b>Chief Weiss</b> <u>P</u> (Fire Dept.)	<b>Dep. Chief Riley</b> <u>A</u> (Fire Department)	<b>Ramsey</b> <u>A</u> (P.W. Director)
<b>Dralle</b> <u>A</u> (EMS Director)	<b>Hennerfeind</b> <u>A</u> (Village Planner)	<b>Richards</b> <u>A</u> (Deputy Clerk)

**ATTORNEY:** Zemenak P Perez A

**A QUORUM WAS PRESENT TO TRANSACT BUSINESS.**

**PRESS:**

Chicago Tribune A Independent: Daniel Smrokowski A  
Bugle A

**CHAMBER OF COMMERCE DIRECTOR:** Forsberg - P

**VISITORS:** None.

**THOSE PRESENT RECITED THE PLEDGE OF ALLEGIANCE.**

**OPEN FORUM:**

- None.

**VOTING KEY:** A=ABSENT AB=ABSTAIN N=NO W=Withdrawn  
P=PRESENT Y=YES V=VACATION

**Note:** *The items listed in these minutes are summaries only and are not meant to be a direct transcript of the Mayor's, Manager's, Clerk's and Trustees' comments. For actual quotes of the referenced items please refer to the Archival video copy of this meeting.*

**VOTING SUMMARY**

	<b><u>1</u></b>	<b><u>2</u></b>	<b><u>3</u></b>	<b><u>4</u></b>
TRUSTEE ADDINGTON	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
TRUSTEE BARKER	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE BARRY	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE GUZZO	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE LIDDLE	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE NERO	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

**REPORTS**

**Mayor Gunter**

- Welcomed everyone.
- Introduced Finance Director Spencer Parker who introduced Cindy Westra as our customer service employee of the month.
- Mayor Gunter updated residents on his trip to Taiwan as their guests. Larry Forsberg and Larry McIntyre also came and will work on a sister city program. Invited Larry Forsberg and Larry McIntyre to discuss the details of their trip and work involved in becoming a Sister City.

**Clerk Szymski**

- Please get out to the Street Fair and enjoy. There are only two more events left.

**Attorney Zemenak**

- Nothing.

**Village Manager May**

- Nothing

**Trustee Addington**

- Absent.

**Trustee Liddle**

- Updated the Board on the Public Works trucks at Cruisin' Nights last week.
- Fire Truck night is coming up next Thursday. It's the last one for the season.
- Reclaim 13 5K Race is on Saturday.
- The Administration Committee Meeting will be coming up. The date is to be announced.

**Trustee Barry**

- Welcome back to the Mayor and Larry McIntyre and Larry Forsberg from Taiwan. Thank you for representing us.
- Complimented Jeff Bonk for grabbing paper littering the streets. Thank you for the extra effort.
- Reported on the Richmond Educational Garden Project.
- New Climate Action Plan is being worked on in the Village.

**Trustee Nero**

- Called up Chief Weiss to talk about the Burn Camp Fundraiser.
  - Chief Weiss recapped the event. We are hoping to send at least 2 kids to burn camp.
- Please sign up for the Citizens Police Academy if you are interested. There is still room available.
- The September 11th Remembrance Ceremony will be held on September 11th at 1:30pm at 500 N. Cass Ave
- The next Public Safety Committee is September 1st at 4:30pm.

**Trustee Guzzo**

- Watch out for kids because school is starting.
- The next Finance Committee Meeting will be September 1st, 2016 at 4:00pm at the Village Hall location.

**Trustee Barker**

- Blue ribbons and blue light bulbs have been handed out and made available to our residents to show support for our Police Department. Westmont First partnered with the Westmont Police & Citizens Alumni Association. Thank you to Bales Hardware, Westmont Paint and Decorating, and All American Paper for helping us with our efforts. You can pick up the ribbons at the Park District, Westmont Chamber Office, WSEC, and Westmont Paint & Decorating.
- Gave an update on the Anniversary Mural.
- Reported on the TECO Performance this last Saturday.

**ITEMS TO BE REMOVED FROM CONSENT AGENDA:**

- No request was made to have items removed from the consent agenda.

**(1) CONSENT AGENDA [Omnibus Vote]:**

**Village Manager May** addressed the Board on this agenda item.

Motion by **Trustee Barry** to approve the consent agenda items A, B, C, D & E.

**(A) VILLAGE BOARD MINUTES:**

Board to consider approving the minutes of the Village Board Meeting held August 4th, 2016.

**(B) EXECUTIVE SESSION MINUTES:**

Board to consider a motion to accept, approve and release the following Executive Session minutes with the exceptions as noted:

<u>Meeting Date</u>	<u>Exception: Paragraph #</u>
• February 28, 2008	
• June 18, 2012	
• June 28, 2012	
• July 2, 2012	
• October 15, 2012	
• September 19, 2013	
• November 26, 2013	
• January 9, 2014	
• February 6, 2014	Except Para # 1, 2, 3
• October 29, 2014	
• November 13, 2014	
• January 8, 2015	
• February 5, 2015	
• February 19, 2015	
• June 25, 2015	Except Para # 1, 2, 5
• July 9, 2015	Except Para # 3
• July 23, 2015	
• September 17, 2015	
• October 15, 2015	
• November 12, 2015	
• December 10, 2015	Except Para # 2, 3, 4, 5
• January 21, 2016	
• April 7, 2016	Except Para # 5, 6
• June 9, 2016	Except Para # 2

**(C) FINANCE ORDINANCE # 08: Dated **August 18, 2016**, in the amount of  
**\$ 2,113,874.88****

**(D) JULY 2016 FINANCIAL REPORT:**

Board to consider a motion to accept the financial report submitted for the month of July 2016.

**(E) PURCHASE ORDERS**

<b>11039611</b>	DuPage Convention & Visitors Bureau	<b>30,719.00</b>
<b>11039631</b>	Thomas Engineering Group LLC	<b>84,238.00</b>
<b>11039632</b>	RW Dunteman Company	<b>622,175.25</b>
<b>11039634</b>	RW Dunteman Company	<b>487,095.25</b>
<b>11039662</b>	Thomas Engineering Group LLC	<b>58,309.70</b>
	<b>Total of Purchase Orders</b>	<b>\$</b>

		<b>1,282,537.20</b>
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Seconded by **Trustee Nero** and the motion passed.

**VOTE ON MOTION #1**

Ayes: Guzzo, Barker, Barry, Nero, and Liddle.

Nays: None.

Absent: Addington.

Present: None.

**UNFINISHED BUSINESS**

**NEW BUSINESS**

**(2) ENGINEERING AGREEMENT - CBD ALLEY RECONSTRUCTION PROJECT**

**Village Manager May** addressed the Board on this item.

Motion by **Trustee Nero** to consider an ordinance authorizing an engineering agreement with Thomas Engineering Group for Phase 1 & 2 Design Engineering Services for the proposed Central Business District (CBD) Alley Reconstruction Project (Section F).

Seconded by **Trustee Barry** and the motion passed.

**VOTE ON MOTION #2**

Ayes: Guzzo, Barker, Barry, Nero, and Liddle.

Nays: None.

Absent: Addington.

Present: None.

**(3) VIDEO GAMING - TERMINAL CAP DISCUSSION**

**Community Development Director Ziegler and Deputy Police Chief Gunther** addressed the Board on this item.

Gave an update on the status of video gaming in Westmont. Several businesses are looking to expand their operations to accommodate a kitchen buildout. That way they can request a liquor license and install video gaming machines. Discussed potential regulations to restrict video gaming terminals.

**MISCELLANEOUS:**

- Trustee Barker talked about the Kelly Miller circus at Ty Warner Park. It will take place on Friday, September 23rd and it is being put on by the Lions Club.
- Trustee Nero thanked everyone for the blue ribbons.
- Clerk Szymski expressed condolences to the Bator family on the loss of Mary's mother.



**Village Clerk's Office**

31 West Quincy Street • Westmont, Illinois 60559  
Tel: 630-981-6220 Fax: 630-829-4441

**(4) ADJOURNMENT:** Motion by **Trustee Liddle** to adjourn the meeting. Seconded by **Trustee Nero** and the motion passed.

**VOTE ON MOTION #4**

Ayes: Guzzo, Barker, Barry, Nero, and Liddle.

Nays: None.

Absent: Addington.

Present: None.

**MEETING ADJOURNED AT 7:09 P.M.**

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Virginia Szymiski, Village Clerk

\_\_\_\_\_  
Ronald J. Gunter, Mayor

Dated this 1st day of September, 2016.







**Westmont Public Works - Fleet Division  
Vehicle Replacement Program  
Purchase Summary**

**Purchasing**

P.O.# :  
Year : 2017  
Make : Ford  
Model : Interceptor Utility  
Vendor : Currie Motors

**Replacing**

Dept./Div. : Police  
Unit : #25  
Year : 2013  
Make : Ford  
Model : Interceptor Utility  
Actual Mileage : 80,308  
Hours : 14,638  
Equivalent Mileage: 365,950

**The proposed vehicle meets the recommendations of the Ad hoc Committee on Climate Change based on:**

- Fuel Economy ( at least one MPG better than vehicle replaced).
- Switch to a cleaner burning fuel.
- E-85 Compatible
- Bio-Diesel Compatible
- Does not meet AHCCC recommendations

**Specifications reviewed by Fleet Manager:**

  
*signature*

**Comments :**

(Must be completed when replacement is for reasons outside of VRP definition/terms)

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**Westmont Public Works - Fleet Division  
Vehicle Replacement Program  
Purchase Summary**

**Purchasing**

P.O.# :  
Year : 2017  
Make : Ford  
Model : Interceptor Utility  
Vendor : Currie Motors

**Replacing**

Dept./Div. : Police  
Unit : #45  
Year : 2011  
Make : Ford  
Model : Crown Vic  
Actual Mileage : 65,287  
Hours : 15,814  
Equivalent Mileage: 395,350

**The proposed vehicle meets the recommendations of the Ad hoc Committee on Climate Change based on:**

- Fuel Economy ( at least one MPG better than vehicle replaced).
- Switch to a cleaner burning fuel.
- E-85 Compatible
- Bio-Diesel Compatible
- Does not meet AHCCC recommendations

**Specifications reviewed by Fleet Manager:**

  
*signature*

**Comments :**

(Must be completed when replacement is for reasons outside of VRP definition/terms)

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**Westmont Public Works - Fleet Division  
Vehicle Replacement Program  
Purchase Summary**

**Purchasing**

P.O.# :  
Year : 2017  
Make : Ford  
Model : Interceptor Utility  
Vendor : Currie Motors

**Replacing**

Dept./Div. : Police  
Unit : #27  
Year : 2010  
Make : Ford  
Model : Crown Vic  
Actual Mileage : 88,441  
Hours : 14198  
Equivalent Mileage: 354,950

**The proposed vehicle meets the recommendations of the Ad hoc Committee on Climate Change based on:**

- Fuel Economy ( at least one MPG better than vehicle replaced).
- Switch to a cleaner burning fuel.
- E-85 Compatible
- Bio-Diesel Compatible
- Does not meet AHCCC recommendations

**Specifications reviewed by Fleet Manager:**

  
*signature*

**Comments :**

(Must be completed when replacement is for reasons outside of VRP definition/terms)

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**Westmont Public Works - Fleet Division  
Vehicle Replacement Program  
Purchase Summary**

**Purchasing**

P.O.# :  
Year : 2017  
Make : Ford  
Model : Interceptor Utility  
Vendor : Currie Motors

**Replacing**

Dept./Div. : Police  
Unit : #22  
Year : 2009  
Make : Chevrolet  
Model : Impala  
Actual Mileage : 55,798  
Hours :  
Equivalent Mileage:

**The proposed vehicle meets the recommendations of the Ad hoc Committee on Climate Change based on:**

- Fuel Economy ( at least one MPG better than vehicle replaced).
- Switch to a cleaner burning fuel.
- E-85 Compatible
- Bio-Diesel Compatible
- Does not meet AHCCC recommendations

**Specifications reviewed by Fleet Manager:**

  
*signature*

**Comments :**

(Must be completed when replacement is for reasons outside of VRP definition/terms)

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**VILLAGE OF WESTMONT  
PLANNING AND ZONING COMMISSION  
AGENDA ITEM**

**MEETING DATE: August 17, 2016** *(continued from August 03, 2016)*

**P/Z 16-019**

**TITLE: Peak Custom Homes LLC regarding the properties located at 224 and 226 West Burlington Avenue, Westmont, IL 60559 for the following:**

- (A) Zoning Code Variance request for relief from the minimum square feet per building in an R-5 General Residence District. *(Approved August 03, 2016)*
- (B) Zoning Code Variance request for relief from the maximum allowable density in an R-5 General Residence District. *(Approved August 03, 2016)*
- (C) Site and Landscaping Plan approval to build two new single-family semi-detached dwellings. 70

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**UPDATES:**

No changes have been made to the original staff report from August. At the August hearing, both variance requests received positive recommendations, and the site and landscaping plan approval was postponed in order for the front facade of the building to be revised with architectural improvements. Although the applicant has submitted revised renderings, staff has asked for additional revisions, which will be provided after the date of this staff report. A preliminary draft of the revised elevation has been included to show progress.

**STAFF COMMENTS**

*Landscaping*

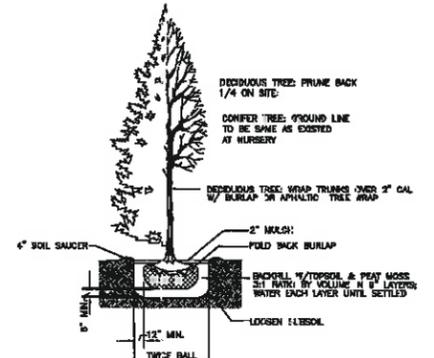
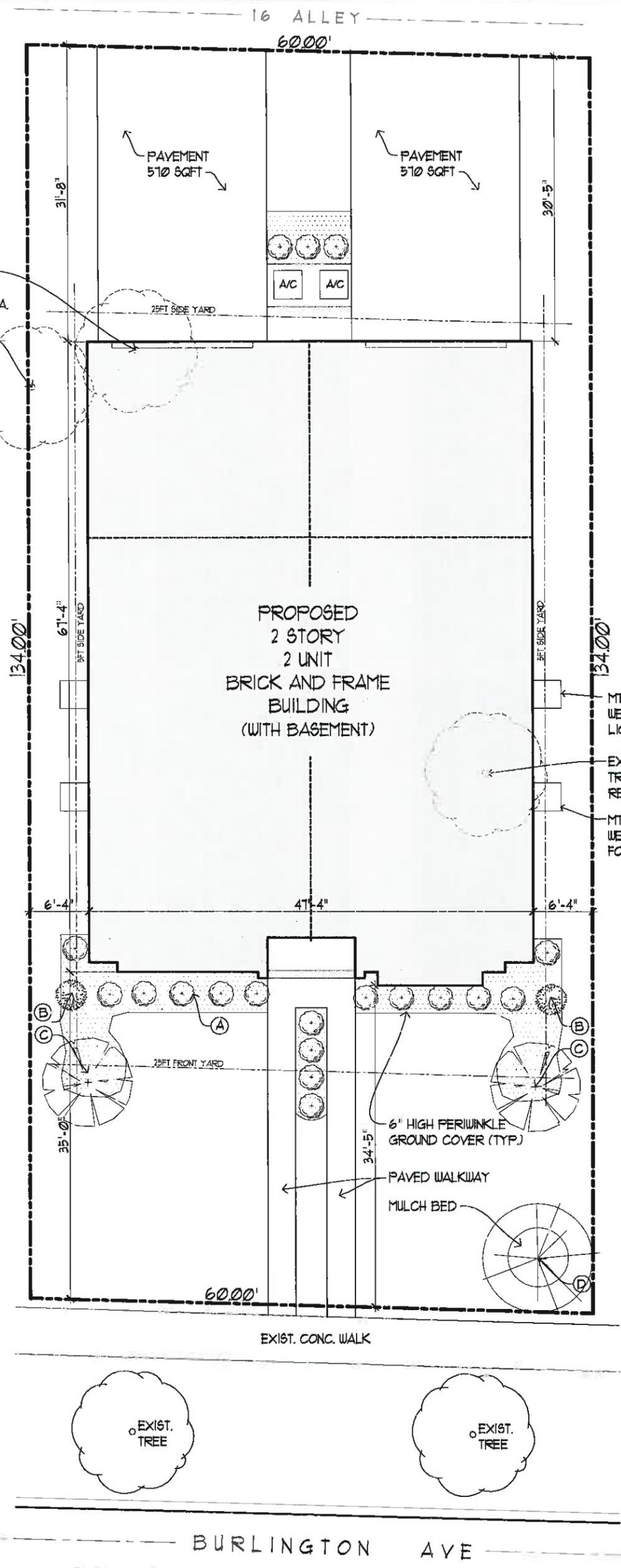
The revised Landscape Plan which was provided the day of the last hearing have been reviewed by the Village's consultant. Although there are outstanding engineering issues which will be addressed with permit, the landscape plan meets or exceeds minimum requirements.

**DOCUMENTS ATTACHED**

1. Original Staff Report dated August 03, 2016.
2. Staff review comments from Engineering and Landscape consultant Anthony Bryant dated August 11, 2016.
3. Landscape Plan, prepared by ABD & Associates, LTD, dated June 30, 2016.
4. Draft proposed elevations.
5. Staff correspondence and recommendations to applicant.



REVISED  
 FEB 15 2016



**TREE PLANTING DETAIL**  
 N.T.S.

PLANT LIST					
KEY	COMMON NAME	BOTANICAL NAME	QUANT.	SIZE	REMARKS
⊙	A YEWS	TAXUS	10		2'-6" HGT.
⊙	B EVERGREEN	AZALEAS	2		6'-8" HGT.
⊙	C RIVER BIRCH	BETULA NIGRA	2		
⊙	D SCARLET OAK	QUERCUS COCCINEA	1		12'-14" HGT.

**ZONING DATA: R-5**

PIN # 09-5-107-078-0000	REQUIRED	PROVIDED
LOT AREA	8,400 SF.	8,040 SF.
BUILDING AREA (F.A.R.)	75% (6,300 SF.)	
MAX. NO. OF UNITS (3 BEDROOMS)	4,500 PER UNIT - 175 D.U.	4,000 PER UNIT - 2 D.U.
MAX. BLDG. HEIGHT	35 FT (MAX.)	35 FT
SOUTH FRONT SETBACK	25 FT	34'-5"
NORTH REAR SETBACK	26.5 FT (20%)	30'-5"
EAST SIDE SETBACK	5 FT (12 FT - 20% AGGREGATE)	6.3 FT (12.6 FT - 20% AGGREGATE)
WEST SIDE SETBACK	5 FT (12 FT - 20% AGGREGATE)	6.3 FT (12.6 FT - 20% AGGREGATE)
PARKING	5 SPACES (25 PER UNIT)	4 SPACES
TOTAL BUILDING AREA	6,300 SF.	5,806 SF.

1ST FLOOR PLAN:	2,110	8GFT
GARAGE:	994	5GFT
2ND FLOOR PLAN:	2,642	5GFT
TOTAL AREA:	5,806	8GFT

**LANDSCAPE PLAN**

COPYRIGHT ABD & ASSOCIATES

DATE: 6/30/2016  
 PROJECT: R-5 / Z.T.  
 DRAWN: J.C.K.  
 CHECK: Z.T.  
 SHEET NO.

**PROPOSED 2 UNIT TOWNHOME**  
 226 BURLINGTON AVE  
 WESTMONT, ILLINOIS

**ABD & ASSOCIATES, LTD**  
 PROFESSIONAL DESIGN FIRM - NO. 184-005725  
 8747 W. BRYN MAWR AVE., #506, CHICAGO, IL 60631  
 PHONE: 773-864-9754 (Z.W.) 708-960-1614 (B.K.) FAX: 708-579-5846  
 bk@abd.com

**REVISED**

AUG 15 2016

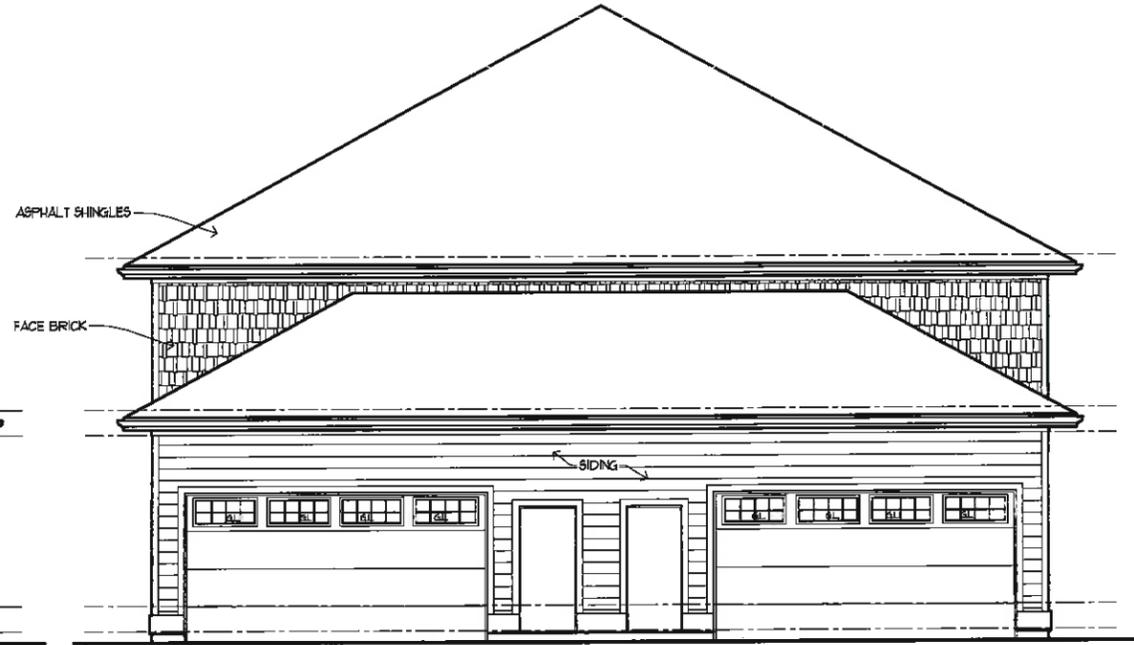
BUILDING

JOB #:

**ABD & ASSOCIATES, LTD.**  
 PROFESSIONAL DESIGN FIRM - ILL. 184-002785  
 9747 W. BRYN MAWR AVE. #505 CHICAGO, IL 60618  
 PHONE: 773-864-0764 (Z.W.) 708-988-8114 (B.K.) bka@abd.com  
 bka@abd.com



**RIGHT SIDE ELEVATION**



**REAR ELEVATION**



**LEFT SIDE ELEVATION**



**FRONT ELEVATION**

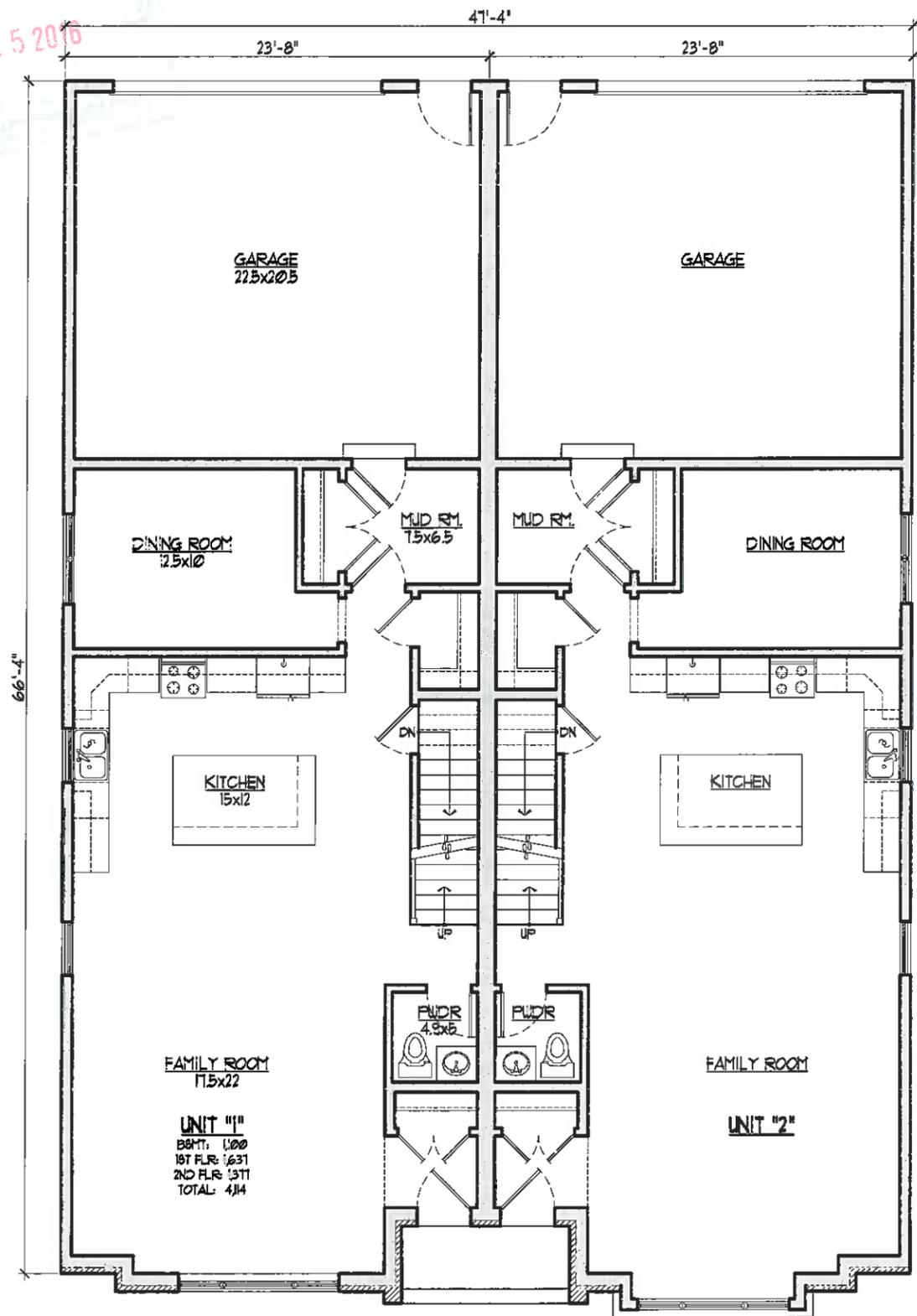
**PROPOSED 2 UNIT TOWNHOME**  
 WESTMONT, ILLINOIS  
 226 BURLINGTON AVE

DATE:	6/30/2016
PROJECT:	B.K. / Z.W.
DRAWN:	B.K.
CHECKED:	Z.W.
SHEET NO.	

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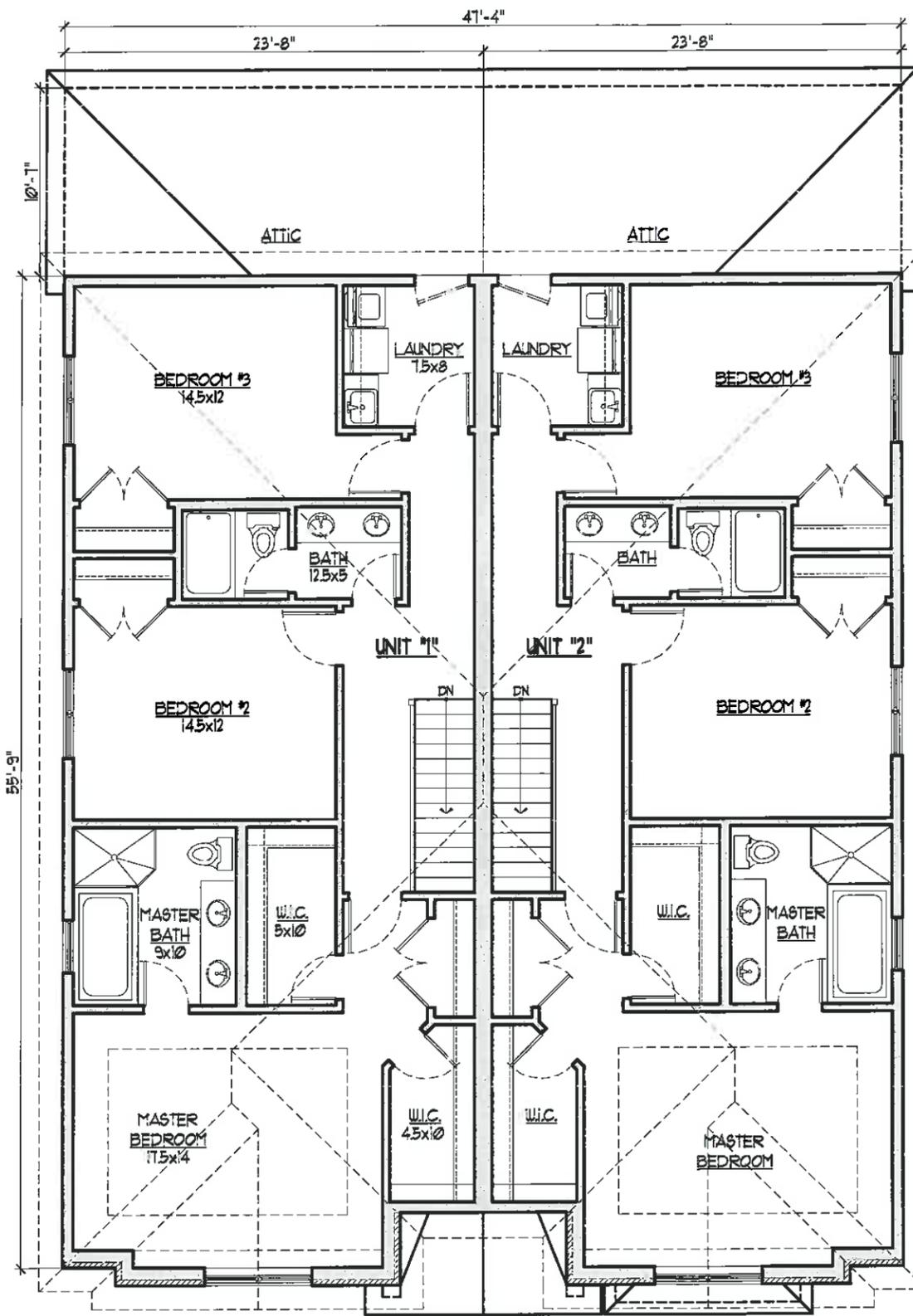
**REVISED**

AUG 15 2016



**1ST FLOOR PLAN**

SCALE: 1/8" = 1'-0"



**2ND FLOOR PLAN**

SCALE: 1/8" = 1'-0"

ABD & ASSOCIATES, LTD.  
 PROFESSIONAL DESIGN FIRM - NO. 184-082725  
 8747 W. BRYAN MAVER AVE. #505 - CHICAGO, IL 60618  
 PHONE: 773-884-0754 (I.W.) 703-596-1614 (B.K.) FAX: 708-670-9840  
 bd@abdco.com

**PROPOSED 2 UNIT TOWNHOME**  
 WESTMONT, ILLINOIS  
 226 BURLINGTON AVE

DATE: 6/30/2016  
 PROJECT: B.K. / Z.W.  
 DRAWN: B.K. CHECKED: Z.W.  
 SHEET NO.

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**VILLAGE OF WESTMONT  
PLANNING AND ZONING COMMISSION  
AGENDA ITEM**

**MEETING DATE: August 03, 2016**

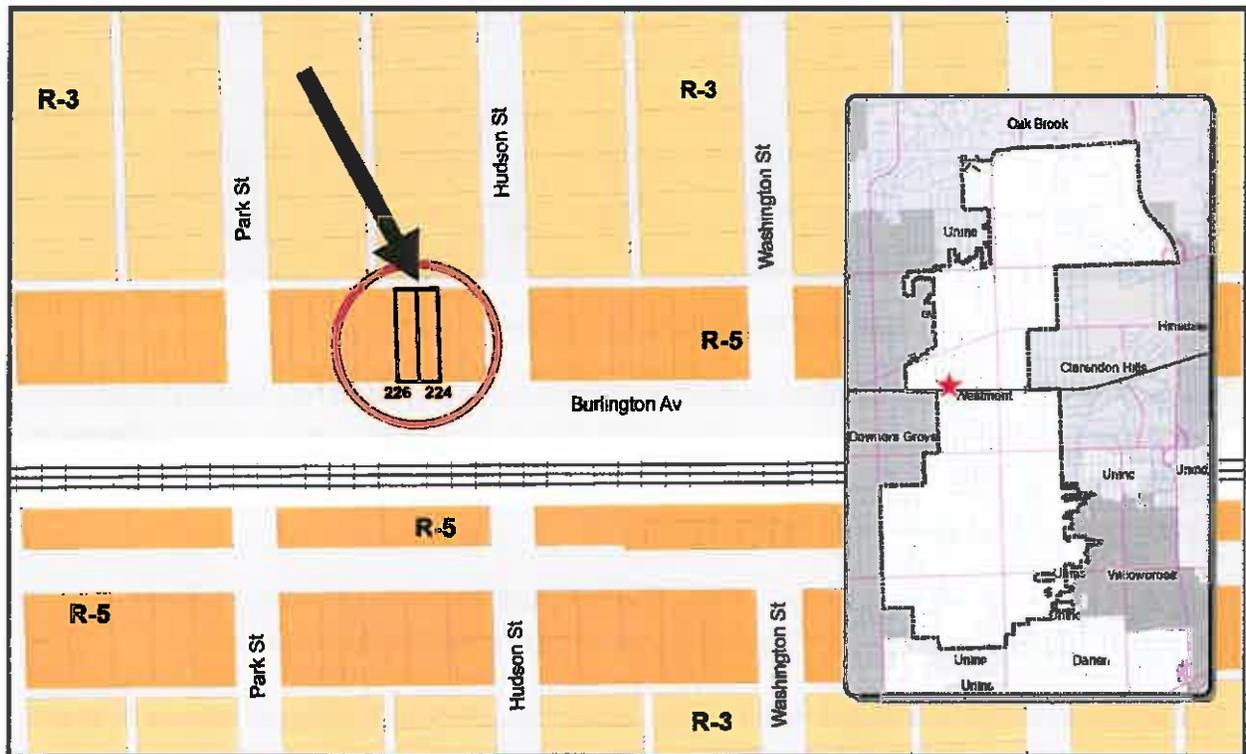
**P/Z 16-019**

**TITLE: Peak Custom Homes LLC regarding the properties located at 224 and 226 West Burlington Avenue, Westmont, IL 60559 for the following:**

- (A) Zoning Code Variance request for relief from the minimum square feet per building in an R-5 General Residence District.
- (B) Zoning Code Variance request for relief from the maximum allowable density in an R-5 General Residence District.
- (C) Site and Landscaping Plan approval to build two new single-family semi-detached dwellings.

**BACKGROUND OF ITEM**

The subject lots are located on the north side of West Burlington Avenue between Hudson and Park Streets and adjacent the Metra railroad tracks. Also known as Lots 10 and 11 in Block 17 of the Arthur T. McIntosh and Company's Fairmount Heights subdivision, each lot is approximately 30' x 134' and are approximately 4,020 square feet or 0.09 acres each.



**224-226 West Burlington Avenue Zoning Map**

The property is zoned R-5 General Residence District, as are the adjacent properties to the east and west. The property across the alley to the north is zoned R-3 Single Family Detached District. A house exists on the western lot (226 West Burlington) and has been vacant for many years. Each lot is a separate parcel and each retains an individual PIN through the county.



**224-226 West Burlington Avenue Aerial Map**

The petitioner has submitted plans to build a single-family semi-detached (duplex) building on the properties, and requests variances from both density and minimum lot size requirements to permit the construction. Additionally, site and landscaping plan approval is requested as a requirement of the R-5 General Residence District.

Each unit would be approximately 2,400 square feet, with three bedrooms, 2.5 baths, a basement and attached garage. The entire front facade would be faced with brick.

This proposal would be the first new construction in this block of Burlington Avenue in many years, and is somewhat similar to units constructed one block west along Burlington. Currently only single-family homes surround the properties.

## ZONING ANALYSIS

The subject property is located in the R-5 General Residence District. The R-5 district permits single-family, two-family and multiple family residences. By definition, this construction qualifies as a semi-detached dwelling with two units, each containing three bedrooms.

Minimum lot sizes for the district are defined in Appendix "A", Section 6.04 - Bulk and development standards in residence districts. A summary of requirements and requested density variances are discussed below.



**224-226 West Burlington Avenue as seen from Burlington Avenue**



**224-226 West Burlington Avenue as seen from the alley to the north of Burlington Avenue**

***Density summary for variance requests***

Code all requires semi-detached dwellings to have a minimum lot size of 10,000 square feet. Each individual lot only contains an area of 4,020 square feet, which is 5,980 square feet deficient. When considering this in units of dwelling units per acre, code would permit 8.71 du/ac. Based on lot area, the request is for 10.84 du/ac.

Density is further defined in code when considering the number of bedrooms for each allowable unit. The applicant has proposed that each unit have three bedrooms. In order to have three bedrooms per unit, code requires 4,500 square feet per dwelling. Each lot would result in a deficiency of 480 square feet. Again, converting into dwelling units per acre, code requires 9.68 du/ac, and the request is for 10.84 du/ac.

***R-4 Density chart based on new lots of 4,530 square feet***

	<b><i>Lot area by unit type</i></b>	<b><i>Lot area per building</i></b>
<b>Code Requirements</b>	4,500 sf/unit (3-bedroom units)	10,000 sf/building
<b>Variance Request:</b>	4,020 sf/unit (Deficient 480 sf) 10.7% unit density variance	4,020 sf/building (Deficient 5,980 sf) 59.8% lot density variance



**Adjacent similar development on Burlington**



**STAFF COMMENTS***Engineering/Public Works*

Preliminary comments on the engineering plans from both the Village Engineer and the Village's retained engineering consultant found no significant issues, although stormwater requirements will need to be addressed at time of permit application.

*Landscaping*

Landscape review indicates that additional trees and shrubs are needed, which would require a revised plan to be submitted before proceeding to Village Board.

**SUMMARY**

The applicant requests site and landscaping approval and variances for relief from both minimum lot size and density requirements for a semi-detached dwelling in the R-5 General Residence District.

---

**DOCUMENTS ATTACHED**

1. Public notice as published in the July 20, 2016 edition of the Westmont Progress.
2. Preliminary Review Comments
  - a. Village Engineer Noriel Noriega dated July 25, 2016.
  - b. Engineering and Landscaping Consultant Anthony Bryant dated July 22, 2016.
  - c. Village Forester Jonathan Yeater dated July 26, 2016.
3. Application for variances, with associated application materials, dated July 06, 2016.
  - a. Boundary and Topographic Survey, prepared by Professional Land Surveying, dated June 14, 2016.
  - b. Plat of Easement, prepared by Professional Land Surveying, dated June 22, 2016.
  - c. Demolition Plan, prepared by Kozoil Engineering Services, dated June 29, 2016.
  - d. Site Engineering Plan, prepared by Kozoil Engineering Services, dated June 29, 2016.
  - e. Site Plan (includes landscaping), prepared by ABD & Associates, LTD, dated June 30, 2016.
  - f. Building Plan and Elevations, prepared by ABD & Associates, LTD, dated June 30, 2016.



**Public Works Department  
Engineering Division**

31 West Quincy Street • Westmont, Illinois 60559  
Tel: 630-981-6272 Fax: 630-829-4479

**Date:** July 25, 2016

**To:** Mrs. Jill Ziegler, AICP  
Community Development Director

**From:** Noriel Noriega, PE, CPESC  
Assistant Director of Public Works - Village Engineer

**RE:** Proposed Townhome Development  
224/226 W. Burlington, Westmont  
Preliminary Review #1

We are in receipt of the following items for the proposed townhome development at 224/226 W. Burlington:

1. Boundary and Topographic Survey dated 06/14/2016 prepared by Professional Land Surveying, Inc.
2. Plat of Easement dated 06/22/2016 prepared by Professional Land Surveying, Inc.
3. Demolition Plan dated 06/29/2016 prepared by Koziol Engineering Services.
4. Site Engineering Plan dated 06/29/2016 prepared by Koziol Engineering Services.

A preliminary review of the submitted documents has no significant issues that we feel would prevent the project from continuing. Our listed comments below can be addressed during the Permit Application Process. It should be noted that additional comments should be anticipated when a full Permit Application Review is performed.

1. As shown, the proposed storm sewer layout will significantly affect three (3) existing healthy parkway trees. Change storm sewer layout along Burlington. Consider storm sewer to be parallel and closer to the curb and parallel to the curb of Burlington (depending on location of existing watermain, the storm sewer may need to be constructed with watermain quality pipe) or consider installing the storm sewer under the public sidewalk.
2. The proposed storm sewer along Burlington shall be a minimum of 8" PVC. Extend the storm sewer system parallel to Burlington Avenue to the shared property line of Lot 10 and 11 (preferred to the west property line of Lot 11).
3. Review and approvals will be required from Mr. Jon Yeater, Public Works Foreman - Village Forester, regarding any tree requirements. During the permit reviews, a tree survey will be required. If you have any specific questions, Mr. Yeater can be contacted at 630-981-6285.
4. It should be noted that this property is located within the jurisdiction of Downers Grove Sanitary District. Any sanitary requirements should reflect DGSD, not Flagg Creek.

If you have any further questions or concerns, please contact me at 630-981-6295.

Thank you.



6018 Sunset Ave.  
LaGrange Highlands, IL 60525  
708.269.3322  
Demetrios@PeakCH.com

**Cover Letter to Community Development Department Regarding 224-226 Burlington Ave.**

July 6, 2016

To Whom it may Concern,

Please see below the finding of facts to 224-226 Burlington Ave.:

The prospective owner of 224-226 Burlington Ave., Peak Custom Homes, is seeking two variances for this property. The property is R-5 Zoning which allows multi-family residential. The lot size (including both lots) is approximately 8,040 Sq. ft., 60' x 134'. For the prospective owner to put a multi-unit building on this property, they are seeking a variance to the following:

1. Zoning Code Variance request for relief from the minimum square feet per building in an R-5 General Residence District. The zoning code only allows two units on a property if the property has 4,500 sq. ft. per three bedroom units. This property has 4,020 sq. ft. per unit.
2. Zoning Code Variance request for relief from the maximum allowable density in an R-5 General Residence District. The zoning code only allows two units on a property if the total square footage of the property is greater than 10,000 sq. ft.. This property has 8,040 sq. ft.

What the owner is proposing is very similar to other neighboring buildings that were built with same type of restrictions this property has. The owner looks forward to working with the village on this matter.

Respectfully Submitted,

Demetrios Panos; PE, SE

President, Peak Custom Homes



6018 Sunset Ave.  
LaGrange Highlands, IL 60525  
708.269.3322  
Demetrios@PeakCH.com

July 6, 2016

Re: 224-226 Burlington Ave.

To Whom it may Concern,

Please see below the finding of facts to 224-226 Burlington Ave.:

- a. Due to the economy and the property value, this property would not yield a reasonable return under the conditions allowed.

**Finding of Fact:** The property (224-226 Burlington Ave.) is zoned R5. Any multi-family project built on this property will exceed the allowable density requirements. Without the variance, new construction on this property is not feasible and not marketable. Also, the current state of the existing structure on the property will be substantially improved with the Project we are proposing.

- b. The plight of the owner is due to unique circumstances in that the property value is not what it was when he bought it due to the downturn of the economy.

**Finding of Fact:** The current density requirements are antiquated, over 100 years old.

- c. The variation if altered will not alter the essential character of the locality, there are similar buildings that needed to go through the same process in order to yield a reasonable return. The essential character of the area is very much in line with what we are proposing.

**Finding of Fact:** In the general vicinity, there are similar projects in which the variances we are requesting have been approved. There are multi-family buildings that have been built in the general vicinity of the location of the proposed Project.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Demetrios Panos".

Demetrios Panos; PE, SE

President, Peak Custom Homes

**VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION**  
**FINDINGS OF FACT**

**PUBLIC HEARING OF AUGUST 3, 2016**

**P/Z 16-019 – Peak Custom Homes LLC, regarding 224 and 226 W. Burlington Avenue, Westmont**

Request for variances to allow (1) relief from the minimum square feet per building in the R-5 General Residence District, and (2) relief from the maximum allowable density in the R-5 General Residence District.

***CRITERIA NO. 1:** The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.*

**FINDINGS OF FACT:** Given the property acquisition and development costs, the variances sought are required if the Applicant is to yield a reasonable return on its investment. 3 bedroom units are required to meet market demand, but could not be built without these variances.

***CRITERIA NO. 2:** The plight of the owner is due to unique circumstances.*

**FINDINGS OF FACT:** Individual development on the individual small lots is highly unlikely, and development as proposed represents the highest and best use for these properties.

***CRITERIA NO. 3:** The variation, if granted, will not alter the essential character of the locality.*

**FINDINGS OF FACT:** A similar successful development exists in close proximity on Burlington Street. The proposed development is an appropriate transitional use between the rail line to the south, the Central Business District to the east and single family homes to the north, and the proposed development is consistent with the Comprehensive Use Plan. As such, this proposed development will not alter the essential character of the neighborhood.

6 The Planning and Zoning Commission agrees with the above findings.

0 The Planning and Zoning Commission does not agree with the above findings.



ESI Consultants, Ltd.  
*Excellence. Service. Integrity*

August 11<sup>th</sup>, 2016

Village of Westmont  
31 W. Quincy Street  
Westmont, IL 60559

Attn: Community Development Department

Re: Preliminary Land Development, Stormwater & BMP Review – Site Improvement Plans for 224-226 Burlington Avenue

We have performed a PRELIMINARY review of the revised Landscape Plan sent to us that relate to the above referenced project. This review focuses on the application of Land Development, Stormwater Management and BMP measures to the proposed Site Plan. Engineering Plan Comments are from the July 22<sup>nd</sup> Review Letter.

After reviewing the plans for compliance with the Westmont and DuPage Countywide Stormwater Ordinance and visiting the site we have the following comments:

**Engineering Plans and General Comments**

1. Overall the concepts presented on the Site Plan are acceptable and submittal of Plans for full permit review is recommended.
2. Total increase in impervious area for this development is 3440 square feet, therefore a PCBMP submittal is required as well as providing VCBMP water quality storage volume for 5040.2 square feet of impervious area. Total VCBMP storage is estimated at 525 cubic feet.
3. Runoff from all impervious surfaces shall be directed to the VCBMP storage facility.
4. Recommended storm sewer pipes within the Village right-of-way are a minimum of 12-inches in diameter. Recommended minimum pipe size for onsite storm sewer is 8-inches.
5. Sump pump discharge line shall be connected to the adjacent storm sewer
6. Provide cross-sections for the east and west sideyard swales. Provide capacity calculations to ensure that the swales can pass the 100-year critical storm without adversely impacting the structure.
7. The dimensions of the structure and driveway vary between the Site Plan and the Site Engineering Plan (house length 67-feet vs. 59-feet). Please confirm for consistency and revise the impervious area calculations, as necessary.
8. The diameter of all existing trees shall be shown on the boundary survey. Indicate which trees are to be removed.
9. Indicate the extents of the alley and sidewalk removal and replacement needed for installation of the sanitary services, water services, and storm sewer.

**Landscape Design Comments**

Article I:

**Sec. 80-6. - Protection.**

1. *Please provide an existing tree survey with tree locations, DBH and overall health of the tree.*
2. *Provide tree protection notes and details for the protection of existing trees within the parkway.*

**Sec. 80-15. - Tree appraisal.**

For the purposes of tree replacement, tree value will be determined on a DBH for DBH basis. Trees that are four inches DBH and smaller may be replaced at the associated cost of replacing a tree of the same DBH. Trees that are greater than four inches DBH may be replaced at the associated cost of replacing a number of trees whose DBH is equal to or greater than that of the DBH of the tree removed or damaged to the point in which removal is warranted. No single replacement tree will have a DBH greater than four inches DBH or less than two and a half inches DBH. [Example: A damaged tree of ten inches DBH can be replaced by four two and a half inch trees, or by two four inch trees and one two and a half inch tree.]

1. *Please provide a tree replacement plan and calculations based on an existing tree survey.*

**Sec. 80-16. - Tree maintenance standards**

1. *Please review the following standards and adjust the landscape plan accordingly:*

*Tree preservation standards.*

*a. General requirements:*

2. *Protective fencing is required for protection of any tree to be preserved in place within 15 feet of any construction or construction material or construction equipment storage, including trees on adjacent properties.*

*b. Tree preservation specifications:*

1. *Village of Westmont Tree Preservation Guidelines are contained in the Village of Westmont Standard Specifications, January 2006, and as they may, from time to time, be amended.*

2. Guidelines for auguring around parkway trees are contained in the Village of Westmont Standard Specifications, January 2003, and as they may, from time to time, be amended.
3. Landscape and site plans should reflect all existing trees to be saved and to be removed. Desirable trees should be protected from construction damage. Any person excavating within 15 feet of a public tree must notify the village 48 hours prior to beginning excavation. A site development permit must be obtained prior to any cutting of roots closer than 15 feet of any tree which is to be preserved on any site.
4. Flagging or prominent identification should mark trees to be saved. In traffic areas or places where the bark and cambium may be damaged, snow fence and steel posts should demarcate a safe zone around the tree.
5. Avoid compaction of soil by heavy equipment in the root zone of trees to be saved. In instances where soil compaction in the root zone cannot be avoided, vertical mulching and or deep root aeration may be required by the village.
6. Curb cuts should not be closer than five feet from the base of the tree.
7. Avoid cutting surface roots wherever possible.
8. When roots are cut, a smooth, clean cut should be made. Backfill and water immediately to reduce drying of the roots.
9. Where grade changes are required, the same area must be provided either by construction of a dry well where the level is to be raised or by building a retaining wall where the level is to be lowered.
10. The use of soil sterilants within the root zone of trees or in areas where leaching of soil sterilants into the root zone of trees may occur, is prohibited.

Article II:

**Sec. 80-41. - Landscape plan application procedure.**

1. *If it appears that existing trees on the property will be impacted by the proposed development. A tree survey will be required. (See notes/comments from previous section.)*
2. *The plant list is incorrect. Periwinkle ground cover as noted on the site plan is not listed or quantities shown.*
3. *The landscape plan is missing the utility easements and proposed contours.*
4. *The required landscape calculations to meet the Village requirements are as follows:*

*Residential, minimum standards for commercial and multi-family construction.*

*There is a total of 232 LF of building foundation depicted on the plan. There is 98 LF of building foundation facing a public and private street.*

a. *In front, side or rear yards, a minimum of two shrubs with a minimum height of 24 inches at the time of planting, must be planted for every ten linear feet of foundation along the portion of the building facing a public or private street.*

*The required plantings are 10 shrubs. There is a total of 19 that are provided along the front and rear yard. Requirement has been met.*

b. *In addition to the above, two of the following must also be satisfied:*

- *One shade tree must be planted on the site for each 100 linear feet of foundation, or portion thereof, along the front and corner side yards.*

*There is a total of 49 LF of building foundation along the front yard. There are no corner side yards on the site. The required planting is 1 shade trees. There is a total of 1 shade tree provided. Requirement has been met.*

- *Two under story or ornamental trees must be planted on the site for each 100 linear feet of foundation, or portion thereof, along the front and corner side yards.*

*There is a total of 49 LF of building foundation along the front yard. There are no corner side yards on the site. The required planting are 2 ornamental trees. There is a total of 2 ornamental trees provided. Requirement has been met.*

- *Two six to eight foot tall evergreens must be planted on the site for each 100 linear feet of foundation, or portion thereof, along the front and side yards.*

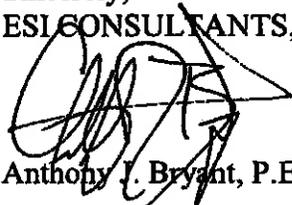
*There is a total of 49 LF of building foundation along the front yard. There are no corner side yards on the site. The required planting are 2 evergreen trees. There is a total of 2 evergreen trees provided. Requirement has been met.*

c. *Planting beds must be covered with ground cover or mulch.*

*Periwinkle ground cover and mulch beds have been noted. Requirement has been met.*

If you have any questions, please call me at (630) 420-1700 x2120.

Sincerely,  
ESI CONSULTANTS, LTD.



Anthony J. Bryant, P.E.



**VILLAGE OF WESTMONT  
PLANNING AND ZONING COMMISSION  
AGENDA ITEM**

**MEETING DATE:** August 10, 2016 *(continued from July 13, 2016)*

**P/Z 16-018**

**TITLE:** LWV Odessa Ponds, LLC, regarding the properties located at 6704-24 Echo Lane, 6703-24 Tudor Lane, 6703-24 Alpine Lane, 6703-24 Park Lane, 6703-24 Lakeshore Drive, 6703-24 Cedar Lane, 6703-24 Vail Drive, 6703-24 Aspen Lane, 6703-23 Maple Lane, Westmont, IL 60559 for the following:

Note: Current Staff Report is based off the the July 13, 2016 Staff Report. Revisions and additions are shown in *red italics*.

(A) Map Amendment request to rezone from R-4 General Residence District to a Planned Development Overlay District in the underlying R-4 General Residence District with the following exceptions from the Zoning Code:

1. Exception to reduce the required amount of useable open space, which is currently non-conforming.
2. *Exception to permit existing non-conforming lot area.*
3. *Exception to permit existing non-conforming front yard setbacks.*

(B) Zoning Code Variance request to exceed the maximum number of allowable accessory structures to construct clubhouse facilities.

(C) Zoning Code Variance request to exceed the maximum size of an accessory clubhouse structure.

(D) Zoning Code Variance request to exceed the maximum height of an accessory clubhouse structure.

*(E) Zoning Code Variance request to permit existing non-conforming number of parking spaces.*

(F) Preliminary Plat of Subdivision to consolidate the properties into two lots.

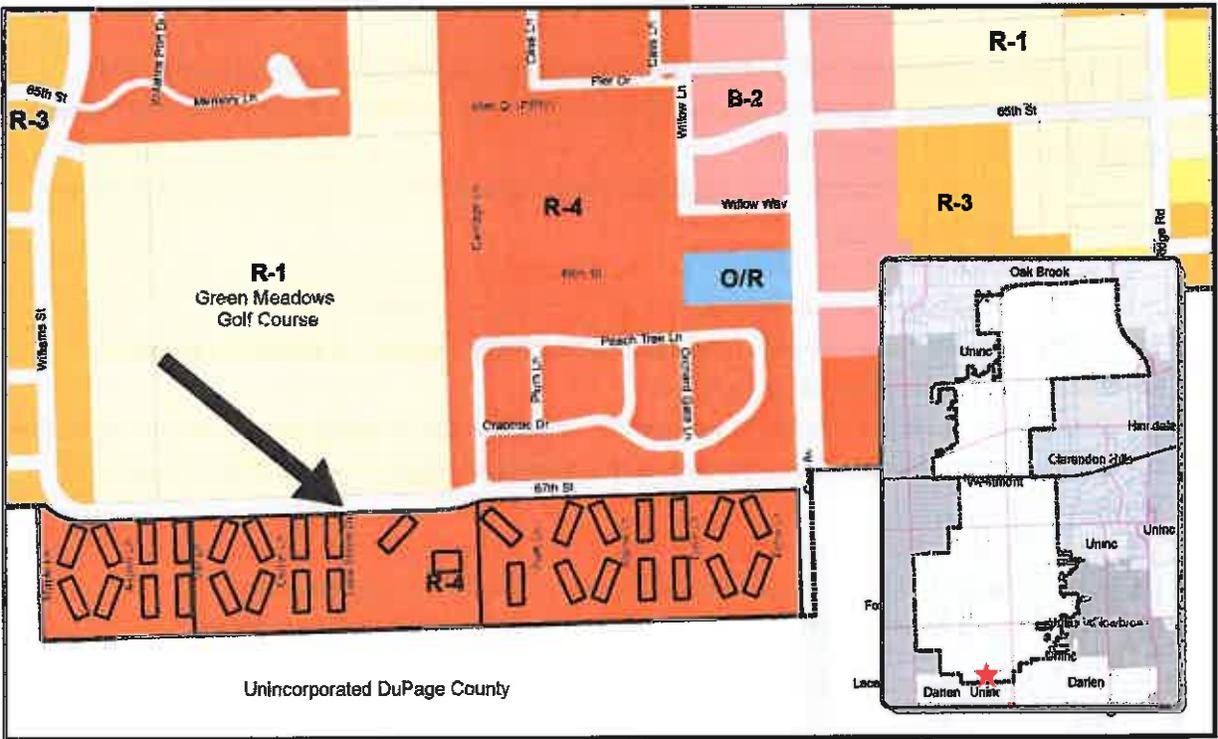
(G) Site and landscaping plan approval for the construction of clubhouse facilities.

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**BACKGROUND OF ITEM**

*First presented at the July 13, 2016 meeting, the applicant worked with staff to revise zoning requests to include additional waivers and a variance that were not published in the initial public notice. All requests have now been properly published for consideration, discussion and subsequent recommendations.*

The subject property is located at the southwest corner of Cass Avenue and 67th Street. Formerly know as the Ponds and having multiple owners of buildings and units, the property is now under single ownership and has been renamed the Westmont Village Apartments. The property is zoned R-4 General Residence District and is approximately 28.9 acres.

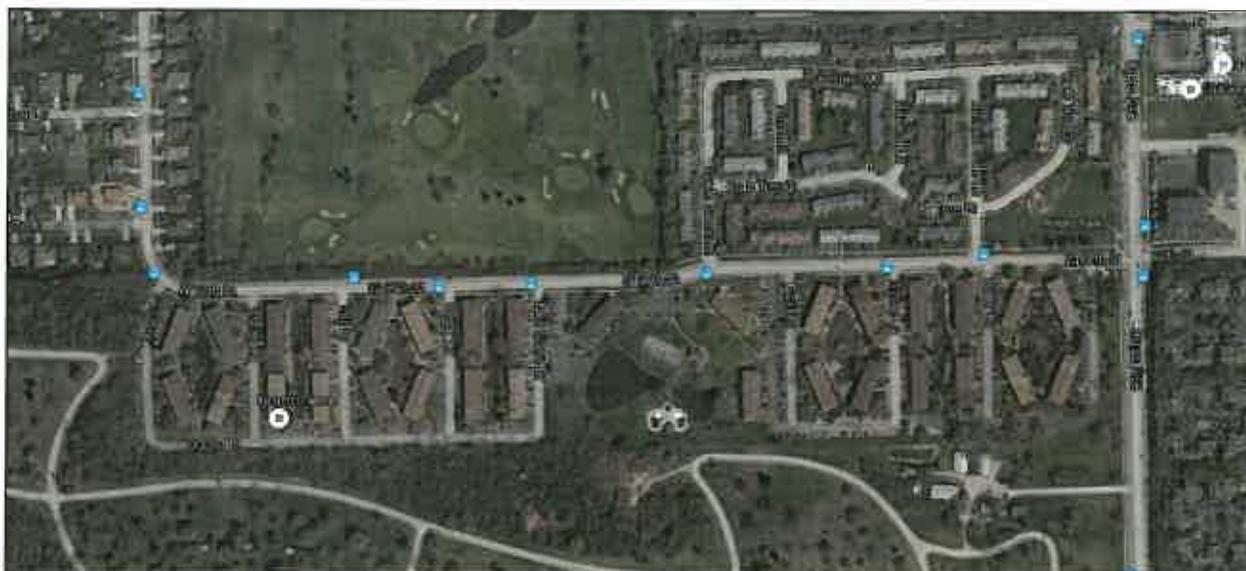


**Westmont Village Apartments - Zoning Map**

The petitioner wishes to improve the property with a new clubhouse that would include a leasing office, business lounge, fitness facility, common area, and outdoor amenities such as a patio, fire pit/bbq area, and swimming pool. A second clubhouse is requested with these approvals, but would not be constructed until an undetermined future date. Since purchasing the complex, the new property owner has installed new signage and new dumpster enclosures with concrete pads, and has begun renovation of interior units and roof replacements. The pools that were in disrepair have been demolished.



**Entry approaches from both the East and West**



**Aerial View - Westmont Village Apartments**

In order to accommodate this development, the applicant requests approval to rezone to a R-4/PD - General Residence / Planned Development District to both request waivers and variances for new construction, as well as waivers and variances for the existing conditions on the property in the event they do not comply with current Village code.

Finally, the property would be consolidated with a new Plat of Subdivision. Currently there are three underlying parcels on the property, with 94 separate tax ID PINs. These PINs had allowed the multiple ownership prior to being purchased by the current owner. The property is proposed to be consolidated into 2 separate lots, splitting the property into halves. One clubhouse would be situated on each of the new lots.



**Aerial View - Proposed site for two clubhouses**

## **ZONING ANALYSIS**

### **Planned Development Request**

The petitioner is requesting approval to rezone to a Planned Development Overlay District with an underlying R-4 General Residence District. Appendix A, Article IX, Section 9.01 states that Planned Development districts are meant to achieve creative design, promote variety, and concentrate open space in more useable areas. A planned development is a requirement when multiple residential buildings are on a single lot per Section 6.01 (D), further justifying the request.

Originally developed in the 1970s, the complex would not meet many of the code requirements if newly constructed. The Planned Development overlay will permit a development agreement with documented exceptions or waivers from the zoning code and would be specific to the development.

### **Purposes of the Planned Development District:**

- (A) To encourage more creative design and development of land.
- (B) To promote variety in the physical development pattern of the village.
- (C) To concentrate open space in more useable areas or to preserve natural resources of the site.
- (D) To provide means for greater creativity and flexibility in environmental design than is provided under strict application of the requirements of other zoning districts, while at the same time preserving the health, safety, order, convenience, prosperity and general welfare of the Village of Westmont and its residents.

- (E) To allow flexibility in development of land as necessary to meet changes in technology and demand what will be in the best interest of and consistent with the general intent of the comprehensive guide plan of the village.
- (F) To provide for the more efficient allocation and maintenance by private initiative of useable open space to all residential and commercial areas and to allow the most efficient use of public facilities and land in keeping with the best interests of the village.

As part of a planned development, zoning code variances are made a part of the ordinance and are termed waivers. A planned development can only address those waivers as permitted by code, so not all variances can be included as waivers.

### Waiver Requests

#### **Required Minimum Useable Open Space**

Appendix A, Article VI, Section 6.01 (C) (b) requires that all multiple family dwellings provide a minimum of 250 square feet of useable open space per unit. Usable open space is defined as "Space suitable for recreation, gardens or household service activities, such as clothes drying. Such space must be at least 75 percent open to the sky, free of automobile traffic, parking and undue hazards, and readily accessible by all those for whom it is intended."

With 564 current units (294 on proposed Lot 1 and 270 on proposed Lot 2), this would require 141,000 square feet, or 3.2 acres of usable open space. While the petitioner has not determined an actual number for the existing useable open space due to the complexity of the development and multiple parking lots and detention ponds, it is known that construction of the clubhouse(s) will result in a net loss of useable open space. The clubhouse will however be a useable amenity that is readily accessible for the residents and will provide indoor space for recreation.

Without concrete numbers to process, the petitioner requests that an approved site plan will document the existing conditions for usable open space and number of existing units.

#### ***Required Minimum Lot Area as Existing***

*Appendix A, Article VI, Section 6.04 (A) (4) requires a minimum lot size based on both the number of dwelling units and number of each bedrooms in each unit. Based on these requirements, Lot 1 as proposed would be deficient 21.5 acres or 62.7%, and Lot 2 would be deficient 15.2 acres or 48.6%. Staff notes that these deficiencies already exist on the current property, and no additional units are proposed that would increase the requirements.*

**Required Minimum Front Yard Setbacks**

*Appendix A, Article VI, Section 6.04 (F) (4) (a) requires a minimum front yard setback of 25 feet. Although not applicable to all structures on the property, both Lot 1 and Lot 2 have structures that do not meet the minimum. Setbacks of 14.84 feet exist on Lot 1 and 24.67 feet on Lot 2. Staff notes that the site plan as proposed for the Planned Development Agreement depicts the location of each individual building with a measurable setback, and the waiver would correspond to the existing conditions for each building. The waiver request would not create a blanket setback encroachment for any future development.*

Variance Requests

In order to construct one clubhouse on each of the newly created lots, variances are required as they are classified as accessory structures to the residential buildings. Variances are requested for number permitted, maximum height, and maximum size. Each variance requested is detailed in a table below.

**Maximum Number of Allowable Accessory Structures**

**Sec. 4.05. - Control over accessory structures and uses.**

	<i>Maximum Number Permitted*</i>	<i>Requested Number LOT 1</i>	<i>Requested Number LOT 2</i>
<i>Accessory Buildings and Structures</i>	1	1	2
<b>Variance Requested:</b>		<b>N/A</b>	<b>1 additional structure</b>

\* 1 permitted in addition to detached garage.

**Maximum Size of an Accessory Structure**

**Sec. 4.05. - Control over accessory structures and uses.**

	<i>Maximum Size Permitted</i>	<i>Requested Size LOT 1</i>	<i>Requested Size LOT 2</i>
<i>Accessory Buildings and Structures</i>	144 square feet	~6000 square feet	~6000 square feet
<b>Variance Requested:</b>		<b>~5856 square feet</b>	<b>~5856 square feet</b>

**Maximum Height of an Accessory Structure**

**Sec. 4.05. - Control over accessory structures and uses.**

	<b>Maximum Height Permitted</b>	<b>Requested Height LOT 1</b>	<b>Requested Height LOT 2</b>
<i>Accessory Buildings and Structures</i>	15'	27'-2"	27'-2"
<b>Variance Requested:</b>		<b>12'-2"</b>	<b>12'-2"</b>

**Sec. 10.06. - Off-street parking as Existing.**

	<b>Required based on Dwellings</b>	<b>Existing Spaces Provided/Required LOT 1</b>	<b>Existing Spaces Provided/Required LOT 2</b>
<i>Parking Spaces</i>	<i>1-bedroom: 1.0 space 2-bedroom: 1.5 spaces 3-bedroom: 2.0 spaces</i>	492/552	485/518
<b>Variance Requested:</b>		<b>60</b>	<b>33</b>

*Staff notes that deficiencies in parking are not being created by any applicant requests, and historically the property has not shown evidence of needing additional parking spaces.*

**Preliminary Plat of Subdivision**

The petitioner proposes consolidating the property with a new Plat of Subdivision. All of the approximate 97 underlying PINs would be consolidated into 2 new lots with corresponding PINs. One clubhouse would be situated on each of the new lots. The lots would be created as follows:

**Lot 1:** 16 residential buildings total  
294 residential dwelling units  
1 clubhouse (requested for approval but not yet scheduled to be built)  
12.8 acres

**Lot 2:** 15 residential buildings total  
1 clubhouse  
270 residential dwelling units  
1 facilities/maintenance building (former clubhouse)  
16.1 acres

The proposed consolidation would permit two separate owners in the future, but it remedies past issues of 50+ owners for consistency in property maintenance, fire inspections, and general property management.

## **COMPREHENSIVE PLAN ANALYSIS**

Not specifically addressed in the Comprehensive Plan, the proposal does enhance an existing multiple-family residential development, consistent with efforts to improve facilities, amenities, and property maintenance. The Comprehensive Plan does not recommend additional apartment units in areas that are not near the train station and the downtown, but does recommend either maintaining or reducing rental units. In this instance, the new owner is investing in the property and making the complex more viable, and is not increasing the number of units.

## **ECONOMIC DEVELOPMENT COMMITTEE DISCUSSION**

***Excerpt from May 4, 2016 below:***

*Russ Whitaker from Rosanova & Whitaker, LTD representing Westmont Village Green Apartments( 67th & Cass Ave) presented a picture of the Westmont Village Apartments showing 31 buildings on 30 acres. The property was developed in 3 phases in the late 1970's and had a unique ownership which consisted of 65 different owners. During that time and with so many owners there was never a collective interest in reinvesting in or maintaining the property. The property is now 100% under a single ownership and under this unified ownership there is an active plan to improve the property. One of the major improvements is to build a clubhouse which will soon be forthcoming to the Village for review.*

*There will also be a new plan to divide the property so 2 institutional investors would have ownership. This would allow for future sale of the property to sell either one lot or sell both at same time. One clubhouse is proposed for right now, could possibly see an additional clubhouse in the future but no plans for that as of yet. The current plans for the clubhouse consist of a business and fitness center and outdoor pool.*

*The applicant is actively working on drawings right now for the new clubhouse and hoping to submit by June 3rd to hit the July public hearing and Village Board in August for approval with the clubhouse being built this fall. Jim Addington asked Russ to explain the new tenant base. Russ Whitaker explained that each policy is each new and the current tenant must submit a new lease and go through a criminal background check. This new process has weeded out many who may not pass the criminal background check thus making the apartments a crime free community.*

*Bob Scott asked about the homeowners association, if one exists and will it continue. Russ Whitaker answered that there is currently a HOA but the plan is to dissolve because with a single ownership there won't be a need for that extra layer of management.*

*Bill Kalafut asked if there will be a massive resubdivision from the multiple lots creating just 2 lots? Russ Whitaker explained that when the applicant seeks site and plan approval for the clubhouse the applicant will also seek a 2 lot subdivision and create one lot line down the middle and from lot 1 and lot 2.*

*Jill Ziegler noted that when the property owner applies for development approvals they will submit the following:*

- 1. Plan development*
- 2. Re-zoning*
- 3. Re-subdivision*
- 4. Site and landscape development plan for new clubhouse.*

*Ed Richard asked if there are plans to sell off any of the property for the 2nd club house. Russ answered that there is not a present plan to sell anything off. Dividing property into 2 halves is best long term decision.*

*Ed Richard requested the existing ponds be looked at since there have been drainage issues. Jill Ziegler answered that is one of the issues that will be looked at when this comes to the Planning and Zoning Commission for Site Plan Review.*

*Chairman Addington requested a recommendation, Greg Pill motioned to recommend for approval, seconded, approved.*

#### **SITE PLAN COMMENTS**

The applicant is proposing construction of two clubhouses, one for each newly created lot. Only one clubhouse would be completed immediately. Each clubhouse would include a leasing office, business lounge, fitness facility, common area, and outdoor amenities such as a patio, fire pit/bbq area, and swimming pool.

To accommodate each clubhouse, parking will be revised and expanded. The parking lot adjacent to the clubhouse on Lot 1 will be expanded and include 28 new parking spaces. Lot two will improve an existing lot and add 1 additional space. Staff notes that municipal code does not specifically address a clubhouse facility that serves a multiple family complex and the improvements result in a net increase in the existing parking on site.

The existing clubhouse on Lot 2 will be converted into a maintenance facility, and an access drive will complete the conversion.

## STAFF COMMENTS

### *Engineering/Public Works*

Preliminary comments on the engineering plans from both the Village Engineer and the Village's retained engineering consultant found no significant issues, although stormwater requirements will be detailed due to the existing ponds on site.

*Street trees will be required along the length of 67th Street based on subdivision requirements.*

### *Landscaping*

Landscape review indicates that the screening berm needs planting revisions, tree diversity may be needed, and foundation plantings around the clubhouses will be required.

## SUMMARY

The applicant requests approval to rezone to an R-4/PD - General Residence / Planned Development District with a waiver to the required amount of open space. Variances are requested so that one clubhouse may be constructed in the immediate future, and one to be reserved for construction. A lot consolidation into 2 new lots remedy any future opportunities for multiple ownership of the residential buildings as in the past.

---

### **NEW DOCUMENTS ATTACHED**

1. *Copy of the public notice as published in the July 27, 2016 edition of the Westmont Progress.*
2. *Received Public Comments*
3. *Preliminary Review Comments*
  - a. *Village Forester Jonathan Yeater dated July 20, 2016.*

### **PREVIOUS DOCUMENTS PROVIDED (from the July 13, 2106 Public Hearing)**

1. Copy of the public notice as published in the June 29, 2016 edition of the Westmont Progress.
2. Preliminary Review Comments
  - a. Village Engineer Noriel Noriega dated July 05, 2016.
  - b. Director of Fire Prevention Bureau Larry Kaufman dated June 15, 2016.
  - c. Engineering Consultant Anthony Bryant dated June 28, 2016.
3. Minutes excerpt from the May 04, 2016 Economic Development Committee meeting.

4. Application for rezoning, PD waiver, variances, subdivision and site and landscaping plan approval dated April 08, 2016 and associated materials, including:
  - a. ALTA/ACSM Land Title Survey, prepared by Roake and Associates, Inc., dated October 26, 2015.
  - b. Preliminary/final Plat of Subdivision, prepared by Roake and Associates, Inc., dated June 03, 2016.
  - c. Preliminary Engineering Plan, prepared by Roake and Associates, Inc., dated June 03, 2016.
  - d. Final Planned Development Unit Plat, prepared by Roake and Associates, Inc., dated June 03, 2016.
  - e. Site Plan, prepared by Roake and Associates, Inc., dated June 03, 2016.
  - f. Architectural Site Plans, prepared by Cordogan Clark & Associates, Inc., dated June 03, 2016.
  - g. Future Clubhouse/Lot Line Exhibit, prepared by Roake and Associates, Inc., dated June 25, 2016

July 14, 2016

To: Westmont Community Development Dept.

31 West Quincy Street  
Westmont, Illinois 60559

RECEIVED  
JUL 18 2016

RE: PZ 16-018 LWV Odessa Ponds LLC Properties/ 558 units/ New clubhouse structure

Homeowners at 124 & 126 across the street would like to see the driveways  
On Park Lane one way traffic going into in Westmont Village on Park Ln( across  
from 126) would be traveling south. Traffic coming out of Park Ln  
(across from 128) would be traveling north. Reason being there is a connecting  
sidewalk from Park Ln to the new Rental office which would increase the flow of  
traffic making is difficult of those of us living on 67<sup>th</sup> to back out of our driveways.  
There already has been an accident regarding this very issue this past spring.

Also my husband and I took a walk with our dog the next morning after the  
very productive Village Hall Meeting the night prior which I had attended. I took  
pictures of all the signs which make up all the driveways of the Westmont Village.  
There are a total of nine streets a block from each street with the new club house  
located in approximately in the middle on Lake Shore. Also right off Lake Shore  
is a curve from the gulf coarse coming off of Williams street and residents coming  
out of Orchards Gates subdivisions. As mentioned in the meeting it is doable for  
participants to walk to the club house when the weather is pleasant  
but many are probably going to take advantage during the fall,winter and early  
spring months. The attorney representing the Naperville firm mentioned the street  
that would be affect by the flow of traffic as "Aspen". When we took our walk, we  
found that to be virtually impossible as there is a dead end to Aspen and Lake Shore  
approximately where the club house would be. Even if he said the word Alpine that  
also is an impossibility. So clearly parking is going to be an issue on Lake Shore & Park  
Lane. Again having lived here 20 years we see congestion as an issue and think the  
one way street in each direction on Park Lane is strong consideration.(picture Enc).

Sincerely,

*Karen Vetrovec*

*Richard & Karen Vetrovec*

REDACTED  
BY LAW





**Forest Preserve District  
of DuPage County**

35580 Naperville Road  
P.O. Box 5000  
Wheaton, IL 60189

630.933.7200  
Fax 630.933.7204  
TTY 800.526.0857  
dupageforest.org

Via email: [jziegler@westmont.il.gov](mailto:jziegler@westmont.il.gov)

July 13, 2016

Mr. Ed Richard, Chairman  
Planning and Zoning Commission  
Village of Westmont  
31 W. Quincy Street  
Westmont, IL 60559

Re: Public Notice regarding multiple lots located on PINs 09-21-400-028,  
09-21-400-055, and 09-21-400-093

Dear Mr. Richard:

The Forest Preserve District of DuPage County recently received a Public Notice regarding LWV Odessa Ponds, LLC's request for multiple variance requests, a map amendment, Plat of Subdivision to consolidate properties, and site plan approval. We appreciate receiving timely notification of such projects/requests that may have an impact on our property, and thank you for the opportunity to comment.

District Staff has reviewed the information provided and does not have any comments at this time. Please call me at (630) 933-7235 if you have any questions.

Sincerely,

Kevin Stough  
Land Preservation Manager

cc: Joseph Cantore, President  
Linda Painter, Commissioner District 3  
Michael Hulihan, Executive Director  
Dan Zinnen, Director of Resource Management and Development



**Public Works Department  
Street Division**

31 West Quincy Street • Westmont, Illinois 60559  
Tel: 630-981-6271 Fax: 630-829-4478

**Village of Westmont Apartments- Preliminary Landscape Review 7/20/16  
Subdivision and Clubhouse Proposal**

**Clubhouse Proposal**

1. An official Tree Survey, Tree Preservation Plan and Landscape Plan must be submitted for review. I have no comments on this until I can review those documents.

**Subdivision Proposal**

1. Parkway tree planting will be required prior to approval. There are 37 trees that will be required to be installed along the southside parkway area of west 67th Street at 35-50 foot spacings depending on the layout, utilities and existing trees. I have curb marked all locations in white paint. Plantings from Maple Lane east to the entrance of the proposed clubhouse shall be planted on each mark, centered in the parkway between the sidewalk and the curb. Plantings from the proposed clubhouse east to Echo Lane shall be planted on each mark, at a distance of 6-8 feet south of the existing sidewalk.

Tree species shall be (from west to east):

1. *Ulmus accolade* 'Morton' (Accolade Elm)
2. *Platanus acerifolia* (London Plaintree)
3. *Tilia americana* (American Basswood)
4. *Acer freemanii* 'Autumn Blaze' (Autumn Blaze Maple)
5. *Quercus macrocarpa* (Burr Oak)
6. *Aesculus glabra* (Ohio Buckeye)
7. *Celtis occidentalis* (Hackberry)
8. *Gymnocladus dioica* (Kentucky Coffeetree)
9. *Catalpa speciosa* (Northern Catalpa)
10. *Gleditsia triacanthos* var. *inermis* (Thornless Honeylocust)
11. *Quercus muehlenbergii* (Chinkapin Oak)
12. *Ulmus americana* 'Princeton' (Princeton Elm)
13. *Ulmus accolade* 'Morton' (Accolade Elm)
14. *Catalpa erubescens* 'Purpurea' (Purple Catalpa)
15. *Acer freemanii* 'Marmo' (Marmo Maple)

16. *Platanus acerifolia* (London Plaintree)
17. *Zelkova serrate* (Zelkova)
18. *Quercus imbricaria* (Shingle Oak)
19. *Aesculus hippocastanum* (Horsechestnut)
20. *Acer freemanii* 'Autumn Fantasy' (Autumn Fantasy Maple)
21. *Quercus ellipsoidalis* (Hills Oak)
22. *Catalpa speciosa* (Northern Catalpa)
23. *Quercus macrocarpa* (Burr Oak)
24. *Ulmus americana* 'New Harmony' (New Harmony Elm)
25. *Tilia americana* (American Basswood)
26. *Celtis occidentalis* (Hackberry)
27. *Corylus columna* (Turkish Filbert)
28. *Gymnocladus dioica* (Kentucky Coffeetree)
29. *Acer freemanii* 'Autumn Blaze' (Autumn Blaze Maple)
30. *Robinia pseudoacacia* 'Chicago Blues' or 'Purple Robe' (Black Locust)
31. *Aesculus glabra* (Ohio Buckeye)
32. *Ulmus* 'Morton Stalwart' (Commendation Elm)
33. *Quercus imbricaria* (Shingle Oak)
34. *Platanus acerifolia* (London Plaintree)
35. *Quercus macrocarpa* (Burr Oak)
36. *Tilia americana* (American Basswood)
37. *Ulmus americana* 'Princeton' (Princeton Elm)

If there are any questions on this, I would be more than happy to explain on site. I can be most easily reached at my email listed below.

2. There have been a number of trees on the private lot (the entirety of the subdivision) which have been recently removed. I realize all of these trees may not have been located in the best possible location and spacing from other trees may not have been ideal in some cases, but please replace 80% of those that were removed.

---

Jonathan Yeater  
Foreman/Forester, Village of Westmont Street Division  
630-981-6271  
[jyeater@westmont.il.gov](mailto:jyeater@westmont.il.gov)



**Public Works Department  
Engineering Division**

31 West Quincy Street • Westmont, Illinois 60559  
Tel: 630-981-6272 Fax: 630-829-4479

**Date:** July 5, 2016

**To:** Mrs. Jill Ziegler, AICP  
Community Development Director

**From:** Noriel Noriega, PE, CPESC  
Assistant Director of Public Works - Village Engineer

**RE:** Proposed Westmont Village Apartments Planned Unit Development  
6713 Lake Shore Drive, Westmont  
Preliminary Review #1

We are in receipt of the following items for the proposed Westmont Village Apartments Planned Unit Development at 6713 Lake Shore Drive:

1. ALTA / ACSM Land Title Survey dated 06/06/2016 prepared by Roake and Associates, Inc.
2. Preliminary / Final Plat of Subdivision for Westmont Village Apartments Subdivision dated 06/03/2016 prepared by Roake and Associates, Inc.
3. Preliminary / Final Planned Unit Development Plat for Westmont Village Apartments Subdivision dated 06/03/2016 prepared by Roake and Associates, Inc.
4. Preliminary Engineering Plan for Westmont Village Apartments - Proposed Clubhouse dated 06/03/2016 prepared by Roake and Associates, Inc.
5. Site Plan for Westmont Village Apartments - Proposed Clubhouse dated 06/03/2016 prepared by Roake and Associates, Inc.
6. Future Clubhouse / Lot Line Exhibit for Westmont Village Apartments dated 06/25/2016 prepared by Roake and Associates, Inc.

A preliminary review of the submitted documents has no significant issues that we feel would prevent the project from continuing. Our listed comments below can be addressed during the Permit Application Process. It should be noted that additional comments should be anticipated when a full Permit Application Review is performed.

1. Address all comments made by Mr. Anthony Bryant, PE, ESI Consultants, LTD, on his letter dated 07/01/2016.
  - a. Referencing comment #15: The Village's Directive 10 Stormwater Detention Design can be located on the Village's website ([www.westmont.il.gov](http://www.westmont.il.gov)) under Documents & Forms / Community Development.
2. Referencing the Preliminary/Final Plat of Subdivision:
  - a. Remove the Surface Water Statement Certificate on sheet 7. Relocate to the Engineering Site Improvement Plans.
  - b. Clarify the Permanent Access Control Covenant.
3. All stormwater management facilities shall be located within a Stormwater Detention Easements.
4. For the proposed parking lot improvements, address the following:



**Public Works Department  
Engineering Division**

31 West Quincy Street • Westmont, Illinois 60559  
Tel: 630-981-6272 Fax: 630-829-4479

- a. Provide curb and gutter. Remove the existing railroad ties being used as a barrier curb.
  - b. Provide "back-up" areas for the four (4) parking spaces at the corners of the parking lot for maneuverability in/out of the parking spaces.
  - c. Parking spaces should be 10' x 20'. The actual paved length of a space may be reduced by two (2) feet where adequate "head-in" bumper overhang space exists.
  - d. The proposed sidewalk along the south side of the parking lot shall be a minimum of seven (7) feet wide to accommodate bumper overhang.
5. During planning discussions, it was mentioned that maintenance repairs may take place at each of the eight (8) detention facilities throughout the site (i.e. rip-rap and miscellaneous cleanup). It is staff's recommendation to review other water quality improvements (i.e. wetland plantings, native vegetation, etc) before considering rip-rap. Although rip-rap/stone is quick and easy, it does not provide any water quality improvements to the site. And in most cases, it is more expensive. These water quality improvements can be used to help satisfy future requirements of the anticipated future clubhouse.
6. Please consider reviewing all water service b-box for each building. Over the years, it has been discovered that a significant amount of the b-boxes throughout the complex are inoperable where Village staff cannot perform a shut-down if requested (i.e. if plumbing work is needed inside where the plumber needs the water to be turned off). Public Works staff is available to meet and review each location for your repair consideration.
7. Review and approvals will be required from Mr. Jon Yeater, Public Works Foreman - Village Forester, regarding any tree requirements. Comments will be forwarded under separate cover. If you have any specific questions, Mr. Yeater can be contacted at 630-981-6285.

If you have any further questions or concerns, please contact me at 630-981-6295.

Thank you.

Cc: Mr. Mike Ramsey, PO - Director of Public Works (via email)  
Mr. Jim Cates - Public Works Supervisor, Water Operations / Facilities Manager (via email)  
Mr. Jon Yeater - Public Works Foreman, Village Forester (via email)  
Ms. Melissa Brendle - Municipal Services Office Supervisor (via email)  
Mr. Joe Hennerfeind - Planner II (via email)  
Mrs. Rose Gross - Municipal Services (via email)  
Mr. Anthony Bryant, PE - ESI Consultants, LTD (via email)



*Westmont Fire Department*  
HEADQUARTERS  
6015 South Cass Avenue • Westmont, IL 60559



Main Office (630) 981-6400  
FPB Director (630) 981-6402  
Fax (630) 829-4486

Date: June 15, 2016

To: Jill Zeigler - Community Development  
Joe Hennerfeind – Community Development

From: Larry Kaufman, Director  
Fire Prevention Bureau

Subject: Site Plan Review –

- **Westmont Village Apartments**
- **Lot consolidation and rezoning**
- **Proposed clubhouses**

The following comments are being made regarding the site plan for the proposed occupancy;

Site plan notes'

Applicable Fire Prevention Codes are:

**International Fire Code**, 2012 edition, with local amendments.

**NFPA Life Safety Code**, 2012 edition, with local amendments.

**International Building Code**, 2012 edition, with local amendments

Lot consolidation and rezoning – beyond scope of WFPB, no comments necessary

Proposed clubhouses;

- Proposed fire pit will require separate review
- FD access is acceptable for a fully sprinkled building

Please contact me with any additional questions.

Submitted,  
Larry Kaufman – MCP, CFM  
Director, Westmont FPB



**ESI Consultants, Ltd.**  
*Excellence. Service. Integrity*

June 28<sup>th</sup>, 2016

Village of Westmont  
31 W. Quincy Street  
Westmont, IL 60559

Attn: Community Development Department

Re: Preliminary Land Development, Stormwater & BMP Review – Site Improvement Plans for Westmont Village Apartments – Proposed Clubhouse

We have performed a PRELIMINARY review of the packages sent to us that relate to the above referenced project. This review focuses on the application of Land Development, Stormwater Management and BMP measures to the proposed Site Plan.

After reviewing the plans for compliance with the Westmont and DuPage Countywide Stormwater Ordinance we have the following comments:

**Engineering Plans and General Comments**

1. Clarification of the scope of the project should be made. On the Site Plan a “future clubhouse” is proposed. This clubhouse project encroaches upon the normal water level of the pond and no measures are presented to alleviate this. However, on the Grading and Utility Plan no “future clubhouse” is proposed. Please clarify the scope of work.
2. Overall the concepts presented on the North Clubhouse Site Plan are acceptable and submittal of Plans for full permit review is recommended, however, additional details will be required for the full permit review.
3. On the Site Plan, indicate all existing easements and add proposed easements. There should be drainage and utility easements and detention easements shown on the plan.
4. Indicate the high water level of the pond. Proposed fill up to this elevation will need to be compensated for on a 1:1 basis.
5. Indicate the sidewalk removal and replacement along the east limit of the project.
6. Provide data that indicates that the development meets the parking requirements. There does not appear to be any additional parking proposed to offset the increase in usage that will be caused by the new clubhouse. A plan should be in place for overflow parking.
7. The top and bottom of the proposed retaining wall is required. Certification by a professional structural engineer should be provided.
8. Indicate the direction of site runoff. Runoff from new areas should be tributary to the basin. If the future clubhouse is built then VCBMPs will be required and site from runoff would need to be conveyed to the BMP.
9. The proposed valve vault should not be located in the middle of the sidewalk.

10. Permeable pavers are indicated for part of the proposed patio. Provide a detail and maintenance and monitoring plan for the permeable pavers
11. Provide more detailed impervious area calculations
12. Soil and Erosion Control Plan shall be submitted.
13. Provide the proposed clubhouse top of foundation
14. If future clubhouse is anticipated, implementation of site BMPs during this phase is recommended.
15. Indicate additional detention requirements based on Westmont Stormwater Ordinance, section 34-34, if any.

### **Landscaping Plan Comments**

#### Article I:

##### **Sec. 80-6. - Protection.**

1. The plan does not depict or provide tree protection notes and details for the protection of the one existing tree along West 67<sup>th</sup> Street.

##### **Sec. 80-9. - Parkway tree planting required at new construction.**

1. Parkway trees are required along West 67<sup>th</sup> Street every 35 linear feet of the parkway. Please provide dimensioning for parkway tree plantings. It appears that 4 shade trees would be required within the parkway.

##### **Sec. 80-16. - Tree maintenance standards**

1. In order to avoid corner visibility obstructions, no trees shall be planted closer than 30 feet from the point of tangency of the curbs. Please show on the landscape plan all Corner Visibility Triangles as depicted in this section to avoid plant material greater than 24" mature height above the curb except trees that can be planted no closer than 10 feet so that the eventual growth avert interference to the driveway entrance from the parking lot.

#### Article II:

##### **Sec. 80-41. - Landscape plan application procedure.**

1. It appears that 3 existing trees within the project area could be impacted by the proposed development. A simple tree survey will be required.
2. A tree preservation will be required.
3. The landscape plan needs to be a site plan. It appears from the civil site plan that the parking lot is being renovated. The landscape plan does not match the civil site plan. The landscape plan should overlay the locations of existing trees to be preserved, utilities and utility easements, building pads, retention/detention basins, proposed contours and all proposed landscaping. Several of these items are missing from the landscape plan.

4. The pool area and shed that are depicted to be removed on the civil site plan are not specifically addressed as to the restoration of that area on the landscape plan.
5. The landscape plan fails to specifically address the restoration of the proposed service drive on the civil site plan.
6. The landscape plan is color coated for general planting locations. Please provide plant call outs for the final planting plan submittal.
7. Please provide quantities in the plant list.
8. All shade trees need to be 2.5" min. in diameter.
9. Please revise the landscape design to meet the Village requirements:

*Non-residential, minimum standards for commercial and multi-family construction.*

- a. At least 50 percent of the open space on the site shall be landscaped. The primary site area is approximately 1 acre with approximately 16,000 of open space. The landscape plan appears to provide 8,000 SF of landscaped area.
- b. At least one tree shall be planted for every 500 square feet of the area required to be landscaped. One-third of the trees shall be evergreens of a minimum six feet in height, one-third of the trees shall be ornamental a minimum of three inch caliper or six feet in height, and one-third of the trees shall be shade trees, a minimum of three inch DBH. Please provide a breakdown of the 16 tree quantities for shade, ornamental and evergreen trees. Five different varieties of trees must be used.
- c. One shrub shall be planted for every 50 square feet of the area required to be landscaped. For shrubs that mature less than five feet in height, minimum installation size shall be two feet tall. For shrubs that mature greater than five feet in height, minimum installation size shall be three feet tall. Please provide a breakdown of the 160 shrub quantities.
- d. Foundation plantings of a minimum width of six feet shall be provided on all sides of the main structure except where sidewalks, driveways or other hardscape abuts the structure. Foundation plantings shall be comprised of a combination of shade trees, ornamental trees, evergreens, shrubs, ground covers and flowers. Plan does not meet this requirement. The foundation plantings are heavy on perennials and does not provide a diversity of plant types. Please adjust the design to reflect a more diverse planting approach.

**Sec. 80-47. - Parking lots.**

1. *Parking lot interior.* At least one tree of not less than three inches DBH shall be planted for every 1,500 square feet of pavement area between zero and 6,000 square feet. For pavement areas exceeding 6,000 square feet at least one tree of not less than three inches DBH shall be planted each additional 3,000 square feet. Fifty percent of tree placement shall be within the pavement area as opposed to perimeter planting

The parking lot area is approximately 9,350 SF. 5 Shade trees are required and 3 need to be within the pavement area.

2. All off-street parking areas containing more than four parking spaces and non-residential driveways adjacent to lot lines shall be suitably screened on each side and rear lot line by a screen fence or wall not less than four feet in height plus a planting strip of four feet minimum width in accordance with the following, or on an alternate arrangement as approved by the village board. Suitable landscaping and ground cover shall be provided and maintained on a continuing basis within the planting strip. On the street lot line, a planting screen not less than three feet in height shall be installed, unless said screen interferes with the corner visibility triangle which requires a maximum height of less than 24 inches. Such planting screen shall be adjacent to the parking area. Suitable landscaping and groundcover shall be provided and maintained on a continuing basis between the screen fence and curb line. Planting screens, or hedges, fences or walls shall not exceed two feet in height where location is such that sight lines are necessary for vehicular movement across pedestrian ways

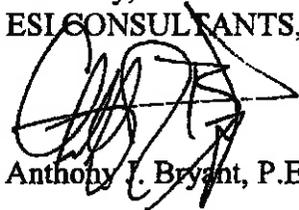
Parking lot screening is required to have a screen, fence or wall plus a planting strip of four feet minimum width for parking lots containing more than four parking spaces. The fence or wall seems misplaced for this project. However, the planting strip could contain a planting screen with shrubs instead of perennials as depicted on the landscape plan. The proposed landscape design does not meet this requirement and should be revised.

**Sec. 80-48. - Native/natural areas plantings.**

1. Very few of the proposed plants are native to Illinois.

If you have any questions, please call me at (630) 420-1700 x2120.

Sincerely,  
ESI CONSULTANTS, LTD.



Anthony J. Bryant, P.E.

## 6. New Business

### A. Russ Whitaker from Rosanova & Whitaker, LTD representing Westmont Village Green Apartments( 67th & Cass Ave)--

**Russ Whitaker**-Russ presented a picture of the Westmont Village Apartments showing 31 buildings on 30 acres. The property was developed in 3 phases in the late 1970's and had a unique ownership which consisted of 65 different owners. During that time and with so many owners there was never a collective interest in reinvesting in the property along with a collective interest in maintaining the property.

The property is now 100% under a single ownership and under this unified ownership there is an active plan to improve the property. One of the major improvements is to build a clubhouse which will soon be forthcoming to the Village for review.

There will also be a new plan to divide the property so 2 institutional investors would have ownership. This would allow for future sale of the property to sell either one lot or sell both at same time.

One clubhouse is proposed for right now, could possibly see additional clubhouse in the future but no plans for that as of yet. The current plans for the clubhouse consist of a business and fitness center and outdoor pool.

Actively working on drawings right now for the new clubhouse and hoping to submit by June 3rd to hit the July public hearing and Village Board in August for approval with the clubhouse being built this fall.

**Jim Addington**-asked Russ to explain the new tenant base.

**Russ Whitaker**-New policy is each new and current tenant must submit a new lease and go through criminal background check. This new process has weeded out many who may not pass the criminal background check thus making the apartments a crime free community.

**Bob Scott**-- Asked about the homeowners association, if one exists and will continue.

**Russ Whitaker**-there is currently a HOA but the plan is to dissolve because with a single ownership there won't be a need for that extra layer of management.

**Bill Kalafut**- Asked if there will be a massive resubdivision from the multiple lots creating just 2 lots?

**Russ Whitaker**-Yes when we seek site and plan approval for the clubhouse we will also seek a 2 lot subdivision and create one lot line down the middle and from lot 1 and lot 2.

**Jill Ziegler**--When the property owner applies for development approvals they will submit the following:

1. Plan development
2. Re-zoning
3. Re-subdivision
4. Site and landscape development plan for new clubhouse.

**Ed Richard**--Asked if there are plans to sell off any of the property for the 2nd club house.

**Russ**-Not a present plan to sell anything off. Dividing property into 2 halves is best long term decision.

**Ed Richard**--Requested pond to be looked at because it does not drain.

**Jill Ziegler**- One of the issues that will be looked at when this comes to the Planning and Zoning Commission.

**Jim Addington**- Requested a recommendation, Greg Pill motioned to recommend for approval, seconded, approved.

#### **B. 645 N. Cass Avenue**

**Jill Ziegler**--introduced Aaron King from Andy's frozen custard. Aaron is an Architect for Andy's Frozen Custard.

**Aaron King**-Andy's Frozen Custard is a quick service frozen dessert business with a freestanding restaurant with drive through and walk-up service windows. Aaron represents mostly the environment part of the business as far as securing locations for new restaurants.

There are 31 locations throughout the country with 5 locations in Chicago. The next proposed location would be at 645 N. Cass Ave in Westmont which is where the old Pizza Hut building sits.

The two challenges with this location is the Pizza Hut building sits on a lot that is not subdivided so they do not have anything that can be sold off to them right now. Andy's is working with the property attorney. The lot lines are also challenging as parking would overlap on the other part of the property that would not be owned by Andy's.

Andy's has a few site plans that have been developed and both plans have issues with the parking but will work with Village staff to work out the details in order to make one of the plans work. Both plans have a wrap around drive thru and walk-up windows and does not have sit down dining. The other issue is the canopy lighting which has an exposed lamp fixture to give the retro look but a shield can always be put on the lamps if not acceptable.

The prototype of the new building in Westmont would include a training room as this site would be a regional training area for managers to train new employees.

The challenge in Westmont too is the signage on the building. Westmont allows 2 and currently on the design there are 22, with some of those being illuminated. Again, Andy's will work with the Village to compromise. Freestanding signs may be much larger than what the Village will consider but again will work with staff to find something acceptable.

The building material in the front of the store will be all glass and on the sides will be a cement based material to look like wood which will last longer and doesn't require yearly maintenance.

**Jim Addington** --Asked if the custard machine would be a self serve?

**Aaron King**--This is not a self serve business, the frozen treat is scooped and handed to customer.



VILLAGE OF WESTMONT  
COMMUNITY DEVELOPMENT DEPARTMENT  
630-981-6260

RECEIVED	
Office Use Only	
Applicant #:	23 2313
Submission Date:	
Title:	WESTMONT BUILDING DIVISION

**APPLICATION FOR:**

- |  |   |
|--|---|
| <input type="checkbox"/> Annexation/Pre-Annexation Hearing | <input type="checkbox"/> Appeal from Decision of Zoning Official                            |
| <input checked="" type="checkbox"/> Map Amendment          | <input checked="" type="checkbox"/> Planned Development                                     |
| <input type="checkbox"/> Right-of-Way Dedication           | <input checked="" type="checkbox"/> Site/Landscaping Plan                                   |
| <input type="checkbox"/> Special-Use Permit                | <input checked="" type="checkbox"/> Subdivision/Consolidation/Lot Split (Preliminary)/FINAL |
| <input type="checkbox"/> Text Amendment                    | <input checked="" type="checkbox"/> Zoning Variation /Land Development Code Variance        |

**DESCRIPTION OF SITE:**

Common Description (Street Address): SW Corner of Cass Avenue & 67th Street

PIN Number: See Survey Current Zoning and Land Use: R4 - Multi-family

Existing Structures & Signs: 31 Buildings 558 Dwelling Units & Accessory Structures

Significant natural amenities (slope, vegetation, water bodies, floodplain, and other development restrictions):  
Detention Basins & Off-Site Wetland on Cemetery Property

[ PAID ]  
JUN 09 2016  
BY: *Kjd*

**PETITIONER INFORMATION:**

Petitioner (and corporation if applicable): LWW Odessa Ponds, LLC

Address: 30 W. Jefferson Street, Suite 200, Naperville, IL 60540

Phone: 630-355-4600 Email: russ@nw-attorneys.com

Relationship of Petitioner to Property: Owner \ Owner controls association which owns common areas

**PROPERTY OWNER INFORMATION (IF DIFFERENT THAN PETITIONER):**

Property owner (s) (and corporation if applicable) (list all beneficiaries of Trust): \_\_\_\_\_

Same as Petitioner

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**PROJECT STAFF (if applicable):**

Developer: N/A

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

VILLAGE OF WESTMONT *** CUSTOMER RECEIPT ***		
DATE: 06/09/16 TIME: 11:23:57		
DESCRIPTION	PAY CD	AMOUNT
ZSF-ZONE/SUBDIV WESTMONT VILLAGES	CK	1,650.00 3984
TOTAL AMOUNT DUE		1,650.00
AMOUNT TENDERED		1,650.00
CHANGE DUE		.00
TRANS #:	21	CASHIER CODE: 002
BATCH #:	C160609	REGISTER ID: 002

Attorney: Russell Whitaker - Rosanova & Whitaker, LTD.

Phone: 630-355-4600 Email: russ@rw-attorneys.com

Engineer: Jim Caneff - Roake & Associates

Phone: 630-355-4490 Email: jcaneff@roake.com

Architect: Cordogan, Clark & Associates

Phone: 630-986-4678 Email: lnovick@cordoganclark.com

Landscape Architect: Same as Architect

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Each Applicant is solely responsible for compliance with the provisions of the Village of Westmont Zoning Ordinance, Land Development Ordinance, and other ordinances, as well as the provisions, laws, and regulations of any other entity having jurisdiction over any facet of matters coming before the Planning and Zoning Commission and Village Board. Should this be an application for a parking variance in the B-1 Limited Business District, the applicant acknowledges that Ordinance No. 10-67 requires the payment of a cash-in lieu fee for waived parking spaces.

The undersigned request(s) approval of this petition and further certify(ies) on oath that the information contained herein and in all documents submitted in support hereof, is true and correct to the best of my/our knowledge and belief. By signing below, the applicant and/or property owner grant express permission to Village of Westmont staff and officials to inspect the premises as necessary in relation to this application.

By signing below, the applicant and/or property owner acknowledges that the *submittal fees are non-refundable*.

**PETITIONER SIGNATURE:**

Type or print name: R. G. Whitaker, II

Signature: [Handwritten Signature]

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS 3 DAY OF June, 20 16

[Handwritten Signature]  
Notary Public



**OWNER SIGNATURE:**

Type or print name: R. G. Whitaker, II

Signature: [Handwritten Signature]

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS 3 DAY OF June, 20 16

[Handwritten Signature]  
Notary Public



June 2, 2016

Jill Ziegler, AICP  
Community Development Director  
Village of Westmont  
31 W. Quincy Street 60559

**Re: Zoning & Subdivision Submittal  
Westmont Village Apartments**

Dear Ms. Ziegler:

I represent LWV Odessa Ponds, LLC, as the owner of the Westmont Villages Apartment complex generally located at the southwest corner of Cass Avenue and 67<sup>th</sup> Street in the Village of Westmont. To be clear, my client is the owner of the 31 apartment buildings and controls the Association that currently owns all of the common areas and open parking fields. It is the owners intent that all of the property would come under its unified ownership through this development process with the Village.

Owner acquired the property for the specific purpose of repositioning the asset- a process which began in earnest following a bulk closing on properties in October 2015. The property has been generally cleaned-up and was renamed Westmont Village Apartments. Owner continues to work with Village staff to address an array of issues associated with long-term deferred maintenance from the prior owners. Significant other improvements are contemplated for the property including such items as resurfaced parking lots, roof replacements, stabilization of detention basins, interior unit renovations and construction of a new clubhouse with associated resident amenities.

Owner now seeks certain Village approvals necessary to facilitate the improvements and the protection of owner's long-term investment in the property. To this end, the owner seeks the following relief, all of which is more specifically detail in the Petition submitted herewith:

1. Plat of Subdivision to consolidate the property into two lots;
2. Map Amendment to overlay a Planned Development District;
3. Site Plan approval to permit development of a clubhouse;
4. Certain variations associated with both existing improvements and the proposed clubhouse as more specifically set forth in the attached documentation.

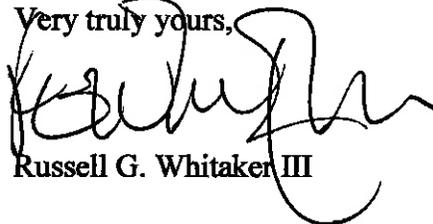
In support of the requested relief, I submit the following documentation for your review and consideration:

1. Application Form
2. Cover letter
3. Filing Fee
4. Legal Description (text format)
5. Proposed Site Plan
6. ALTA Survey

7. Landscape Plan
8. Architectural Elevation & Floor Plan
9. Petition for Zoning Relief
10. Notice List
11. Copy of Submitted Kane DuPage Soil & Water Conservation District Application

By Monday afternoon we will supplement this submittal with copies of a PUD Plat, Preliminary/Final Plat of Subdivision and Preliminary Engineering Plans. This documentation will come directly from our engineering firm. I look forward to working with you regarding this exciting project. I believe that the proposed improvements will dramatically improve the condition of the Westmont Village Apartments and, in the process, provide ancillary benefits to the surrounding community. Should you have any questions or concerns or should you need any additional documentation please don't hesitate to call at your convenience.

Very truly yours,



Russell G. Whitaker III

STATE OF ILLINOIS        )  
  )  
COUNTY OF DUPAGE        )  
  )  
VILLAGE OF WESMONT        )

**PETITION TO THE VILLAGE OF WESTMONT BOARD**  
**AND PLAN COMMISSION FOR ENTITLEMENTS REGARDING**  
**WESTMONT VILLAGE APARTMENTS**

THE UNDERSIGNED, LWV Odessa Ponds, LLC, a Delaware limited liability company (hereinafter, the “Petitioner”), as the owner of the Property hereinafter described, respectfully petitions the Village of Westmont to: (i) re-subdivide/consolidate the Property; (ii) grant a map amendment to overlay a Planned Development District and modify the specific regulations of the underlying R-4 zoning district; (iii) approve a Site Plan for construction of a clubhouse as an accessory use; (iv) grant certain variances as more specifically set forth herein; (v) grant a variation from the Code to permit construction of a clubhouse amenity; and (vi) approve any such other variations or deviations from the Code as it may be deemed necessary and appropriate under the circumstances.

**BACKGROUND INFORMATION**

This Petition relates to numerous parcels of land owned by the Petitioner, generally located at 67<sup>th</sup> Street and Cass Avenue in Westmont, Illinois, (the “Property”), which Property is legally described on **Exhibit “A”**, attached hereto and made a part hereof. Attached as **Exhibit “B”** is a copy of the ALTA Survey that depicts the condition of the Property as of October 26, 2015, immediately preceding Petitioner’s bulk acquisition of individual ownership units in the Property.

During the mid- to late-1970’s, development of the Property was approved in four phases. There is no record of annexation or applicable ordinances evidencing the approvals, but the collective Willow Falls PUD Plats, copies of which are attached hereto as **Exhibit “C”**, are recorded against the Property and evidence the Village’s consent to the development by virtue of signatures by from the Village President and the Village Clerk (the “Historic PD Plats”). The Property was ultimately improved with thirty-one (31) buildings containing a total of five hundred and fifty-eight (558) dwelling units on approximately thirty (30) acres. Each of the thirty-one (31)

buildings is divided into three (3) separate ownership units with each ownership unit consisting of six (6) apartments. All of the parking and common areas are owned and managed by a community association (the "Association").

With ownership structure so varied and in most cases maligned, many problems arose within the apartment community such as: dramatic fluctuations in rental values, spikes in criminal activity, and an overall physical deterioration as a result of significant deferred maintenance. These issues ultimately became institutional problems and led to the community being identified as a "problem community."

The Petitioner acquired the Property in a piecemeal process throughout 2015. Today, Petitioner owns 100% of the 93 ownership units and controls the Association which owns all of the common areas. Petitioner is in the midst of a significant re-investment in the Property that will enhance both the apartment complex itself and, in-turn, the broader Westmont community. Petitioner has already evidenced this commitment by instituting new administrative policies concerning background checks, structuring rental values which are commensurate with individualized units, providing a cosmetic face-lift of the community and investing financial resources to clean up various sections of the Property.

As a condition to continued investment in the Property, Petitioner now seeks to re-organize the legal structure of the community and confirm the long-term right to operate the community consistent with its vision and general parameters of the institutional investment community. As part of this process, Petitioner seeks to re-subdivide the property in order to collapse the divided ownership structure. Petitioner also seeks to overlay a Planned Development Zoning District and obtain necessary zoning variances in order to permit the construction of a new clubhouse facility and to guarantee its continued right to operate the existing buildings.

**1. Consolidation of Ownership Interests in the Property.**

Petitioner seeks to re-subdivide the Property as depicted on Preliminary/Final Plat of Subdivision, attached hereto as Exhibit "D" and made a part hereof (the "Plat"). The Plat will consolidate the various ownership interests, three common areas owned by the Association and 93 "units" in 31 buildings owned by Petitioner, into just two separate ownership units. The resulting lots created by the Plat will effectively divide the 585 unit apartment community into two halves. Petitioner presently intends to operate both halves as a single community, but the proposed configuration provides ultimate flexibility to create two separate communities respectively

consisting of 270 and 288 dwelling units. The proposed subdivision is necessary and appropriate to facilitate elimination of the existing association and to configure the Property consistent with modern development standards frequently utilized in an institutional ownership community. The consolidation of ownership interests will also eliminate the possibility unequal and divided ownership interests that created the conditions that Petitioner now seeks to remedy. The proposed Plat is necessary and appropriate to facilitate Petitioner's plans for the Property. The proposed Plat meets the legal standards for a Subdivision consistent with the Village's Subdivision Ordinance.

**2. Map Amendment to overlay a Planned Development District.**

The proposed rezoning is necessary and appropriate to facilitate Petitioner's plans for the Property. The proposed rezoning meets the legal standards for a rezoning of the Property, and, to this end, the Petitioner represents as follows:

*A. The amendment promotes the public health, safety, comfort, convenience and general welfare and complies with the policies and official land use plan and other official plans of the Village;*

A Map Amendment to overlay a Planned Development on the Property promotes the health, safety, comfort, convenience and general welfare of the Village by aligning the long-standing use of the Property with the Village's existing zoning ordinance to encourage Petitioner's reinvestment in the Property. The existing improvements to the Property are presently permitted as legal non-conforming use. Without assurance that the existing improvements to the Property could be rebuilt in the event of a catastrophe, Petitioner would not invest significant resources, both time and economic, toward renovation of the improvements and overall reinvestment in the Property. The Petitioner's improvements and reinvestment in the Property promotes the general welfare of the community by, among other things, improving the aesthetic appearance of the community, improving the quality of the community housing stock, improving the value of the community housing stock, reducing crime rates in the community and generally eliminating a blighted condition in the community. The proposed amendment will formalize the Village's acceptance of the existing and proposed improvements to the Property and facilitate Petitioner's continued investment in the improvements thereof, all as depicted on the "PUD Plat" attached hereto as Exhibit "E" and made a part hereof. Allowing the Petitioner to improve the multi-family

buildings already on the Property complies with the Village's Comprehensive Plan to improve existing housing stock with adequate community facilities and updated infrastructure.

*B. The trends of development in the area of the subject property is consistent with the requested amendment;*

The neighborhood surrounding the Property is fully developed and the character of the neighborhood is well established. The existing Westmont Village Apartments are an essential element of that character. The proposed amendment does not contemplate any material physical change in the character of the neighborhood, but facilitates the reinvestment and ongoing use of the Property consistent with the residential character of the neighborhood.

*C. The requested zoning classification permits uses which are more suitable than the uses permitted under the existing zoning classification;*

The current zoning classification is R-4 which allows use of the Property for multi-family residential dwelling units. The historic plats evidencing Village approval of the development of the Property specifically reference the Property being a "P.U.D.", but without other documentation and in light of the Village's intervening amendment of the zoning ordinance, Petitioner seeks to clearly establish the terms upon which the property can be used and governed by the Village. It is Petitioner's intent that the Planned Development overlay district would permit the ongoing use of the Property as depicted on the PUD Plat attached hereto. In light of the problems associated with the historic divided ownership interests in the Property, Petitioner's proposed amendment and associated improvements to the Property are more suitable than the use of the property as historically permitted. Moreover, the amendment will align the use of the Property with the Village's existing zoning ordinances.

*D. The subject property has not been utilized under the existing zoning classification for a substantial period of time; and*

The Property has been and continues to be utilized under the Village's R-4 zoning district, but the use of the Property in the R-4 district is substandard to other similarly positioned zoned properties. Certain improvements to the Property may be legal non-conforming uses. Accordingly, the current R-4 zoning designation is not the most appropriate zoning designation for the Property, and as a result, the Property suffers from deferred maintenance and a general lack of reinvestment necessary to maintain the Property consistent with general trends in the apartment industry.

*E. The amendment, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.*

The amendment to overlay the Planned Development will have no effect on the physical character of the neighborhood. However, the general improvement and reinvestment in the Property triggered by the proposed amendment will result in significant positive changes to the neighborhood ranging from simple aesthetics, to quality of community housing stock and safety of neighborhood residents. The amendment, if granted, will not be a substantial detriment to adjacent property- but to the contrary, it will facilitate positive community change.

**3. Site Plan approval for the construction of a clubhouse as an accessory use.**

The proposed site plan approval is necessary and appropriate to facilitate Petitioner's construction of a clubhouse on the Property. The proposal meets the legal standards for site plan approval, and, to this end, the Petitioner represents as follows:

*A. All plans shall be so designed that the public health, welfare and safety will be protected.*

The Site Plan is designed to protect the public health, welfare and safety of both the residents of the Westmont Village Apartments and the broader Westmont community. The Site Plan is attached hereto as Exhibit "F" and is made a part hereof. The Site Plan focuses on the central portion of the Property, with the only physical changes to the existing conditions being the addition of a clubhouse and associated improvements. Petitioner presently intends to construct an approximately 6,000 square foot clubhouse facility on "Lot 2" of the Property, said Lot 2 being a creation of the Plat. The proposed clubhouse would include community leasing operations, a fitness center, a business center, community rooms, an outdoor pool and associated common areas for recreational use by residents of the apartment community. Petitioner also seeks the right to construct a second clubhouse to be located on Lot 1, off Lake Shore Drive (a private road). Petitioner does not presently intend to construct the second clubhouse located but seeks the right to construct the clubhouse in the event that the community was to be operated under divided ownership as two separate and distinct apartment communities. The clubhouse(s) will enhance the lifestyle and general health of the residents of the apartment community by offering a place for communal gathering, relaxation, social events and educational seminars. Petitioner has considered the clubhouse's relationship to both the principal structured on the parcel and the adjacent

properties. To this end, Petitioner has chosen to situate the clubhouse(s) as depicted on the Site Plan to create a grand entrance to the community, to create a dramatic pond overlook and to provide sufficient separation from adjacent properties. Additionally, the modest stature of the proposed clubhouse will not interfere with adequate space, light, air, or use and is generally consistent with the character of improvements in the neighborhood.

*B. The proposed development of the site shall be such that it does not cause substantial injury to the value of other property in the neighborhood.*

The addition of the clubhouse(s) and outdoor deck areas as depicted on the Site Plan will not cause substantial injury to the value of other property in the neighborhood, but rather, will help improve the character of the community. The proposed clubhouse is not proximate to living units located on other neighboring property so the physical structure is non-impactful. However, and more importantly, the proposed clubhouse is part of Petitioner's overall strategy to reposition the apartment community. This repositioning of the community will improve the quality of the units, increase the prevailing rental rates and decrease criminal activity, all of which should result in positive improvements to the value of other property in the neighborhood.

*C. All plans shall provide for protection of both aesthetics and function of the natural environment, which shall include, but not be limited to, conditions pertaining to floodplains, soil and geologic characteristics and preservation of vegetation.*

Included with Petitioner's Development Application are landscape plans, architectural plans, engineering plans and associated details, all evidence the manner in which the proposed clubhouse development will protect aesthetics and function in the existing environment. The landscape plan complies with Village requirements and will include significant new plantings that will improve the character of the outdoor environment. The architectural plans will require variations from Village requirements, but said plans are generally consistent with the character of existing improvements to the property and include a variety of high-quality building materials designed to withstand environmental conditions over the long-term.

*D. All plans shall provide for the transmission, retention or detention of stormwater with such facilities installed so as to complement existing or proposed stormwater facilities, unless the board of trustees shall determine upon recommendation of the public works director that stormwater facilities need not be provided or a cash contribution in lieu of such facilities is made. In the event the board of trustees determines that a cash contribution be made in lieu of installation*

*of stormwater facilities, such amount shall be determined by the public works director and the use thereof shall be restricted to the provision of stormwater facilities installed by the Village.*

As is more specifically detailed in Petitioner's engineering plans, Petitioner will comply with the requirements of the DuPage County Stormwater Ordinance.

**4. Petitioner requests the following variations and/or deviations from the Village of Westmont Zoning Code as more fully set forth in paragraphs 4.1-4.5 below.**

**4.1. Petitioner requests a variation from Section 6.01(D) of the code to allow more than one (1) residential building located upon a single lot.**

***A. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located;***

Under Section 6.01(D) of the Code, only one (1) residential building may located upon a single lot. The Property presently consists of multiple buildings, each being located on an individual "lot." As previously stated, historic operations under the "multiple building/multiple lot" configuration led to problems such as dramatic fluctuations in rental values, spikes in criminal activity, and an overall physical deterioration as a result of significant deferred maintenance. Petitioner seeks to remedy those problems and reposition the Property for continued success into the future. Consolidating multiple structures onto a single lot will prevent the type of divided ownership situation that has resulted in significant historical problems at the Property. Moreover, the consolidated ownership structure is the generally accepted industry practice and is therefore widely understood in the marketplace and accepted by institutional type owners. By consolidating ownership and opening the community to possible institutional ownership there is a larger market for the property, owner can rationally expect a return on investment in the community, and the Village can expect to avoid the type of issues that have historically plagued the Property.

***B. The plight of the owner is due to unique circumstances; and***

The existing one building per lot configuration was established upon development of the Property in the 1970's. While historical documentation is limited, the general consensus is that the unique ownership structure was the product of interest rates in excess of 10%. Capital was exceptionally expensive at the time and didn't facilitate the type of institutional ownership of

apartment communities that we see today. In today's market, most apartment communities are owned under unified control with all of the structures being located on one or two lots as is presently proposed for the Property.

*C. The variation, if granted, will not alter the essential character of the locality.*

The essential character of the locality will not be changed if the variation request is granted. In fact, there will be no visible outward manifestation distinguishable to the naked eye. Should the variation request be granted, the only difference will be lot lines unnoticeable to anyone residing or visiting the apartment community.

**4.2. Petitioner request a variation to reduce the minimum yard requirements**

*A. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located;*

As outlined above, Petitioner acquired an existing community that was originally developed pursuant to the Historic PD Plats approved by the Village under the terms of the Village's historic zoning ordinance. Post development of the Property the Village amended its zoning ordinance and established the minimum yard requirements more specifically set forth in Section 6.04 of the zoning ordinance. The existing improvements, as depicted on the PUD Plat, do not comply with the Village's current minimum yard requirements. Accordingly, Petitioner seeks a variation to permit the location of the buildings as depicted on the PUD Plat- encroaching into the required yards. The variation is necessary to facilitate Petitioner's continued investment in the Property. Absent the variation, Petitioner could not proceed with plans to reposition the community. Absent the repositioning of the community, it would remain in a blighted condition and Petitioner could not earn a reasonable return on its present investment in the Property.

*B. The plight of the owner is due to unique circumstances; and*

The plight of the Petitioner is unique in that the apartment community has existed in its current configuration for almost forty (40) years. Accordingly, Petitioner did not create the present condition, but purchased the existing asset in which the condition already existing. While Petitioner has the right to continue utilizing the Property under the present conditions, Petitioner requires further assurances of the Village's long-term support of the Property to justify significant investment in improvements to the Property.

*C. The variation, if granted, will not alter the essential character of the locality.*

Petitioner proposes no changes to the Property that would violate the minimum yard requirements established in the Village's zoning ordinance. The proposed clubhouse additions all comply with the existing zoning requirements. The only structures requiring relief from the minimum yard requirements are existing structures that have been occupied in their existing condition for approximately the forty (40) years. Given that Petitioner proposes no change to the Property that would violate existing requirements, the variation is simply an acknowledgement of existing conditions and would do nothing to alter the essential character of the neighborhood.

**4.3. Petitioner requests a variation from Section 6.01(C) of the code to allow for a reduction in the required usable open space consisted with Petitioner's Site Plan.**

*A. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located;*

The purpose of the useable open space requirement is to provide recreational areas for residents and to enhance the natural beauty and environmental quality of neighborhoods. Here, the useable open space will be consistent with the Site Plan as depicted in **Exhibit "F"**. The Site Plan provides for useable open space virtually identical to the pre-existing use of the property. The only difference between the pre-existing use and the Petitioner's Site Plan is addition of the clubhouse(s) amenity. In many communities a clubhouse type facility would qualify as "usable open space" because it is generally designed to meet the recreational needs of residents. Here, the Village of Westmont defines "usable open space" as:

"space suitable for recreation, gardens or household service activities, such as clothes drying. Such space must be at least 75% open to the sky, free of automobile traffic, parking and undue hazards, and readily accessible by all those for whom it is intended."

Petitioner's proposed construction of clubhouse(s) amenity will directly improve quality of life for residents of the apartment community as it will serve both recreational and household needs. With the exception of the clubhouse(s) amenity all other useable open space within the apartment community will remain the same as it was prior to the Petitioner's acquisition of the Property. In sum, if the variation is not granted the Property will not be able yield a reasonable return and stifle Petitioner's continued re-investment.

*B. The plight of the owner is due to unique circumstances; and*

The plight of the Petitioner is unique in that the apartment community has existed in its current configuration for almost forty (40) years. Accordingly, Petitioner did not create the present condition, but purchased the existing asset with the intention of improving the asset in manner consistent with present market conditions. Here, construction of the clubhouse will reduce the existing usable open space, but will serve as a direct benefit to the residents of the community. This is a unique condition related to Petitioner's intent of repositioning the apartment community that would not be faced by another developer of a new apartment community.

*C. The variation, if granted, will not alter the essential character of the locality.*

The variation, if granted, will not alter the essential character of the Property or the surrounding neighborhood. Petitioner effectively seeks a variation to confirm the existing usable open space less the amount that will be dedicated to clubhouse construction. Petitioner does not have a present mechanism to calculate the existing usable open spaces, accordingly we seek the variance to confirm usable open space as depicted on the Site Plan. The difference between existing conditions and the proposed Site Plan is simply the addition of one, possibly two, clubhouse structures that will serve the recreational and household needs of residents of the community. By definition, these clubhouses do not qualify as "usable open space" but certainly satisfy the intent of the Village's usable open space requirement. The proposed clubhouses are relatively small in size (approximately 6,000 square feet) and are single-story structures. Accordingly, the clubhouses will seamlessly fit within the existing landscape and will not alter the essential character of the locality.

**4.4. Petitioner requests a variation from Article X of the code to permit existing surface parking lots as depicted on the PUD Plat.**

*A. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located;*

As outlined above, Petitioner acquired an existing community that was originally developed pursuant to the Historic PD Plats approved by the Village under the terms of the Village's historic zoning ordinance. Post development of the Property the Village amended its zoning ordinance and established the minimum requirements above and beyond those requirements as of the date of the development of the Property. The existing improvements, as depicted on the PUD Plat, do not specifically comply with various requirements of the Village's Off-Street Parking and Off-Street Loading regulations as specifically set forth in Article X of the

Code. Accordingly, Petitioner seeks a variation to permit off-street parking and off-street loading for the Property as specifically depicted on the PUD Plat. Petitioner is in the process of resurfacing all of the parking lots within the Property, but given the scope of issues with the Property due to a long history of deferred maintenance, Petitioner cannot commit to bringing all of the parking lots up to current Code standards. Such a requirement would impose a substantial financial burden on the Petitioner and would undermine other investments in the Property that will have a more dramatic and profound impact on the overall aesthetic, function and character of the community.

*B. The plight of the owner is due to unique circumstances; and*

The plight of the Petitioner is unique in that the apartment community has existed in its current configuration for almost forty (40) years. Accordingly, Petitioner did not create the present condition, but purchased the existing asset in which the condition already existing. While Petitioner has the right to continue utilizing the Property under the present conditions, Petitioner requires further assurances of the Village's long-term support of the Property to justify significant investment in improvements to the Property. In this instance, Petitioner specifically seeks to grind and resurface parking areas within the Property. This investment will improve the aesthetic of the community and address a long-term maintenance item, but will not solve all of the technical code requirements that could be appropriately addressed in a "greenfield" development scenario.

*C. The variation, if granted, will not alter the essential character of the locality.*

Aside from resurfacing the parking lots, Petitioner proposes no functional changes to the number of parking spaces or the overall function of the parking lots. Accordingly, Petitioner is improving the existing condition that has existed within the community for approximately forty (40) years. Petitioner's proposal will not alter the essential character of the neighborhood, but like all of the changes proposed by Petitioner, will provide a tremendous benefit to the broader neighborhood as the Property is improved and repositioned.

**4.5. Petitioner requests a variation from Section 6.04(A)(4)(B) & (C) of the code to permit a reduction in the minimum lot area required under said Section.**

*A. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located;*

Under the Bulk and Development Standards for Multi-Family Dwellings, the minimum lot area per unit for multi-family dwellings is established as follows:

4-bedroom: 7,500 square feet

3-bedroom 6,700 square feet  
2-bedroom: 5,300 square feet  
1-bedroom: 3,800 square feet.

As noted above, there are 558 total units among the 31 buildings located on the approximately 28.88 acre Property. Of the total units, 116 are 1-bedrooms, 419 and 2-bedrooms and 23 are 3-bedrooms. Based on this existing unit-mix, Code would require a total lot area of approximately 64 acres. Said differently, the Property presently has an average lot area of 2,254 square feet per dwelling unit (irrespective of bedroom count). The property could not yield a reasonable return if permitted to be used only under the conditions allowed by the district regulation as it would require that existing dwelling units either be demolished or left vacant. This is clearly an absurd result that would only exacerbate historic problems at the community and would prevent Petitioner from making additional investments to address long-term deferred maintenance at the community. Accordingly, Petitioner seeks a variation to reduce the required lot area for the Property consistent with the existing schedule of improvements.

*B. The plight of the owner is due to unique circumstances; and*

The plight of the Petitioner is unique in that variation is dictated by existing conditions. The Property was developed prior to the establishment of the Village's present zoning ordinance and the lot area requirements outlined above. The Property has remained in much the same condition over approximately the past forty (40) years and Petitioner proposed no changes to the unit-mix or dwelling count that has prevailed over that same time-period.

*C. The variation, if granted, will not alter the essential character of the locality.*

The variation, if granted, will not alter the essential character of the locality. As noted above, the condition creating the variation is not only presently existing, but has been prevailing for approximately forty years. Surrounding properties have been developed, sold and occupied during the pendency of this condition. Accordingly, the granting of the variation will not alter the essential character of the neighborhood, but will preserve the well-established and ingrained character, albeit in an improved condition based on Petitioner's proposed reinvestment in the Property.

**5. Petitioner requests a variation from Section 4.02(D)(2) and Section 4.05 (C)(2) of the code to permit the construction of a Clubhouse amenity.**

*A. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located;*

Under Section 4.02(D)(2) of the Code detached accessory buildings in residence districts shall not exceed one story or fifteen (15') feet, whichever is lower. Additionally, under Section 4.05(C)(2) of the Code accessory buildings shall not exceed one hundred and forty four (144) square feet in area. As previously mentioned above, Petitioner intends to improve the apartment community by installing a modern six thousand (6,000) square foot clubhouse(s) with a building height of twenty-seven feet and two inches (27' 2") as depicted on that Site Plan, attached hereto as Exhibit "D" and as generally depicted on the "Clubhouse Plans" attached hereto as Exhibit "G". The clubhouse(s) will be the focal point of the apartment community enhancing the lifestyle and general health of the residents by offering a place for communal gathering, relaxation, social events and educational seminars. Petitioner has chosen to situate the clubhouse(s) as depicted on the Site Plan to create a grand entrance to the community, to create a dramatic pond overlook and to provide sufficient separation from adjacent properties. The proposed clubhouse would include community leasing operations, a fitness center, a business center, community rooms, an outdoor pool and associated common areas for recreational use by residents of the apartment community, all as depicted on the Clubhouse Plans. Petitioner also seeks the right to construct a second clubhouse to be located on Lot 1 off Lake Shore Drive (a private road). Petitioner does not presently intend to construct the second clubhouse but seeks the right to construct the clubhouse in the event that the community was to be operated under divided ownership as two separate and distinct apartment communities.

The purpose and intent of both regulations is to promote aesthetic value throughout the village such that they may be preserved and enhanced. In addition, these regulations seek to avoid interference with adequate space, natural light, pure air and privacy of adjacent properties.

Here, the proposed clubhouse will do more to enhance the aesthetic value of apartment community and the Village as a whole. Petitioner's Site Plan and Clubhouse Plan evidences construction of the utmost quality and craftsmanship with attractive design elevations and associated landscaping. The Clubhouse will not interfere with adjacent properties as they are not proximate to the clubhouse and primary outdoor activity areas will be appropriately buffered. Further, under the current regulations no suitable clubhouse could be built at or below the one hundred and forty four (144) square feet requirement. Any construction at this size will be

extremely small and defeat the general purpose of having a clubhouse. Thus, if the variation is denied the property will be unable to yield a reasonable return and any future re-investment in the Property will be halted.

*B. The plight of the owner is due to unique circumstances; and*

The plight of the owner is due to unique circumstances related to the existing condition of the improvements. Most modern apartment communities include a clubhouse or other social/recreational amenities so that residents of the apartment community have a natural gathering place. Even a very small, basic clubhouse would be constructed at greater than one hundred and forty four (144) square feet, which would accommodate nothing more than basic bathrooms. Petitioner's Site Plan is consistent with the trend of clubhouse construction and its proposed height does not interfere or dwarf the surrounding properties. The tasteful construction coupled with the elegant design will improve the lifestyle of residents by providing modern amenities common to a clubhouse and apartment community.

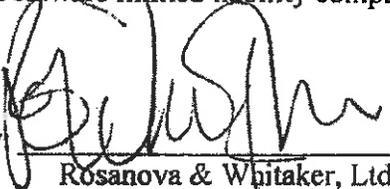
*C. The variation, if granted, will not alter the essential character of the locality.*

Construction of the proposed clubhouse will not alter the essential character of the neighborhood. The addition of one or two small clubhouse buildings to the existing 28 acre campus consisting of 31 3-story buildings is de minimis. At the same time, the addition of the clubhouse, in tandem with Petitioner's boarder improvement plan, will reposition the community to the betterment of the neighborhood and the Village in general. The modest stature of the proposed clubhouse will not interfere with adequate space, light, air, or use and will be consistent with the character of the improvements of the neighborhood. Construction of the proposed clubhouse is wholly consistent with the character of the surrounding neighborhood. Disapproval of the variation will cause the property to continue its steady decline and continue to remain an eye sore within the community.

**WHEREFORE**, by reason of the foregoing, the undersigned Petitioner requests the Village of Westmont City Council and Planning and Zoning Commission take the necessary steps to: (i) re-subdivide/consolidate the Property; (ii) grant a map amendment to overlay a Planned Development District and modify the specific regulations of the underlying R-4 zoning district; (iii) approve a Site Plan for construction of a clubhouse as an accessory use; (iv) grant certain variances as more specifically set forth above; (v) grant a variation from the Code to permit

construction of a clubhouse amenity; and (vi) approve any such other variations or deviations from the Code as it may be deemed necessary and appropriate under the circumstances.  
RESPECTFULLY SUBMITTED this 3rd day of June. 2016.

LWV Odessa Ponds, LLC,  
a Delaware limited liability company

By  \_\_\_\_\_  
Rosanova & Whitaker, Ltd.  
Attorneys for Petitioner

**VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION**  
**FINDINGS OF FACT**

**PUBLIC HEARING OF AUGUST 10 2016**

**P/Z 16-018: LWV Odessa Ponds, LLC regarding 6704-24 Echo Lane, 6703-24 Tudor Lane, 6703-24 Alpine Lane, 6703-24 Park Lane, 6703-24 Lakeshore Drive, 6703-24 Cedar Lane, 6703-24 Vail Drive, 6703-24 Aspen Lane, and 6703-23 Maple Lane, Westmont, IL.**

Request to rezone the property to a planned development overlay district in the underlying R-4 General Residence District, with several exceptions from the Zoning Code, to accommodate an existing residential development and new clubhouse facilities.

***CRITERIA NO. 1: The proposed planned development achieves the following purposes of Article IX of the Westmont Zoning Ordinance:***

- (A) Encourages more creative design and development of land.***
- (B) Promotes variety in the physical development pattern in the Village.***
- (C) Concentrates open space in more useable areas or preserves natural resources of the site.***
- (D) Provides means for greater creativity and flexibility in environmental design than is provided under strict application of the requirements of other zoning districts, while at the same time preserving the health, safety, order, convenience, prosperity and general welfare of the Village of Westmont and its residents.***
- (E) Allows flexibility in development of land as necessary to meet the changes in technology and demand what will be in the best interest of and consistent with the general intent of the comprehensive guide plan of the Village.***
- (F) Provides for the efficient allocation and maintenance by private initiative of useable open space to all residential and commercial areas and to allow the most efficient use of public facilities and land in keeping with the best interests of the Village.***

**FINDINGS OF FACT:** This project consists of an existing, older residential development which is situated on numerous individual lots and with numerous non-conformities from the Zoning Ordinance. By approving this project as a Planned Development, it will accommodate the new owner and its lender by eliminating the non-conformities and allowing the owner to rebuild in the event of substantial damage or destruction. Additionally, this Planned Development approval combined with the owner's plat of consolidation will allow the owner to construct a new clubhouse facility and will allow the owner to locate a future second clubhouse facility. The flexibility provided by Planned Development approval will allow for more creative design and land use, will preserve existing open space, and will give assist the owner in property upgrades which will preserve the public health, safety and welfare.

\_\_\_\_\_ The Planning and Zoning Commission agrees with the above finding.

\_\_\_\_\_ The Planning and Zoning Commission does not agree with the above finding.

**CRITERIA NO. 2:** *The Exceptions to the Zoning Code are necessary to allow the property to yield a reasonable return, which could not occur if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.*

**FINDINGS OF FACT:** This property is fully-developed with several non-conforming lots and setbacks and structures. The exceptions to the Zoning Ordinance will provide the owner with the ability to improve the property, while preserving the owner's right to rebuild the existing structures in the event of substantial damage or destruction. These exceptions will allow the owner to yield a reasonable return on its investment.

The Planning and Zoning Commission agrees with the above finding.

The Planning and Zoning Commission does not agree with the above finding.

**CRITERIA NO. 3:** *The plight of the owner is due to unique circumstances and warrants the requested Exceptions from the Zoning Ordinance.*

**FINDINGS OF FACT:** The owner did not create the existing non-conformities, and instead is simply seeking the flexibility provided by Planned Development approval to continue to improve and, if necessary, rebuild the existing structures.

The Planning and Zoning Commission agrees with the above finding.

The Planning and Zoning Commission does not agree with the above finding.

**CRITERIA NO. 4:** *This proposed project, with the Exceptions from the Zoning Code, will not alter the essential character of the locality.*

**FINDINGS OF FACT:** The property is fully improved and the owner is currently upgrading the existing structures and facilities. The only new improvement proposed is a clubhouse facility and a potential future clubhouse facility. The existing residential buildings and the proposed new clubhouses will not alter the essential character of the area.

The Planning and Zoning Commission agrees with the above finding.

The Planning and Zoning Commission does not agree with the above finding.

**VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION**  
**FINDINGS OF FACT**

**PUBLIC HEARING OF AUGUST 10, 2016**

**P/Z 16-018 – LWV Odessa Ponds, LLC regarding 6704-24 Echo Lane, 6703-24 Tudor Lane, 6703-24 Alpine Lane, 6703-24 Park Lane, 6703-24 Lakeshore Drive, 6703-24 Cedar Lane, 6703-24 Vail Drive, 6703-24 Aspen Lane, and 6703-23 Maple Lane, Westmont, IL.**

Request for variances to allow an increase in the maximum number of allowable accessory structures, to increase the maximum size of an accessory structure and to increase the maximum height for an accessory structure, all to accommodate a proposed clubhouse facility.

***CRITERIA NO. 1:** The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.*

**FINDINGS OF FACT:** The property is in need of substantial upgrades to the existing buildings and also requires new and enhanced facilities. The owner proposes to construct a new clubhouse facility to serve this large residential project, and the variances are necessary in order to construct a clubhouse which will meet the resident's needs, while allowing the owner to yield a reasonable return.

***CRITERIA NO. 2:** The plight of the owner is due to unique circumstances.*

**FINDINGS OF FACT:** If the owner were to strictly comply with the accessory structure provisions of the Zoning Ordinance, it could not construct a clubhouse facility. The clubhouse facility, if approved, will constitute a needed amenity for this development, which will increase the development's overall appeal and value.

***CRITERIA NO. 3:** The variation, if granted, will not alter the essential character of the locality.*

**FINDINGS OF FACT:** The proposed clubhouse facilities will located within the existing development, will be restricted to residents of this residential development, and will not add traffic to the local streets or otherwise endanger the public health, safety or welfare. As a result, granting these variances will not alter the essential character of the neighborhood.

The Planning and Zoning Commission agrees with the above findings.

The Planning and Zoning Commission does not agree with the above findings.

**VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION**  
**FINDINGS OF FACT**

**PUBLIC HEARING OF AUGUST 10, 2016**

**P/Z 16-018 – LWV Odessa Ponds, LLC regarding 6704-24 Echo Lane, 6703-24 Tudor Lane, 6703-24 Alpine Lane, 6703-24 Park Lane, 6703-24 Lakeshore Drive, 6703-24 Cedar Lane, 6703-24 Vail Drive, 6703-24 Aspen Lane, and 6703-23 Maple Lane, Westmont, IL.**

Request for a variance to permit an existing number of non-conforming parking spaces.

***CRITERIA NO. 1:** The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.*

**FINDINGS OF FACT:** The property is a fully-developed residential development with a non-conforming number of off-street parking spaces. The owner is not constructing new residential dwellings and simply seeks a variance to permit the parking spaces which exist in order to yield a reasonable return.

***CRITERIA NO. 2:** The plight of the owner is due to unique circumstances.*

**FINDINGS OF FACT:** The owner did not create the existing non-conforming parking spaces, and the cost to install additional parking spaces with related storm water detention upon the limited space available is cost prohibitive.

***CRITERIA NO. 3:** The variation, if granted, will not alter the essential character of the locality.*

**FINDINGS OF FACT:** This variance simply recognizes the existing shortfall of off-street parking spaces. No new residential development is proposed, and as such, granting this variance will not alter the essential character of the area.

6 The Planning and Zoning Commission agrees with the above findings.

0 The Planning and Zoning Commission does not agree with the above findings.

# PRELIMINARY/FINAL PLAT OF SUBDIVISION FOR WESTMONT VILLAGE APARTMENTS SUBDIVISION

OF  
PART OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 5, TOWNSHIP 38 NORTH,  
RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS

ABBREVIATIONS	
000.00' M	MEASURED DATA
000.00' C	COMPUTED DATA
000.00' R	RECORD DATA
R=	RADIUS
A=	ARC LENGTH
PN	PERMANENT INDEX NUMBER
E.B.E.	EXCEPTION TO BLANKET EASEMENT

LINETYPE LEGEND	
	BOUNDARY LINE
	ADJOINER LOT LINE
	CENTER LINE
	RIGHT OF WAY
	EASEMENT LINE
	BUILDING LINE
	SECTION LINE
	UNDERLYING LOT LINE

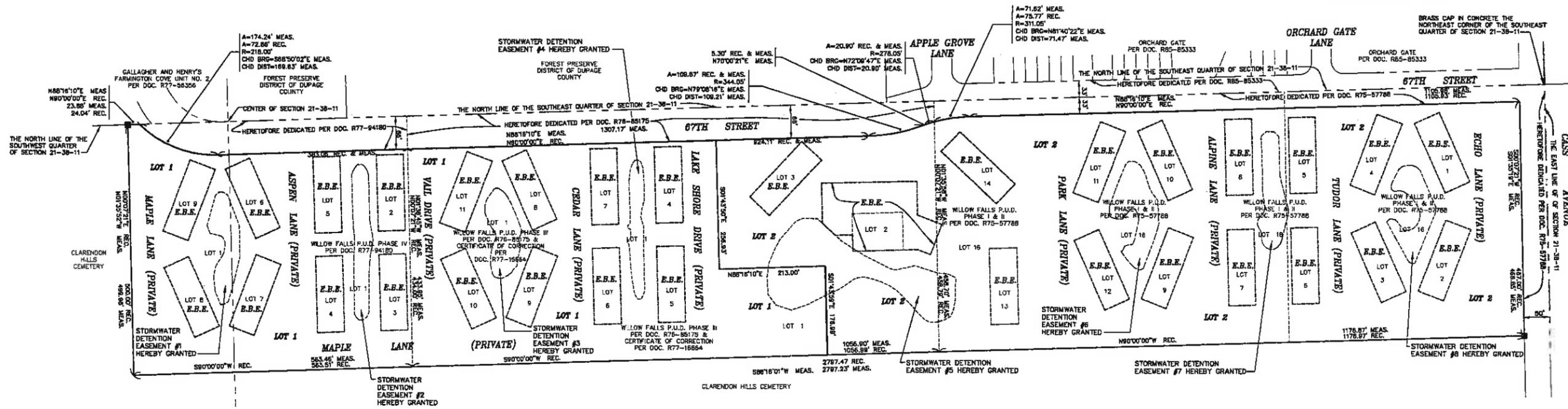
LOT AREA SUMMARY	
LOT 1 =	556,071 SQ.FT. OR 12.766 ACRES
LOT 2 =	702,279 SQ.FT. OR 16.122 ACRES
TOTAL =	1,258,350 SQ.FT. OR 28.888 ACRES

SCALE: 1"=100'

**LOCATION MAP**  
N.T.S.

THIS PLAT HAS BEEN SUBMITTED FOR RECORDING BY AND RETURN TO:  
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

ROAKE AND ASSOCIATES, INC.  
1684 QUINCY AVE., SUITE 100A  
NAPERVILLE, ILLINOIS 60540



- SURVEYORS NOTE**
- BASIS OF BEARING: THE BEARINGS SHOWN ON THE PLAT MAP ARE BASED ON NAD 83 (2011 ADJ.) ILLINOIS STATE PLANE EAST ZONE
  - IRON PIPES AT ALL LOT CORNERS (UNLESS OTHERWISE NOTED).
  - DENOTES CONCRETE MONUMENT WITH 3/4" I.P. SET.
  - 3/4" I.D. X 24" LONG IRON PIPE PLACED AT THE POSITIONS NOTED TO CONFORM TO ILLINOIS COMPILED STATUTES CHAPTER 785 ILCS C205/1 REGARDING PLACEMENT OF MONUMENTS.
  - ALL MEASUREMENTS AND DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
  - DIMENSIONS ALONG CURVED LINES ARE ARC LENGTHS.
  - THE SURVEYED PROPERTY IS LOCATED IN ZONE X AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN ACCORDING TO MAP NO. 17043C0905H WITH EFFECTIVE DATE OF DECEMBER 16, 2004.

**PUBLIC UTILITY AND DRAINAGE EASEMENT PROVISIONS**

EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF WESTMONT, ILLINOIS AND THOSE PUBLIC UTILITY COMPANIES OPERATING UNDER FRANCHISE FROM THE VILLAGE OF WESTMONT, INCLUDING, BUT NOT LIMITED TO, COMED, AT&T, NICOR, AND COMCAST, AND (FLAGG CREEK WATER RECLAMATION DISTRICT OR DOWNERS GROVE) SANITARY DISTRICT, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, OVER ALL OF THE AREAS MARKED "PUBLIC UTILITY AND DRAINAGE EASEMENT" OR MARKED "P.U. & D.E." ON THE PLAT FOR THE PERPETUAL RIGHT, PRIVILEGE, AND AUTHORITY TO INSTALL, CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN, OPERATE, AND REMOVE, FROM TIME TO TIME, FACILITIES USED IN CONNECTION WITH VARIOUS UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS, INCLUDING ELECTRICITY, SOUNDS AND SIGNALS, GAS PIPELINES, WATER PIPELINES, STORM AND SANITARY SEWERS, AND STORMWATER DRAINAGE PATHS, TOGETHER WITH ANY AND ALL NECESSARY MANHOLES, CATCH BASINS, CONNECTIONS, APPLIANCES, AND OTHER STRUCTURES AND APPURTENANCES AS MAY BE DEEMED NECESSARY, OVER, UPON, ALONG, UNDER, AND THROUGH SAID INDICATED EASEMENTS, TOGETHER WITH RIGHT OF ACCESS ACROSS THE PROPERTY AS NECESSARY. THE RIGHT IS ALSO GRANTED TO CUT DOWN, TRIM, OR REMOVE ANY TREES, ROOTS, SHRUBS, OR OTHER PLANTS ON SAID INDICATED EASEMENTS, AS MAY REASONABLY BE REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, THAT INTERFERE WITH THE OPERATION OF THE DRAINAGE PATH OR UTILITY, AND THE RIGHT TO ENTER UPON THE PROPERTY FOR ALL SUCH PURPOSES.

NO PERMANENT BUILDINGS OR OBSTRUCTIONS SHALL BE PLACED ON SAID INDICATED EASEMENTS, WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEEES, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF SAID EASEMENT SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF. WHERE SAID INDICATED EASEMENTS ARE USED BOTH FOR DRAINAGE, SEWERS, AND OTHER UTILITIES, THE OTHER UTILITY INSTALLATION(S) SHALL BE SUBJECT TO THE ORDINANCES OF THE VILLAGE OF WESTMONT.

**STORMWATER DETENTION EASEMENT PROVISIONS**

ALL EASEMENTS INDICATED AS STORMWATER DETENTION EASEMENTS ON THIS PLAT ARE RESERVED FOR AND GRANTED TO THE VILLAGE OF WESTMONT FOR THE BENEFIT OF THE PUBLIC.

NO PERMANENT BUILDINGS OR OTHER OBSTRUCTIONS SHALL BE PLACED ON SAID EASEMENT BUT THE SAME MAY BE USED FOR PURPOSES THAT DO NOT ADVERSELY AFFECT THE STORAGE OR FREE FLOW OF STORMWATER AND THE OPERATION OF THE STORMWATER MANAGEMENT SYSTEM. THE OWNER SHALL BE RESPONSIBLE FOR MAINTAINING THE DRAINAGE PATHS AND STORMWATER DETENTION APPLICABLE TO HIS LOT AND SHALL NOT MODIFY GRADES, SLOPES, OR STORMWATER MANAGEMENT FACILITIES WITHOUT HAVING FIRST RECEIVED PRIOR WRITTEN APPROVAL OF THE VILLAGE OF WESTMONT.

IN THE EVENT THE OWNER FAILS TO PROPERLY MAINTAIN THE DRAINAGE OR STORMWATER DETENTION AREA EASEMENTS, THE VILLAGE OF WESTMONT AND ANY OTHER UNIT OF GOVERNMENT HAVING JURISDICTION OVER DRAINAGE ON THE SUBJECT PROPERTY AND ANY OWNER OF RECORD OF THE REAL ESTATE (OR PART THEREOF) SHALL, UPON TEN (10) DAYS PRIOR WRITTEN NOTICE, HAVE THE RIGHT TO PERFORM, OR HAVE PERFORMED ON ITS OR THEIR BEHALF, ANY MAINTENANCE WORK TO OR UPON THE STORMWATER DETENTION AREA WHICH IS REASONABLY NECESSARY TO INSURE ADEQUATE STORMWATER STORAGE AND FREE FLOW OF STORM WATER THROUGH THE DETENTION EASEMENT AREA.

IN THE EVENT THAT THE VILLAGE OF WESTMONT OR ANY OTHER UNIT OF GOVERNMENT HAVING JURISDICTION OVER DRAINAGE ON THE SUBJECT PROPERTY OR ANY OWNER OF RECORD OF THE REAL ESTATE (OR PART THEREOF) SHALL BE REQUIRED TO PERFORM, OR HAVE PERFORMED ON ITS OR THEIR BEHALF, ANY MAINTENANCE WORK TO OR UPON THE DRAINAGE OR STORMWATER DETENTION AREA EASEMENT, THE EXPENSE THEREOF, INCLUDING ANY ADMINISTRATIVE COSTS, SHALL UPON RECORDATION OF A NOTICE OF LIEN WITHIN SIXTY (60) DAYS OF COMPLETION OF THE WORK, CONSTITUTE A LIEN AGAINST HIS LOT WHICH MAY BE FORECLOSED BY ANY ACTION BROUGHT BY OR ON BEHALF OF THE VILLAGE OF WESTMONT AND/OR OTHER UNIT OF GOVERNMENT HAVING JURISDICTION OVER DRAINAGE ON THE SUBJECT PROPERTY AND/OR ANY OWNER OF RECORD OF THE REAL ESTATE (OR PART THEREOF).

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**ROAKE AND ASSOCIATES, INC.**

CONSULTING ENGINEERS • LAND SURVEYORS • PLANNERS

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TEL (830) 366-9232 • FAX (830) 366-9287

PREPARED FOR:

**LWV ODESSA PONDS, LLC**  
15 WEST 43RD STREET - #60  
NEW YORK, NEW YORK 10036  
TEL (646) 448-3404

NO.		DATE		DESCRIPTION		REVISIONS	
NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION	NO.	DATE
1	7/29/16	PER VILLAGE REVIEW					

WESTMONT VILLAGE APARTMENTS SUBDIVISION			
PRELIMINARY/FINAL PLAT OF SUBDIVISION			
DRN./CHKD. BY: SRH/DRM	FILE: 8161PS	F.LD. BK./PG.: 263/12-19	SHEET NO. 1 OF 7
SCALE: 1"=100'	DATE: 6/03/16	JOB NO.: 816.002	

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**ROAKE AND ASSOCIATES, INC.**  
 CONSULTING ENGINEERS • LAND SURVEYORS • PLANNERS  
 1894 QUINCY AVENUE, SUITE 100A • NAPERVILLE, ILLINOIS 60640  
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PREPARED FOR:  
**LWV ODESSA PONDS, LLC**  
 15 WEST 43RD STREET - #60  
 NEW YORK, NEW YORK 10036  
 TEL (646) 448-3404

REVISIONS					
NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION
1	7/29/16	PER VILLAGE REVIEW			

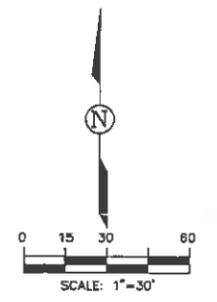
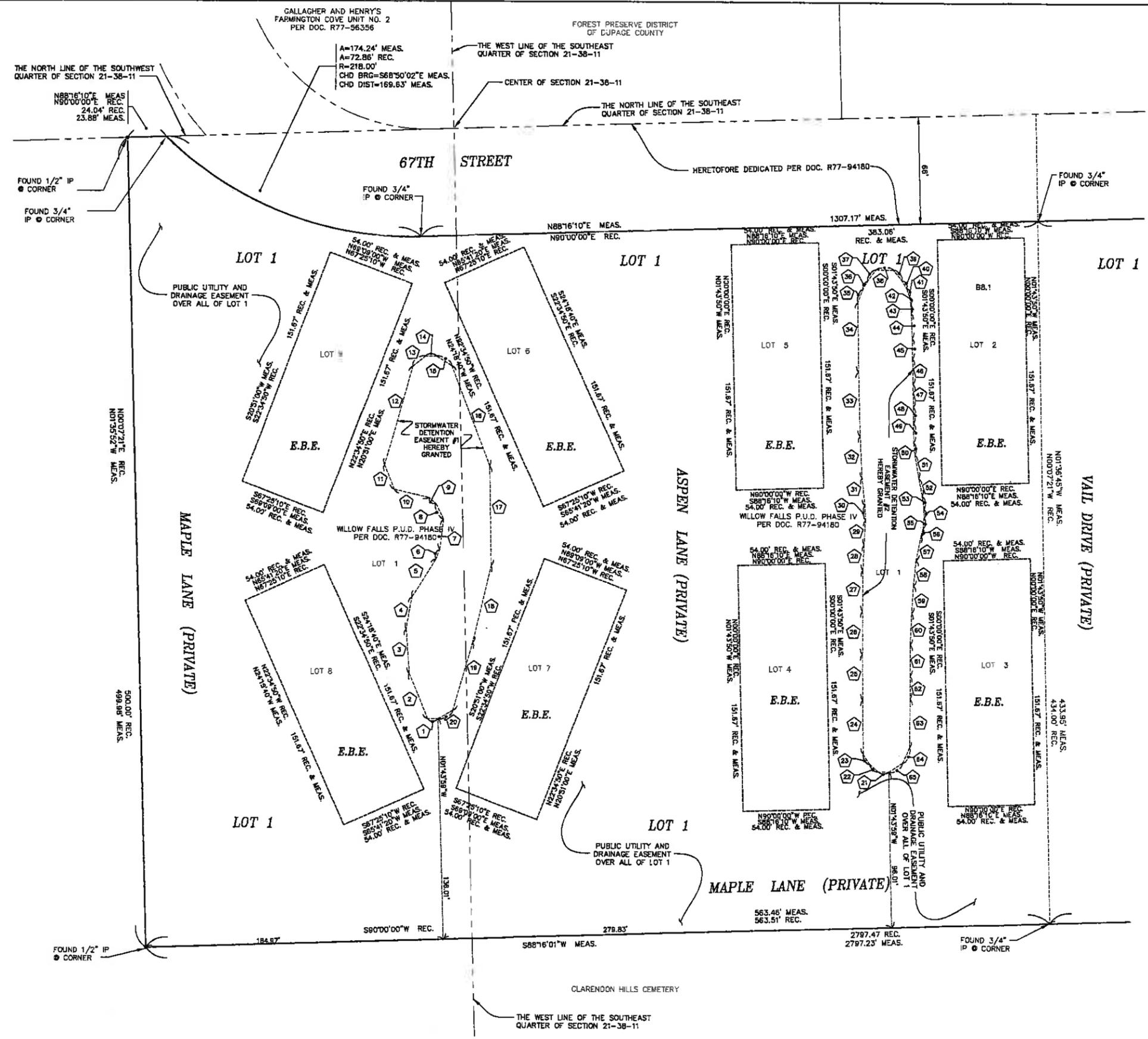
**WESTMONT VILLAGE APARTMENTS SUBDIVISION**  
 PRELIMINARY/FINAL PLAT OF SUBDIVISION  
 DRN./CKD. BY: SRH/DRM FILE: 8162PS FLD. BK./PG: 263/12-19 SHEET NO. 2 OF 7  
 SCALE: 1"=30' DATE: 6/03/16 JOB NO.: 816.002

**STORMWATER DETENTION EASEMENT #1 DIMENSION TABLE**

BEARING	DISTANCE
N90°00'00"W	6.55'
N22°15'01"W	30.13'
N04°32'20"W	27.39'
N10°01'17"E	20.06'
N32°02'58"E	27.74'
N20°53'04"E	8.38'
N06°53'58"E	18.82'
N26°02'24"W	10.92'
N49°48'27"W	5.82'
N76°44'31"W	22.09'
N21°22'36"W	16.12'
N15°32'14"E	63.32'
N50°08'00"E	10.01'
N90°00'00"E	6.86'
S57°25'11"E	11.12'
S21°21'53"E	86.62'
S01°19'05"E	61.55'
S13°26'04"W	48.72'
S16°13'22"W	43.55'
S60°10'24"W	10.45'

**STORMWATER DETENTION EASEMENT #2 DIMENSION TABLE**

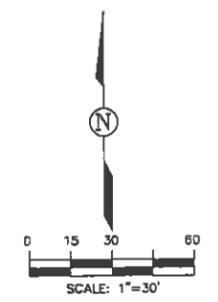
BEARING	DISTANCE
S90°00'00"W	6.62'
N50°08'45"W	7.11'
N32°58'19"W	7.64'
N01°17'34"W	33.42'
N00°50'25"W	28.08'
N00°35'55"W	26.51'
N00°06'52"W	25.29'
N02°18'20"E	15.64'
N02°24'43"E	15.45'
N03°19'08"W	9.12'
N06°38'48"W	17.07'
N03°21'18"W	25.75'
N01°58'38"W	38.68'
N01°18'53"W	43.19'
N21°22'30"E	8.67'
N28°31'59"E	6.06'
N36°34'48"E	8.62'
N90°00'00"E	10.77'
S39°06'01"E	8.65'
S31°10'34"E	5.67'
S20°37'42"E	5.35'
S10°37'33"E	4.94'
S04°56'38"E	5.05'
S02°44'03"E	15.34'
S02°07'13"E	12.90'
S01°45'29"E	15.56'
S01°28'28"E	14.23'
S01°17'21"E	10.14'
S01°23'43"E	11.72'
S06°28'18"E	7.64'
S10°23'57"E	14.66'
S11°21'19"E	11.16'
S07°40'03"E	8.17'
S01°58'28"E	5.42'
S04°33'01"W	6.69'
S13°06'08"W	4.61'
S11°02'28"W	15.30'
S05°44'15"W	15.78'
S03°23'32"W	17.05'
S02°09'31"W	18.49'
S00°08'56"E	19.31'
S00°54'11"E	14.06'
S00°07'12"E	30.01'
S24°48'34"W	10.41'
S56°48'27"W	10.20'



FOREST PRESERVE DISTRICT  
OF DUPAGE COUNTY

THE NORTH LINE OF THE SOUTHEAST  
QUARTER OF SECTION 21-38-11

HERETOFORE DEDICATED PER DOC. R76-85175  
**67TH STREET**

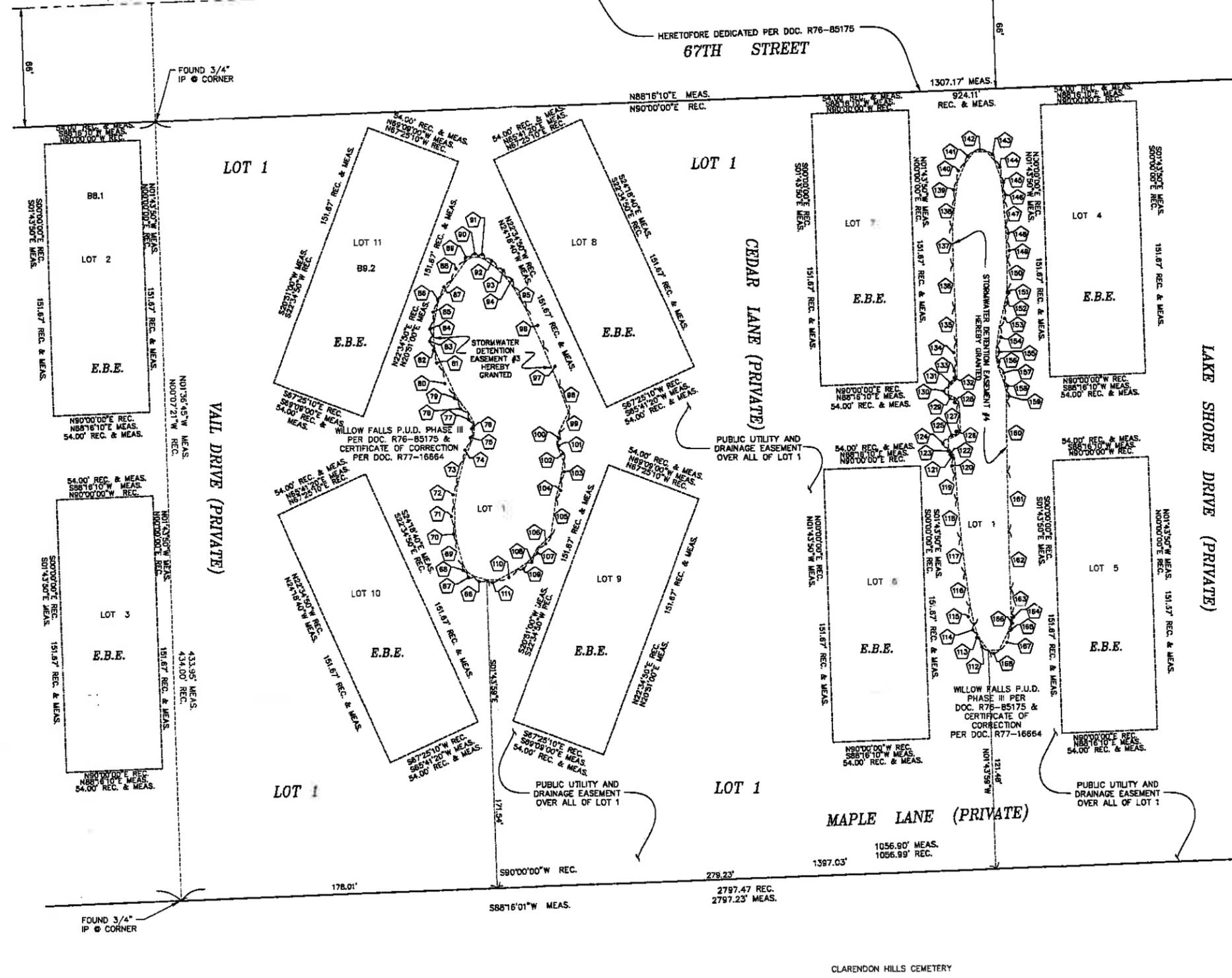


**STORMWATER DETENTION  
EASEMENT #3  
DIMENSION TABLE**

BEARING	DISTANCE
N74°17'08"W	7.48'
N56°25'18"W	4.14'
N30°12'45"W	5.02'
N15°21'30"W	13.28'
N07°36'04"W	8.98'
N00°07'06"E	11.22'
N09°14'23"E	11.67'
N14°41'04"E	13.77'
N22°46'14"E	11.08'
N19°36'38"E	4.45'
N02°13'45"E	8.28'
N28°16'44"W	7.18'
N37°57'32"W	8.83'
N32°28'47"W	4.37'
N24°28'10"W	14.14'
N23°41'08"W	10.52'
N15°58'04"W	4.02'
N03°47'58"W	5.83'
N03°24'25"E	7.91'
N11°25'03"E	10.38'
N24°52'58"E	4.49'
N34°58'13"E	10.51'
N35°58'40"E	12.93'
N53°18'22"E	3.88'
N85°10'45"E	4.41'
S68°38'56"E	3.43'
S53°50'14"E	8.75'
S44°53'21"E	8.78'
S37°28'18"E	7.59'
S29°48'09"E	14.05'
S23°58'21"E	23.16'
S22°13'17"E	23.59'
S20°14'43"E	15.57'
S25°58'36"W	12.36'
S12°37'23"W	6.32'
S14°51'36"E	3.40'
S23°37'49"E	7.50'
S09°32'12"W	10.88'
S15°01'23"W	10.53'
S07°50'49"W	20.36'
S47°22'21"W	10.31'
S27°22'28"W	5.44'
S45°54'18"W	5.08'
S56°53'21"W	6.34'
S82°17'58"W	12.17'
N89°35'17"W	6.58'

**STORMWATER DETENTION  
EASEMENT #4  
DIMENSION TABLE**

BEARING	DISTANCE
N36°00'55"W	7.63'
N27°45'55"W	3.81'
N18°18'33"W	5.08'
N12°33'57"W	10.25'
N08°24'14"W	19.17'
N06°36'11"W	18.28'
N05°11'37"W	21.39'
N04°03'28"W	13.98'
N03°21'24"W	9.88'
N21°58'26"W	1.56'
N42°58'45"W	1.88'
N34°07'43"W	2.87'
N00°00'00"E	4.52'
N64°05'05"E	5.47'
N36°35'32"E	3.06'
N02°12'59"W	15.44'
N31°42'18"W	3.28'
N87°03'20"W	4.63'
N00°06'20"W	5.60'
N48°28'22"E	5.50'
N30°05'12"E	1.77'
N00°04'15"E	7.94'
N00°45'43"W	11.78'
N02°30'27"W	18.23'
N02°16'34"W	23.97'
N01°17'51"W	21.07'
N06°27'32"E	15.77'
N07°02'34"E	9.81'
N23°10'33"E	11.04'
N38°50'51"E	7.88'
N80°00'00"E	7.27'
S41°06'04"E	6.61'
S18°50'44"E	9.44'
S08°14'40"E	6.99'
S05°07'23"E	8.88'
S04°21'10"E	13.82'
S03°25'09"E	6.70'
S01°26'03"E	10.49'
S00°14'33"E	16.17'
S03°35'33"W	3.88'
S13°58'05"E	6.20'
S13°24'18"W	11.28'
S08°38'58"W	10.74'
S03°02'07"E	6.71'
S13°18'35"E	9.31'
S20°32'19"E	8.28'
S13°09'35"E	4.93'
S00°50'53"E	5.60'
S00°25'20"E	38.38'
S01°03'06"E	32.84'
S01°37'39"E	32.12'
S01°47'30"E	13.63'
S00°27'56"W	3.72'
S09°58'10"W	2.82'
S18°15'18"W	3.92'
S27°03'40"W	10.95'
S87°16'12"W	6.13'



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PREPARED FOR:  
**LWV ODESSA PONDS, LLC**  
15 WEST 43RD STREET - #60  
NEW YORK, NEW YORK 10036  
TEL (646) 448-3404

NO.		DATE		DESCRIPTION		REVISIONS	
NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION	NO.	DATE
1	7/25/16	PER VILLAGE REVIEW					

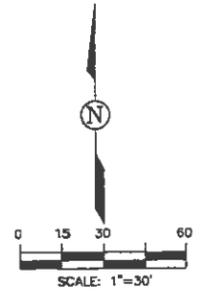
**WESTMONT VILLAGE APARTMENTS SUBDIVISION**  
PRELIMINARY/FINAL PLAT OF SUBDIVISION  
DRN./CND. BY: SRH/DRM FILE: 8162PS FLD. BK./PG.: 283/12-19 SHEET NO. 3 OF 7  
SCALE: 1"=30' DATE: 6/03/16 JOB NO.: 816.002

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ORCHARD GATE  
PER DOC. R85-85333

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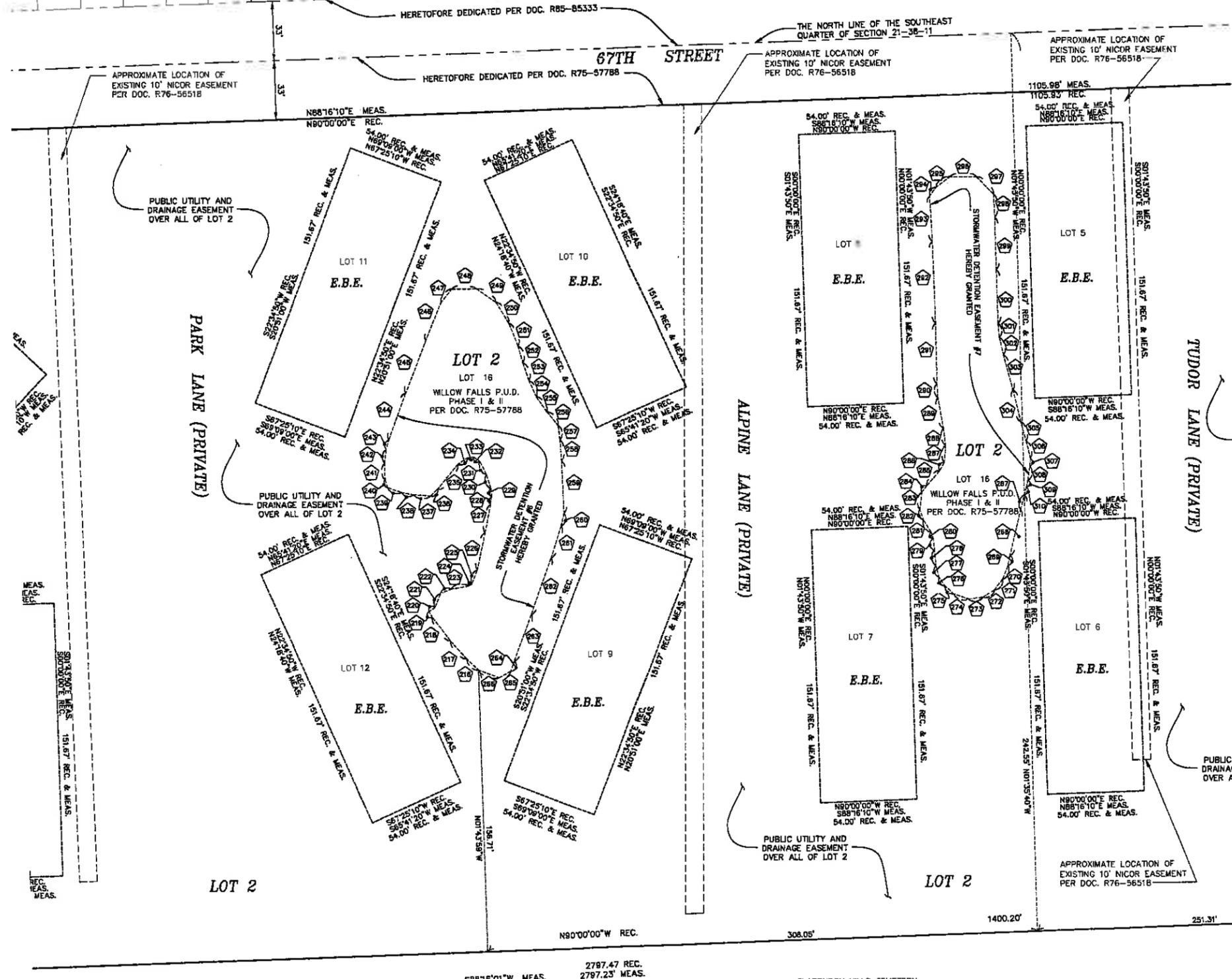


**STORMWATER DETENTION  
EASEMENT #6  
DIMENSION TABLE**

BEARING	DISTANCE
N46°43'59"W	8.07'
N41°38'52"W	13.50'
N37°21'46"W	16.81'
N31°10'28"W	3.74'
N35°04'13"E	4.13'
N21°02'12"E	8.34'
N68°12'31"E	8.44'
N80°17'51"E	9.85'
N59°36'36"E	2.30'
N21°57'02"E	8.35'
N12°06'02"E	21.12'
N11°04'10"E	18.00'
N07°27'17"E	4.28'
N05°26'06"W	4.50'
N16°48'46"W	8.25'
N26°49'12"W	8.38'
N54°32'36"W	3.91'
S87°08'33"W	3.65'
S54°42'24"W	6.56'
S38°47'37"W	18.08'
S46°13'47"W	5.04'
N85°44'15"W	9.75'
N78°43'13"W	5.61'
N70°48'31"W	8.33'
N16°28'07"W	4.45'
N01°28'38"W	9.19'
N06°20'24"E	7.56'
N14°49'53"E	5.66'
N20°05'19"E	27.77'
N21°05'08"E	31.13'
N21°50'10"E	22.86'
N39°11'02"E	9.66'
S89°48'45"E	13.82'
S55°02'21"E	12.86'
S31°18'41"E	13.87'
S22°24'23"E	13.97'
S15°00'02"E	9.53'
S18°31'57"E	10.57'
S25°12'45"E	9.82'
S35°25'22"E	10.42'
S39°17'20"E	9.89'
S06°47'40"E	8.15'
S04°18'52"E	11.54'
S02°38'03"E	28.16'
S12°32'07"W	7.33'
S18°07'53"W	16.57'
S19°54'04"W	33.32'
S20°08'10"W	27.55'
S20°45'15"W	8.91'
S60°29'16"W	7.30'
N69°27'32"W	12.27'

**STORMWATER DETENTION  
EASEMENT #7  
DIMENSION TABLE**

BEARING	DISTANCE
S15°28'22"W	8.40'
S13°24'48"W	26.21'
S11°08'09"W	5.58'
S22°05'04"W	8.25'
S37°43'05"W	7.44'
S59°00'22"W	7.77'
S84°06'28"W	8.31'
N70°32'36"W	8.72'
N49°00'44"W	8.66'
N32°37'27"W	5.59'
N15°18'28"W	8.47'
N04°51'41"W	8.66'
N05°20'13"W	8.38'
N18°19'08"W	3.57'
N32°10'38"W	8.17'
N19°01'31"W	6.03'
N07°03'23"E	9.82'
N38°57'13"E	4.38'
N40°28'38"E	11.22'
N28°25'05"E	5.16'
N04°04'28"E	9.48'
N07°28'53"W	9.53'
N06°55'24"W	17.39'
N03°32'16"W	7.76'
N01°12'48"W	33.75'
N02°07'51"W	45.69'
N03°08'46"W	25.33'
N36°21'48"E	6.03'
N53°06'36"E	9.84'
N89°30'32"E	14.92'
S44°21'40"E	13.87'
S02°51'54"E	13.03'
S01°43'23"E	28.11'
S01°44'43"E	30.00'
S05°47'03"E	7.93'
S12°56'21"E	10.18'
S15°04'24"E	20.06'
S14°07'03"E	18.03'
S15°30'56"E	11.41'
S14°17'56"E	9.82'
S03°14'57"W	4.83'
S08°40'52"W	7.91'
S12°23'13"W	3.48'
S15°28'22"W	4.77'



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PREPARED FOR:  
**LWV ODESSA PONDS, LLC**  
15 WEST 43RD STREET - #80  
NEW YORK, NEW YORK 10036  
TEL (646) 448-3404

NO.		DATE		DESCRIPTION	

**WESTMONT VILLAGE APARTMENTS SUBDIVISION**  
PRELIMINARY/FINAL PLAT OF SUBDIVISION  
DRN/CRD. BY: SRH/DRM FILE: 8182PS FLD. BK./PG.: 263/12-19 SHEET NO. 7  
SCALE: 1"=30' DATE: 6/03/16 JOB NO.: 816.002 5 OF 7

C:\16\160206\160206.dwg: SHT05, 7/29/2016 2:37:30 PM, fwhb

**OWNER'S CERTIFICATE**

STATE OF \_\_\_\_\_ } SS  
COUNTY OF \_\_\_\_\_ }

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS (ARE) THE OWNER(S) OF THE LAND DESCRIBED IN THE ATTACHED PLAT AND HAS (HAVE) CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN BY THE PLAT FOR USES AND PURPOSES AS INDICATED THEREIN, AND DOES (DO) HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

DATED AT \_\_\_\_\_ ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

OWNER \_\_\_\_\_ OWNER \_\_\_\_\_

**NOTARY PUBLIC**

STATE OF \_\_\_\_\_ } SS  
COUNTY OF \_\_\_\_\_ }

I, \_\_\_\_\_ A NOTARY PUBLIC IN AND FOR THE SAID COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_ AND \_\_\_\_\_ WHO IS (ARE) PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHOSE NAME(S) ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNER(S), APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE (SHE) (THEY) SIGNED AND DELIVERED THE SAID INSTRUMENTS AS HIS (HER) (THEIR) OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

NOTARY PUBLIC

**OWNER'S CERTIFICATE**

STATE OF \_\_\_\_\_ } SS  
COUNTY OF \_\_\_\_\_ }

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS (ARE) THE OWNER(S) OF THE LAND DESCRIBED IN THE ATTACHED PLAT AND HAS (HAVE) CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN BY THE PLAT FOR USES AND PURPOSES AS INDICATED THEREIN, AND DOES (DO) HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

DATED AT \_\_\_\_\_ ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

OWNER \_\_\_\_\_ OWNER \_\_\_\_\_

**NOTARY PUBLIC**

STATE OF \_\_\_\_\_ } SS  
COUNTY OF \_\_\_\_\_ }

I, \_\_\_\_\_ A NOTARY PUBLIC IN AND FOR THE SAID COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_ AND \_\_\_\_\_ WHO IS (ARE) PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHOSE NAME(S) ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNER(S), APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE (SHE) (THEY) SIGNED AND DELIVERED THE SAID INSTRUMENTS AS HIS (HER) (THEIR) OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

NOTARY PUBLIC

**SCHOOL DISTRICT BOUNDARY STATEMENT**

STATE OF \_\_\_\_\_ } SS  
COUNTY OF \_\_\_\_\_ }

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS/HER OATH DEPOSES AND STATES AS FOLLOWS:

- 1. THAT \_\_\_\_\_ THE OWNER OF THE PROPERTY LEGALLY DESCRIBED ON THIS PLAT OF SUBDIVISION, WHICH HAS BEEN SUBMITTED TO THE CITY OF WESTMONT FOR APPROVAL, WHICH LEGAL DESCRIPTION IS INCORPORATED HEREIN BY REFERENCE; AND
2. TO THE BEST OF THE OWNERS' KNOWLEDGE, THE SCHOOL DISTRICT IN WHICH TRACT, PARCEL, LOT OR BLOCK OF THE PROPOSED SUBDIVISION LIES IS: WESTMONT COMMUNITY UNIT DISTRICT 201 133 SOUTH GRANT WESTMONT, ILLINOIS 60659

OWNER \_\_\_\_\_ OWNER \_\_\_\_\_

BY: \_\_\_\_\_ SIGNATURE

TITLE: \_\_\_\_\_ PRINT NAME

SUBSCRIBED AND SWORN BEFORE ME THIS \_\_\_\_\_ DATE DAY OF \_\_\_\_\_ MONTH \_\_\_\_\_ YEAR

NOTARY PUBLIC

**MORTGAGE CERTIFICATE**

STATE OF \_\_\_\_\_ } SS  
COUNTY OF \_\_\_\_\_ }

AS MORTGAGEE, UNDER THE PROVISIONS OF A CERTAIN (PRINT MORTGAGEE NAME) MORTGAGE DATED \_\_\_\_\_ 20\_\_\_\_, AND RECORDED IN THE RECORDER'S OF DEEDS OFFICE OF \_\_\_\_\_ COUNTY, ILLINOIS ON THE \_\_\_\_\_ DATE DAY OF \_\_\_\_\_ MONTH \_\_\_\_\_ YEAR

AS DOCUMENT NO. \_\_\_\_\_ HEREBY CONSENTS TO AND APPROVES THE SUBDIVISION OF THE LAND AND THE GRANTING OF THE EASEMENT(S) DEPICTED HEREON.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

MORTGAGEE NAME: \_\_\_\_\_

BY: \_\_\_\_\_ ATTEST: \_\_\_\_\_

ITS: \_\_\_\_\_ ITS: \_\_\_\_\_

**NOTARY'S CERTIFICATE**

STATE OF \_\_\_\_\_ } SS  
COUNTY OF \_\_\_\_\_ }

I, \_\_\_\_\_ A NOTARY PUBLIC IN AND FOR THE AFORESAID COUNTY AND STATE, DO HEREBY CERTIFY THAT THE FOREGOING SIGNATOR OF THE OWNER'S CERTIFICATE IS PERSONALLY KNOWN TO ME TO THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND THAT SAID INDIVIDUAL APPEARED AND DELIVERED SAID INSTRUMENT AS A FREE AND VOLUNTARY ACT OF \_\_\_\_\_ FOR THE USES AND PURPOSES THEREIN SET FORTH IN THE AFORESAID INSTRUMENT.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 19\_\_\_\_

NOTARY PUBLIC MY COMMISSION EXPIRES \_\_\_\_\_

**VILLAGE ENGINEER**

STATE OF ILLINOIS } SS  
COUNTY OF DUPAGE }

I, \_\_\_\_\_ VILLAGE ENGINEER OF THE VILLAGE OF WESTMONT, ILLINOIS, HEREBY CERTIFY THAT THE IMPROVEMENTS DESCRIBED IN THIS PLAT AND THE PLANS AND SPECIFICATIONS THEREFOR MEET THE MINIMUM REQUIREMENTS OF SAID VILLAGE AND HAVE BEEN APPROVED BY ALL PUBLIC AUTHORITIES HAVING JURISDICTION THEREOF.

DATED AT WESTMONT, DUPAGE COUNTY, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

OF \_\_\_\_\_ 20\_\_\_\_

VILLAGE ENGINEER

**CERTIFICATE OF PLANNING & ZONING COMMISSION**

STATE OF ILLINOIS } SS  
COUNTY OF DUPAGE }

I, \_\_\_\_\_ CHAIRMAN OF THE VILLAGE OF WESTMONT PLANNING & ZONING COMMISSION, CERTIFY THAT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_, THIS PLAT OF SUBDIVISION WAS DULY APPROVED BY THE PLANNING AND ZONING COMMISSION.

CHAIRMAN ATTEST: SECRETARY

**VILLAGE CLERK'S CERTIFICATE**

STATE OF ILLINOIS } SS  
COUNTY OF DUPAGE }

I, \_\_\_\_\_ VILLAGE CLERK OF THE VILLAGE OF WESTMONT, ILLINOIS, HEREBY CERTIFY THAT THIS PLAT WAS PRESENTED TO AND BY RESOLUTION DULY APPROVED BY THE BOARD OF TRUSTEES OF SAID VILLAGE AT ITS MEETING HELD ON \_\_\_\_\_ AND THAT THE REQUIRED BOND OR OTHER GUARANTEE HAS BEEN POSTED FOR THE COMPLETION OF THE IMPROVEMENTS REQUIRED BY THE REGULATIONS OF SAID VILLAGE.

IN WITNESS WHEREOF I HAVE HERETO SET MY HAND AND SEAL OF THE VILLAGE OF WESTMONT, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

VILLAGE CLERK

**CERTIFICATE AS TO SPECIAL ASSESSMENTS**

STATE OF ILLINOIS } SS  
COUNTY OF DUPAGE }

I, \_\_\_\_\_ VILLAGE TREASURER OF THE VILLAGE OF WESTMONT, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPOINTED AGAINST THE TRACT OF LAND INCLUDED IN THE PLAT.

DATED AT WESTMONT, DU PAGE COUNTY, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

VILLAGE TREASURER

**SANITARY DISTRICT CERTIFICATE**

STATE OF ILLINOIS } SS  
COUNTY OF DUPAGE }

I, \_\_\_\_\_ SUPERINTENDENT FOR THE DUPAGE COUNTY DEPARTMENT OF PUBLIC WORKS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS, OR ANY DEFERRED INSTALLMENTS OF ANY OUTSTANDING UNPAID SPECIAL ASSESSMENTS WHICH HAVE NOT BEEN DIVIDED IN ACCORDANCE WITH THE PROPOSED SUBDIVISION AND DULY APPROVED BY THE COURT THAT CONFIRMED THE SPECIAL ASSESSMENT.

DATED AT \_\_\_\_\_ ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

SUPERINTENDENT

**COUNTY CLERK'S CERTIFICATE**

STATE OF ILLINOIS } SS  
COUNTY OF DUPAGE }

I, \_\_\_\_\_ COUNTY CLERK OF DU PAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE ANNEXED PLAT.

I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE ANNEXED PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK, AT WHEATON, ILLINOIS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

COUNTY CLERK

**DUPAGE COUNTY RECORDER'S CERTIFICATE**

STATE OF ILLINOIS } SS  
COUNTY OF DUPAGE }

THIS INSTRUMENT \_\_\_\_\_ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DU PAGE COUNTY, ILLINOIS, AFORESAID ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_ AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M., AND WAS RECORDED IN BOOK \_\_\_\_\_ OF PLATS ON PAGE \_\_\_\_\_

RECORDER

**PERMANENT ACCESS CONTROL COVENANT**

VEHICULAR ACCESS SHALL NOT BE ALLOWED FROM LOT 2 ONTO CASS AVENUE AS SHOWN ON THE PLAT HEREON DRAWN. THIS ACCESS CONTROL COVENANT SHALL BE PERMANENT.

**CERTIFICATE OF COUNTY ENGINEER**

STATE OF ILLINOIS } SS  
COUNTY OF DUPAGE }

THIS PLAT HAS BEEN APPROVED BY THE DUPAGE COUNTY DIVISION OF TRANSPORTATION WITHIN RESPECT TO ROADWAY ACCESS TO COUNTY HIGHWAY NO. 15, CASS AVENUE, PURSUANT TO 765 I.C.S. 205/2; HOWEVER, A HIGHWAY PERMIT FOR ACCESS IS REQUIRED OF THE OWNER OF THE PROPERTY PRIOR TO CONSTRUCTION WITHIN THE COUNTY RIGHT-OF-WAY.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

COUNTY ENGINEER

**SURFACE WATER STATEMENT**

TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH SUBDIVISION OR ANY PART THEREOF, OR THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

ILLINOIS REGISTERED PROFESSIONAL ENGINEER

STATE REGISTRATION NUMBER

REGISTRATION EXPIRATION DATE

OWNER OR ATTORNEY FOR OWNER

OWNER OR ATTORNEY FOR OWNER



**SURVEYOR'S CERTIFICATE**

STATE OF ILLINOIS } SS  
COUNTY OF DUPAGE }

THIS IS TO CERTIFY THAT I, DOUGLAS R. McCLINTIC, AN ILLINOIS LICENSED PROFESSIONAL LAND SURVEYOR NO. 35-2692, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

LOT 16 IN WILLOW FALLS P.U.D. PHASE I & II, BEING A SUBDIVISION OF PART OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 21, 1975 PER DOCUMENT NUMBER R1975-57768 IN DUPAGE COUNTY, ILLINOIS.

TOGETHER WITH:

LOT 1 IN WILLOW FALLS P.U.D. PHASE III, BEING A SUBDIVISION OF PART OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 23, 1975 PER DOCUMENT NUMBER R1975-85175 AND CERTIFICATE OF CORRECTION RECORDED MARCH 10, 1977 PER DOCUMENT NUMBER R1977-16864 IN DUPAGE COUNTY, ILLINOIS.

TOGETHER WITH:

LOT 1 IN WILLOW FALLS P.U.D. PHASE IV, BEING A SUBDIVISION OF PART OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 17, 1977 PER DOCUMENT NUMBER R1977-84160 IN DUPAGE COUNTY, ILLINOIS.

AS SHOWN BY THE ANNEXED PLAT WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF. I FURTHER CERTIFY THAT ALL REGULATIONS ENACTED BY THE VILLAGE OF WESTMONT RELATIVE TO PLATS AND SUBDIVISIONS HAVE BEEN COMPLIED WITH IN THE PREPARATION OF THIS PLAT AND THAT SAID SUBDIVISION IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY MAP NUMBER 17043C08054, DATED DECEMBER 18, 2004.

THIS PLAT HAS BEEN PREPARED BY ROAKE AND ASSOCIATES, INC., ILLINOIS LICENSED PROFESSIONAL DESIGN FIRM NO. 807, LICENSE EXPIRES APRIL 30, 2017, UNDER MY PERSONAL DIRECTION FOR THE EXCLUSIVE USE OF THE CLIENT NOTED HEREON. REPRODUCTION OR USE BY THIRD PARTIES IS STRICTLY PROHIBITED WITHOUT THE WRITTEN PERMISSION OF THE UNDERSIGNED.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 2016.

ILLINOIS LICENSED PROFESSIONAL LAND SURVEYOR NO. 2882 LICENSE VALID THROUGH NOVEMBER 30, 2018



**WESTMONT VILLAGE APARTMENTS SUBDIVISION**

PRELIMINARY/FINAL PLAT OF SUBDIVISION

DRN./DKD. BY: SRH/DRM FILE: 8161PS FLD. BK./PG.: 263/12-19 SHEET NO. 7 OF 7  
SCALE: 1"=100' DATE: 6/03/16 JOB NO.: 816.002

Table with 5 columns: NO., DATE, DESCRIPTION, NO., DATE, DESCRIPTION. Row 1: 1, 7/29/16, PER VILLAGE REVIEW.

PREPARED FOR: LWV ODESSA PONDS, LLC 15 WEST 43RD STREET - #60 NEW YORK, NEW YORK 10036 TEL (646) 448-3404



# PLAT OF VACATION

PART OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS

## LEGAL DESCRIPTION - VACATION

THAT PART OF AN EASEMENT HERETOFORE DEDICATED TO ILLINOIS BELL TELEPHONE COMPANY, COMMONWEALTH EDISON COMPANY, NORTHERN ILLINOIS GAS COMPANY AND PROTECTIVE COVENANT TO BE USED FOR PARKING, ENTRANCE, LAWN, RECREATION, ACCESS, UTILITY EASEMENTS AND FOR COMMON ENJOYMENT OF THE PROPERTY HERETOFORE GRANTED PER WILLOW FALLS P.U.D. PHASES I & II SUBDIVISION RECORDED AS DOC. R75-57788 AND PER WILLOW FALLS P.U.D. PHASE III SUBDIVISION RECORDED AS DOC. R76-85175 AND CERTIFICATE IF CORRECTION PER DOC. R77-16664 DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT 2 IN WESTMONT VILLAGE

APARTMENTS SUBDIVISION, RECORDED \_\_\_\_\_, 22\_\_\_\_ AS DOCUMENT \_\_\_\_\_, ALONG THE NORTH LINE OF SAID LOT 2, NORTH 88 DEGREES 16 MINUTES 10 SECONDS EAST A DISTANCE OF 210.03 FEET; THENCE SOUTH 01 DEGREES 43 MINUTES 50 SECONDS EAST A DISTANCE OF 91.28 FEET TO A POINT OF BEGINNING; THENCE NORTH 88 DEGREES 47 MINUTES 01 SECONDS EAST A DISTANCE OF 189.55 FEET; THENCE SOUTH 01 DEGREES 12 MINUTES 59 SECONDS EAST A DISTANCE OF 67.45 FEET; THENCE SOUTH 69 DEGREES 30 MINUTES 43 SECONDS EAST A DISTANCE OF 52.98 FEET; THENCE SOUTH 20 DEGREES 35 MINUTES 03 SECONDS WEST A DISTANCE OF 64.25 FEET; THENCE NORTH 69 DEGREES 26 MINUTES 40 SECONDS WEST A DISTANCE OF 28.76 FEET; THENCE SOUTH 88 DEGREES 16 MINUTES 10 SECONDS WEST A DISTANCE OF 119.70 FEET; THENCE NORTH 57 DEGREES 48 MINUTES 36 SECONDS WEST A DISTANCE OF 10.66 FEET; THENCE NORTH 01 DEGREES 43 MINUTES 50 SECONDS WEST A DISTANCE OF 26.82 FEET; THENCE SOUTH 88 DEGREES 47 MINUTES 01 SECONDS WEST A DISTANCE OF 34.37 FEET; THENCE NORTH 46 DEGREES 53 MINUTES 40 SECONDS WEST A DISTANCE OF 34.36 FEET; THENCE NORTH 01 DEGREES 31 MINUTES 08 SECONDS WEST A DISTANCE OF 80.42 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

## DUPAGE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF DUPAGE }SS  
THIS INSTRUMENT NUMBER \_\_\_\_\_ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS AFORESAID ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_ AT \_\_\_\_\_ O'CLOCK AND WAS RECORDED IN BOOK \_\_\_\_\_ OF PLATS ON PAGE \_\_\_\_\_

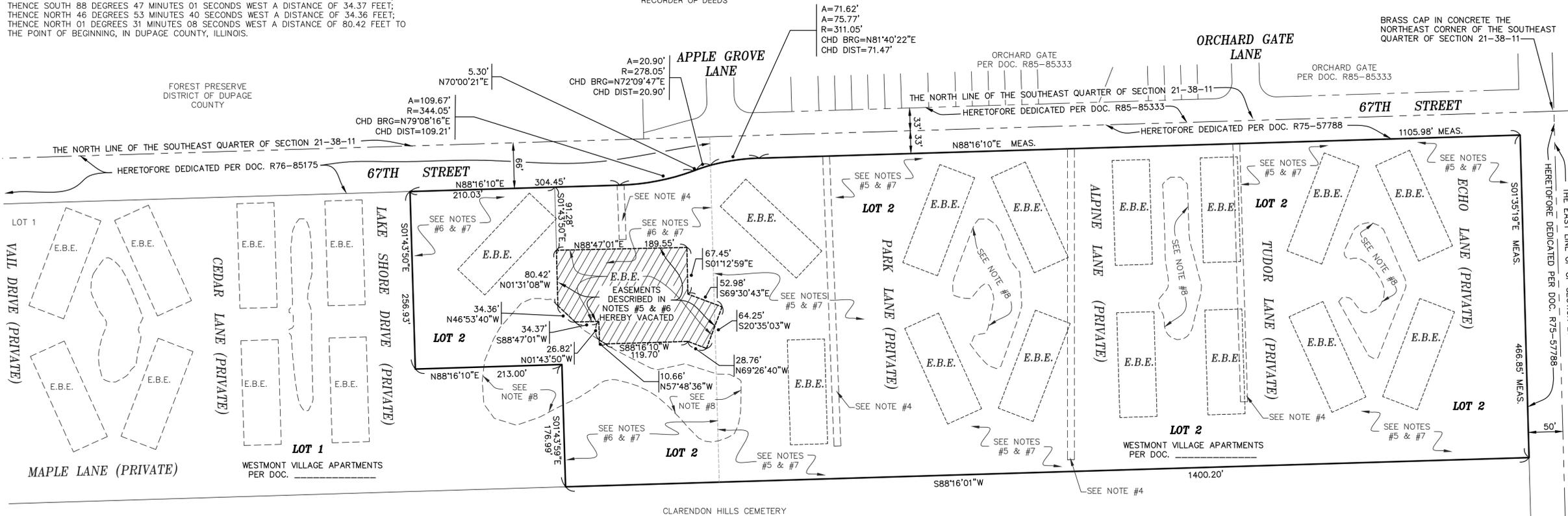
## AREA SUMMARY

LOT 2: 702,279 S.F. OR 16.122 AC.  
EASEMENT VACATED: 26,208 S.F. OR 0.602 AC.

THIS PLAT HAS BEEN SUBMITTED FOR RECORDING BY AND RETURN TO:  
ROAKE AND ASSOCIATES, INC.  
1684 QUINCY AVE., SUITE 100A  
NAPERVILLE, ILLINOIS 60540

SCALE: 1"=80'

LOCATION MAP  
N.T.S.



## ABBREVIATIONS

000.00' M MEASURED DATA  
000.00' C COMPUTED DATA  
000.00' R RECORD DATA  
R= RADIUS  
A= ARC LENGTH  
PIN PERMANENT INDEX NUMBER  
E.B.E. EXCEPTION TO BLANKET EASEMENT

## LINE TYPE LEGEND

BOUNDARY LINE  
ADJOINER LOT LINE  
CENTER LINE  
RIGHT OF WAY  
EASEMENT LINE  
BUILDING LINE  
SECTION LINE  
UNDERLYING LOT LINE

## NICOR GAS COMPANY

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ }SS  
VACATION OF THE EASEMENT(S) DESIGNATED TO BE VACATED HEREON APPROVED AND ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_

NICOR GAS COMPANY  
BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

## SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF DUPAGE }SS  
I, DOUGLAS R. McCLINTIC, AN ILLINOIS LICENSED PROFESSIONAL LAND SURVEYOR HEREBY CERTIFY THAT THE ANNEXED PLAT HAS BEEN PREPARED FROM EXISTING PLATS AND RECORDS FOR THE PURPOSE OF VACATING PART OF AN EASEMENT

THIS PLAT HAS BEEN PREPARED BY ROAKE AND ASSOCIATES, INC., ILLINOIS LICENSED PROFESSIONAL DESIGN FIRM NO. 807, LICENSE EXPIRES APRIL 30, 2017, UNDER MY PERSONAL DIRECTION FOR THE EXCLUSIVE USE OF THE CLIENT NOTED HEREON.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2016.

ILLINOIS LICENSED PROFESSIONAL LAND SURVEYOR NO. 2992  
LICENSE VALID THROUGH NOVEMBER 30, 2016



## SURVEYORS NOTES

- BASIS OF BEARING: THE BEARINGS SHOWN ON THE PLAT MAP ARE BASED ON NAD 83 (2011 ADJ.) ILLINOIS STATE PLANE EAST ZONE
- ALL MEASUREMENTS AND DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
- DIMENSIONS ALONG CURVED LINES ARE ARC LENGTHS.
- APPROXIMATE LOCATION OF 10' NICOR EASEMENT HERETOFORE GRANTED PER DOC. R76-56518.
- ILLINOIS BELL TELEPHONE COMPANY, COMMONWEALTH EDISON COMPANY, NORTHERN ILLINOIS GAS COMPANY AND PROTECTIVE COVENANT TO BE USED FOR PARKING, ENTRANCE, LAWN, RECREATION, ACCESS, UTILITY EASEMENTS AND FOR COMMON ENJOYMENT OF THE PROPERTY HERETOFORE GRANTED PER WILLOW FALLS P.U.D. PHASES I & II SUBDIVISION RECORDED AS DOC. R75-57788.
- ILLINOIS BELL TELEPHONE COMPANY, COMMONWEALTH EDISON COMPANY, NORTHERN ILLINOIS GAS COMPANY AND PROTECTIVE COVENANT TO BE USED FOR PARKING, ENTRANCE, LAWN, RECREATION, ACCESS, UTILITY EASEMENTS AND FOR COMMON ENJOYMENT OF THE PROPERTY HERETOFORE GRANTED PER WILLOW FALLS P.U.D. PHASE III SUBDIVISION RECORDED AS DOC. R76-85175 AND CERTIFICATE IF CORRECTION PER DOC. R77-16664.
- PUBLIC UTILITY AND DRAINAGE EASEMENT OVER ALL OF LOT 2, EXCEPT THOSE AREAS DESIGNATED AS E.B.E. (EXCEPTION TO BLANKET EASEMENT), HERETOFORE GRANTED PER WESTMONT VILLAGE APARTMENTS SUBDIVISION RECORDED AS DOCUMENT \_\_\_\_\_
- STORMWATER DETENTION EASEMENT HERETOFORE GRANTED PER WESTMONT VILLAGE APARTMENTS SUBDIVISION RECORDED AS DOCUMENT \_\_\_\_\_

## ILLINOIS BELL TELEPHONE COMPANY

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ }SS  
VACATION OF THE EASEMENT(S) DESIGNATED TO BE VACATED HEREON APPROVED AND ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_  
ILLINOIS BELL TELEPHONE COMPANY D.B.A. AT&T ILLINOIS  
BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

## COMCAST

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ }SS  
VACATION OF THE EASEMENT(S) DESIGNATED TO BE VACATED HEREON APPROVED AND ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_  
COMCAST  
BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

## COMMONWEALTH EDISON COMPANY

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ }SS  
VACATION OF THE EASEMENT(S) DESIGNATED TO BE VACATED HEREON APPROVED AND ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_  
COMMONWEALTH EDISON COMPANY  
BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

## AT&T U-VERSE

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ }SS  
VACATION OF THE EASEMENT(S) DESIGNATED TO BE VACATED HEREON APPROVED AND ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_  
AT&T U-VERSE  
BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

## VILLAGE OF WESTMONT

STATE OF ILLINOIS }  
COUNTY OF DUPAGE }SS  
VACATION OF THE EASEMENTS SHOWN AND DESCRIBED HEREON APPROVED AND ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_  
VILLAGE OF WESTMONT  
BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

## DUPAGE SANITARY DISTRICT

STATE OF ILLINOIS }  
COUNTY OF DUPAGE }SS  
VACATION OF THE EASEMENTS SHOWN AND DESCRIBED HEREON APPROVED AND ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_  
DUPAGE SANITARY DISTRICT  
BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

**ROAKE AND ASSOCIATES, INC.**  
CONSULTING ENGINEERS • LAND SURVEYORS • PLANNERS  
1684 QUINCY AVENUE, SUITE 100A • NAPERVILLE, ILLINOIS 60540  
TEL (630) 366-3232 • FAX (630) 366-3287

PREPARED FOR:  
**LW ODESSA PONDS, LLC**  
15 WEST 43RD STREET - #60  
NEW YORK, NEW YORK 10036  
TEL (646) 448-3404

NO.		DATE		DESCRIPTION	

**WESTMONT VILLAGE APARTMENTS SUBDIVISION**  
PLAT OF VACATION  
DRN./CKD. BY: SRH/DRM FILE: 8161VAC FLD. BK./PG.: 263/12-19 SHEET NO. 1 OF 1  
SCALE: 1"=80' DATE: 08/10/16 JOB NO.: 816.002

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**VILLAGE OF WESTMONT  
PLANNING AND ZONING COMMISSION  
AGENDA ITEM**

**MEETING DATE: August 10, 2016** *(continued from June 08 and July 13, 2016)*

**P/Z 16-013**

**TITLE: Westmont B Imports, Inc. regarding the property located at 420 and 430 East Ogden Avenue, a portion of Westmont Drive, 645, 650 and 651 Westmont Drive, and 415 Plaza Drive, Westmont, IL 60559 for the following:**

- (A) Special Use Permit request to operate an automotive dealership in the B-2 General Business District.
- (B) Zoning Code Variance request to allow parking within the front yard setback.
- (C) Zoning Code Variance Request to increase the allowed height in the B-2 General Business District for the purpose of constructing a rooftop parking deck for an automobile dealership.
- (D) Preliminary Plat of Vacation for Westmont Drive.
- (E) Preliminary Plat of Consolidation.
- (F) Site and Landscaping Plan approval.

---

**UPDATES:**

As in July, no changes have been made to the original staff report from June. The applicant has again responded to engineering comments from the previous submittals and updated plans accordingly. Note that the revised Landscape Plan was provided to the commissioners the day of the hearing in July and has remained unchanged.

**STAFF COMMENTS**

*Engineering/Public Works*

Accommodating staff requests to alter the proposed cul-de-sac to be entirely in the public right-of-way, both the Village Engineer and the Village's retained engineering consultant have indicated that any remaining issues can be remedied through the permitting process.

*Landscaping*

The revised Landscape Plans are currently under review and staff will have comments by the date of the public hearing.

**DOCUMENTS ATTACHED**

1. Updating Staff Report dated July 13, 2016.
2. Original Staff Report dated June 08, 2016.
3. 2nd Preliminary Review Response, prepared by Spaceco, Inc., dated July 12, 2016.
4. Staff review comments (based on updated plan submittals) from Village Engineer Noriel Noriega dated July 27, 2016, and Engineering, Traffic and Landscape consultant Anthony Bryant dated August 01, 2016.
5. Revised Plat of Subdivision and Easement Plans, prepared by Spaceco, Inc., dated July 27, 2016.
6. Revised Landscape Plan, prepared by Dowden Landscape Design, dated July 10, 2016.



**VILLAGE OF WESTMONT  
PLANNING AND ZONING COMMISSION  
AGENDA ITEM**

**MEETING DATE: July 13, 2016** *(continued from June 08, 2016)*

**P/Z 16-013**

**TITLE: Westmont B Imports, Inc. regarding the property located at 420 and 430 East Ogden Avenue, a portion of Westmont Drive, 645, 650 and 651 Westmont Drive, and 415 Plaza Drive, Westmont, IL 60559 for the following:**

- (A) Special Use Permit request to operate an automotive dealership in the B-2 General Business District.
- (B) Zoning Code Variance request to allow parking within the front yard setback.
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- (D) Preliminary Plat of Vacation for Westmont Drive.
- (E) Preliminary Plat of Consolidation.
- (F) Site and Landscaping Plan approval.

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**UPDATES:**

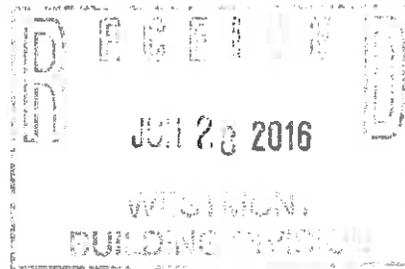
No changes have been made to the original staff report. The applicant has responded to the engineering comments from the first submittal and updated site plans accordingly.

**DOCUMENTS ATTACHED**

1. Original Staff Report dated June 08, 2016.
2. Preliminary Review Response, prepared by Spaceco, Inc., dated June 27, 2016.
3. Staff review comments (based on updated plan submittal) from Village Engineer Noriel Noriega dated July 01, 2016, and Engineering, Traffic and Landscape consultant Anthony Brant dated July 05, 2016.
4. Public comments received.
5. Revised Site Improvement Plans, prepared by Spaceco, Inc., dated June 27, 2016.



9575 W. Higgins Road, Suite 700, Rosemont, Illinois 60018  
Phone: (847) 696-4060 Fax: (847) 696-4065



June 27, 2016

Ms. Jill H. Ziegler  
Village Planner  
Village of Westmont  
31 West Quincy Street  
Westmont, IL 60559

**RE: BMW DEALERSHIP – PRELIMINARY REVIEW  
430 E. OGDEN  
WESTMONT, ILLINOIS  
SPACECO PROJECT No. 8270**

Dear Jill,

We received your comments regarding the BMW Dealership dated 5/31/16. Enclosed for your review, please find the following:

1. One (1) copy of a disposition of review comments
2. Four (4) copies of the revised Site Improvement Plans
3. Two (2) copies of the revised Stormwater Management Report

Please contact me if you have any questions or need additional information.

Sincerely,  
SPACECO, Inc.

A handwritten signature in black ink, appearing to read 'Tom McCabe'. Below the signature, the word 'For:' is written in a smaller, handwritten font.

Thomas J. McCabe, P.E.  
Vice President

**PUBLIC WORKS DEPARTMENT – ENGINEERING DIVISION**

Comment 1: Address all comments made by Mr. Anthony Bryant, PE, Burns of McDonnell, on his letter dated 05/24/2016.

- a. Referencing comment #11: The proposed drive can remain; however, the runoff must be collected and BMP's provided.

*Response: Runoff will be collected and BMP's provided.*

Comment 2: Provide IDOT Permits for all work along Ogden Avenue.

*Response: IDOT permit will be provided upon approval.*

Comment 3: Provide Flagg Creek Water Reclamation District Permit approvals.

*Response: Flagg Creek WRD permit will be provided upon approval.*

Comment 4: The proposed cul-de-sac shall be within dedicated ROW. I suggest moving the cul-de-sac northerly in a manner that both BMW and the existing 419 Plaza property will have driveways off of the cul-de-sac area.

*Response: The location of the proposed cul-de-sac has not been changed because the dedicated ROW would be encroaching onto the neighboring property.*

Comment 5: Complete all public improvements within the cul-de-sac (i.e. public sidewalk, parkway trees, street lighting, etc.)

*Response: All improvements within the cul-de-sac is to be paved to allow four-way access.*

Comment 6: Regarding the proposed watermain, address the following comments:

- a. All proposed watermain shall be within a PU&DE.
- b. We suggest the proposed layout of the watermain from Ogden to connecting to the watermain along Westmont Drive to be constructed in a manner to eliminate a number of unnecessary bends. Watermain from Ogden Avenue, directly south toward the north basin, then 90 westerly

toward the existing watermain versus the layout with a significant amount of bends

- c. Where the proposed Westmont Drive ends, install fire hydrant (between the existing driveway of 419 Plaza and the property line of BMW site). At this same location, install a valve vault.
- d. The water service and fire suppression service must be separated.
- e. Proposed FH#3 should be constructed within a curbed island. We suggest relocating forty-five (45) feet in a NW direction into the proposed parking lot island.
- f. Relocate FH#4 approximately forty-five (45) feet southerly, closer to the Ogden Avenue ROW.
- g. All utilities within ten (10) feet of the proposed watermain (i.e. storm sewer, sanitary, etc.) shall be constructed utilizing watermain quality pipe.

*Response: As requested, all proposed water mains shall be located in PU&DE, the planned water main alignment from Ogden to Westmont Dr. was rerouted to reduce the number of pipe bends, a fire hydrant and valve vault was added at the end of Westmont Dr., a fire suppression service line was extended to the riser room at the west side of the future building, proposed FH #3 was relocated to a curbed island, proposed FH #4 was relocated closer to Ogden Avenue ROW, and all underground utilities within 10' of the proposed water main shall be constructed utilizing water main quality pipe.*

Comment 7: Regarding the proposed stormwater management, address the following comments:

- a. All stormwater management facilities shall be located within a Stormwater Detention Easement
- b. It is our understanding that the existing site shall remain open during construction. Ensure adequate amount of detention is provided during all phases of the project.
- c. The submitted Final Stormwater Management Report, location map, Westmont Drive is misspelled.

*Response: The proposed north and south detention basins will be emplaced in a Stormwater Detention Easement. Sufficient stormwater storage capacity will be*

*provided during all construction phases of the project. The spelling of Westmont Dr. on the location map in the Final Stormwater Report has been corrected.*

**Comment 8:** All customer parking area shall be a minimum of ten (10) feet wide, excluding the handicap parking stall which shall be constructed meeting minimum ADA requirements.

*Response:* *Customer parking area will remain 9' feet wide as depicted on the site geometric plan.*

**Comment 9:** During the Permit review process, address the following items on the proposed Plat of Vacation. All certificates can be located on the Village's website ([www.westmont.il.gov](http://www.westmont.il.gov)) under Documents & Forms/Community Development.

- a. Sanitary District Certification
- b. Village Clerk's Certificate

*Response:* *Noted, these items will be addressed.*

**Comment 10:** Review and approvals will be required from Mr. Jon Yeater, Public Works Foreman – Village Forester, regarding any tree requirements. If you have any specific questions, Mr. Yeater can be contacted at (630) 981-6285.

- a. There are 10 parkway trees proposed to be removed. Total diameter to be removed is 102.5". We charge at \$170 per inch diameter for removal of Village owned trees, which comes to a total of \$17,425.00 for removal of 102.5 total inches of diameter.
  - i. Robinia pseudoacacia 'Chicago Blues' (Chicago Blues Black Locust) – 9.5"
  - ii. Ulmus Morton 'accolade' (Accolade Elm) – 7"
  - iii. Gymnocladus dioica (Kentucky Coffeetree) – 5.5"
  - iv. Ostrya virginiana (ironwood) – 4.5"
  - v. Cercidiphyllum japonicum (Katsuratree) – 3.5"
  - vi. Liriodendron tulipifera (Tulip-poplar) – 4.5"
  - vii. Ulmus Morton 'accolade' (Accolade Elm) – 8"
  - viii. Gleditsia triacanthos (Honeylocust) – 23"
  - ix. Gleditsia triacanthos (Honeylocust) – 18.5"
  - x. Gleditsia triacanthos (Honeylocust) – 18.5"
- b. Provide parkway trees along Ogden Avenue per appropriate tree species and spacing requirements

- c. There is one other parkway tree that is not labeled for removal, a 7" Acer platanoides 'Crimson King' (Crimson King Norway Maple). A tree protection zone must be established to protect the tree during the construction process, and that area should be labeled on the plan. That is the area from the sidewalk to the curb, to a minimum of 10' on any side of the tree. The fencing will consist of 6' chain link with sturdy steel posts driven into the ground at a minimum of every 10'. Fencing along the curb can be placed 2' off the curb line to allow for parking, i.e. door opening space. A 4' opening in the fence may be established to allow access to the lawn for mowing purposes, but will not be used for material storage. **All fencing must be established and approved prior to the start of any site work, including demolition and existing tree removal, and remain up for the entirety of the project.** No digging or grading shall be done within the TPZ at any time during the project, nor shall the fence be moved or opened to do any excavation. If the TPZ presents an issue that cannot be worked around, I want to know about it prior to any compromise of the TPZ. I can be reached most conveniently on my cell at (630) 417-7965.
- d. There were a number of other parkway trees along the parkway of this property, but all were Fraxinus (Ash), and all were removed due to insect infestation.
- e. There are 10 total private trees to be removed but only 4 of them are labeled on the plan.

*Response: All landscape revisions and comment response will be provided in the coming days.*

### **ESI CONSULTANTS, LTD**

Comment 1: Overall the concepts presented on the Site Plan are acceptable and submittal of Plans for full permit review is recommended.

*Response: Noted.*

Comment 2: There are numerous restrictors within the existing parking areas being removed. Quantify the existing detention provided on-site, and the existing release rate, and incorporate into the proposed drainage and detention basin design.

*Response: The proposed stormwater detention basins and their outlet restrictors have been sized based on the condition that all existing on-site subsurface runoff storage area will be removed during construction activities.*

Comment 3: Earthen embankments shall not be constructed with a slope steeper than 3-foot horizontal to 1 foot vertical.

*Response: The earthen embankments of the proposed detention facilities will be constructed with a 4:1 maximum slope.*

Comment 4: Provide existing and impervious area exhibit and calculations. Provide a PCBMP submittal if more than 2,500 SF of new impervious is proposed.

*Response: An existing conditions impervious area exhibit has been added to the Final Stormwater Report. Since there is a net decrease of site impervious surfaces post-construction, no PCBMP submittal is required.*

Comment 5: Provide detention calculations. Proposed detention volumes cannot be approved without back-up calculations and methodology.

*Response: Stage-storage detention volume calculations are included in the Final Stormwater Report.*

Comment 6: Proposed contours shall tie into existing contours at the property line.

*Response: Proposed contours tie into existing contours at the property line; where they do not, retaining walls will be emplaced to reconcile the difference between existing and proposed grades.*

Comment 7: An emergency overflow shall be provided for the south basin.

*Response: An emergency overflow for the south basin has been added at the north end of the facility.*

Comment 8: The structure/grate located just south of the North Basin should be sized to convey the 100-year critical flow to the detention basin or a curb notch should be proposed to allow runoff to flow into the basin. Otherwise, runoff may overtop and flow into the Westmont Drive roadway.

*Response: A 64' long x 5' deep curb notch will be established in the curb line abutting the south end of the proposed north detention basin to convey the 100-year critical*

*flow (reference the geometric plan sheets for this revision). Weir calculations for the proposed curb notch has been added to the Final Stormwater Report.*

**Comment 9:** Drainage structures shall be sized appropriately for the proposed pipe sizes.

*Response: Proposed catch basins just upstream of the detention facilities have been upsized from 4' to 5' diameter structures to better accommodate 30" and 36" RCP outlets.*

**Comment 10:** Water quality manufactured BMPs upstream of the proposed basins are recommended in lieu of the typical site conveyance BMPs (vegetated swale, filter strip, etc.)

*Response: Water quality BMPs will be installed upstream of the proposed detention basins in lieu of the typical site conveyance BMPs.*

**Comment 11:** It appears that existing trees along Westmont Drive will be impacted by the proposed development. A tree survey will be required.

*Response: All landscape revisions and comment response will be provided in the coming days.*

**Comment 12:** A tree preservation plan will be required.

*Response: The landscape revisions and comment response will be provided in the coming days.*

**Comment 13:** The landscape plan needs to be a site plan overlaying the locations of existing trees to be preserved, utilities and utility easements, building pads, retention/detention basins, proposed contours and all proposed landscaping. This is missing from the landscape plan.

*Response: The landscape revisions and comment response will be provided in the coming days.*

**Comment 14:** There is a typo under Item 13 in the Planting Notes.

*Response: The landscape revisions and comment response will be provided in the coming days.*

Comment 15: Please provide quantities in the plant list.

*Response: The landscape revisions and comment response will be provided in the coming days.*

Comment 16: Please label front, side and rear yards, provide required landscape calculations into a landscape requirements table and revise the landscape design to meet the Village requirements

- a. At least 50% of the open space on the site shall be landscaped. The site appears to only provide 25% open space.
- b. At least one tree shall be planted for every 500 square feet of the area required to be landscaped. One-third of the trees shall be evergreens of a minimum six feet in height, one third of the trees shall be ornamental a minimum of three inch caliper or six feet in height, and one-third of the trees shall be shade trees, a minimum of three inch DBH. Please provide breakdown of 74 tree quantities and calcs for shade, ornamental and evergreen trees.
- c. One shrub shall be planted for every 50 square feet of the area required to be landscaped. For shrubs that mature less than five feet in height, minum installation size shall be two feet tall. For shrubs that mature greater than five feet in height, minimum installation size shall be three feet tall. Please provide breakdown of shrub quantities and calcs.
- d. Foundation plantings of a minimum width of six feet shall be provided on all sides of the main structure except where sidewalks, driveway or other hardscape abuts the structure. Foundation plantings shall be comprised of a combination of shade trees, ornamental trees, evergreens, shrubs, ground covers and flowers. Plan does not meet this requirement.

*Response: The landscape revisions and comment response will be provided in the coming days.*

Comment 17: Parking lot interior islands are approximately 12,000 SF. The parking lot area is approximately 160,000 SF. 56 trees are required and only 43 are provided. Please provide an additional 13 trees in the parking lot area.

*Response: The landscape revisions and comment response will be provided in the coming days.*

Comment 18: parking lot screening is required to have a screen fence or wall plus a planting strip of four feet minimum width for parking lots containing more than four parking spaces. The landscape design does not meet this requirement.

*Response: The landscape revisions and comment response will be provided in the coming days.*

Comment 19: Plants that are native proposed to be planted are Sugar Maple and Sumac.

*Response: The landscape revisions and comment response will be provided in the coming days.*

### **Village Landscape Architect**

Comment 1: Number of replacement trees as required for the replacement of 'trees to be removed' per the tree survey (or grading plan) meets the ordinance.

*Response: The landscape revisions and comment response will be provided in the coming days.*

Comment 2: Number of parking lots trees required meets the ordinance

*Response: The landscape revisions and comment response will be provided in the coming days.*

Comment 3: The Village Forester may have comments regarding the diversity and species selection of the proposed trees.

*Response: The landscape revisions and comment response will be provided in the coming days.*

Comment 4: There are no planting or management specifications for the detention basins. This information will need to be provided.

*Response: The landscape revisions and comment response will be provided in the coming days.*

Comment 5: Per the landscape ordinance foundation plantings, perennials and ornamental trees are required. Per the submitted plans it appears there is only pavement enveloping the entire footprint of the building. Please revise.

*Response: The landscape revisions and comment response will be provided in the coming days.*

#### **WESTMONT FIRE DEPARTMENT**

Comment 1: Building is required to be sprinklered.

*Response: All building codes will be met upon Final Construction.*

Comment 2: Parking garage is required to have a compliant standpipe system

*Response: All building codes will be met upon Final Construction.*

Comment 3: Fire hydrants are required within 300 feet of all portion of buildings.

*Response: All proposed fire hydrants have been located within 300 feet of all portions of the proposed building.*

Comment 4: Fire hydrants required within 100 feet of fire department connection.

*Response: FH #3 is located within 100 feet of the proposed fire department connection mounted on the exterior wall of the future building's riser room.*

Comment 5: International Fire Code, 2012 edition, with local amendments.

*Response: All building codes will be met upon Final Construction.*

Comment 6: NFPA Life Safety Code, 2012 edition with local amendments

*Response: All building codes will be met upon Final Construction.*

**Comment 7:** International Building Code, 2012 edition, with local amendments.

*Response: All building codes will be met upon Final Construction.*



**Public Works Department  
Engineering Division**

31 West Quincy Street • Westmont, Illinois 60559  
Tel: 630-981-6272 Fax: 630-829-4479

**Date:** July 1, 2016

**To:** Mrs. Jill Ziegler, AICP  
Community Development Director

**From:** Noriel Noriega, PE, CPESC  
Assistant Director of Public Works - Village Engineer

**RE:** Proposed BMW Development  
430 E Ogden, Westmont  
Preliminary Review #2

We are in receipt of the following items for the proposed BMW Development at 430 E. Ogden Avenue:

1. Spaceco Inc. response letter dated 06/27/2016
2. Revised Final Stormwater Management Report dated 05/03/2016 and revised 06/24/2016
3. Site Improvement Plans for the Proposed BMW of Westmont dated 05/06/2016 and revised 06/27/2016 prepared by Spaceco, Inc.

A preliminary review of the submitted documents has no significant issues that we feel would prevent the project from continuing. Our listed comments below can be addressed during the Permit Application Process. It should be noted that additional comments should be anticipated when a full Permit Application Review is performed.

1. (COMMENT REMAINS) The proposed cul-de-sac shall be within dedicated ROW. The ROW may be off-set and does not need to be "centered" between the properties thereby eliminating "encroachments" to the neighboring property. Staff cannot recommend the "dead-end" of Westmont Drive into private property.
2. (COMMENT REMAINS) Complete all public improvements within the cul-de-sac (i.e. public sidewalk, parkway trees, street lighting, etc).
3. (COMMENT REMAINS) All customer parking area shall be a minimum of ten (10) feet wide, excluding the handicap parking stalls which shall be constructed meeting minimum ADA requirements.
4. It was missed during our first preliminary review, provide public sidewalk along the south side of Plaza Drive, just east of Westmont Drive.
5. (COMMENT REMAINS) Review and approvals will be required from Mr. Jon Yeater, Public Works Foreman - Village Forester, regarding any tree requirements. If you have any specific questions, Mr. Yeater can be contacted at 630-981-6285.
  - a. There are 10 parkway trees proposed to be removed. Total diameter to be removed is 102.5". We charge at \$170 per inch diameter for removal of Village owned trees, which comes to a total charge of \$17,425.00 for the removal of 102.5 total inches of diameter.
    - i. Robinia pseudoacacia 'Chicago Blues' (Chicago Blues Black Locust)- 9.5"
    - ii. Ulmus morton 'accolade' (Accolade Elm)- 7"



**Public Works Department  
Engineering Division**

31 West Quincy Street • Westmont, Illinois 60559  
Tel: 630-981-6272 Fax: 630-829-4479

- iii. *Gymnocladus dioica* (Kentucky Coffeetree)- 5.5"
  - iv. *Ostrya virginiana* (Ironwood)- 4.5"
  - v. *Cercidiphyllum japonicum* (Katsuratree)- 3.5"
  - vi. *Liriodendron tulipifera* (Tulip-poplar)- 4.5"
  - vii. *Ulmus morton 'accolade'* (Accolade Elm)- 8"
  - viii. *Gleditsia triacanthos* (Honeylocust)- 23"
  - ix. *Gleditsia triacanthos* (Honeylocust)- 18.5"
  - x. *Gleditsia triacanthos* (Honeylocust)- 18.5"
- b. Provide parkway trees along Ogden Avenue per appropriate tree species and spacing requirements.
  - c. There is one other parkway tree that is not labeled for removal, a 7" *Acer platanoides* 'Crimson King' (Crimson King Norway Maple). A tree protection zone must be established to protect the tree during the construction process, and that area should be labeled on the plan. That is the area from the sidewalk to the curb, to a minimum of 10' on any side of the tree. The fencing will consist of 6' chain link with sturdy steel posts driven into the ground at a minimum of every 10'. Fencing along the curb can be placed 2' off of the curb line to allow for parking, i.e. door opening space. A 4' opening in the fence may be established to allow access to the lawn for mowing purposes, but will not be used for material storage. **All fencing must be established and approved prior to the start of any site work, including demolition and existing tree removal, and remain up for the entirety of the project.** No digging or grading shall be done within the TPZ at any time during the project, nor shall the fence be moved or opened to do any excavation. If the TPZ presents an issue that can not be worked around, I want to know about it prior to any compromise of the TPZ. I can be reached most conveniently on my cell at (630)417-7965.
  - d. There were a number of other parkway trees along the parkway of this property, but all were *Fraxinus* (Ash), and all were removed due to insect infestation.
  - e. There are 10 total private trees to be removed, but only 4 of them are labeled on the plan.

If you have any further questions or concerns, please contact me at 630-981-6295.

Thank you.

Cc: Mr. Mike Ramsey, PO - Director of Public Works (via email)  
Mr. Jim Cates - Public Works Supervisor, Water Operations / Facilities Manager (via email)  
Mr. Jon Yeater - Public Works Foreman, Village Forester (via email)  
Ms. Melissa Brendle - Municipal Services Office Supervisor (via email)  
Mr. Joe Hennerfeind - Planner II (via email)  
Mrs. Rose Gross - Municipal Services (via email)  
Mr. Anthony Bryant, PE - Burns & McDonnell (via email)



ESI Consultants, Ltd.  
*Excellence. Service. Integrity*

July 5<sup>th</sup>, 2016

Village of Westmont  
31 W. Quincy Street  
Westmont, IL 60559

Attn: Community Development Department

Re: Preliminary Land Development, Stormwater & BMP Review – Site Improvement Plans for 430 East Ogden Avenue

We have performed a PRELIMINARY review of the packages sent to us that relate to the above referenced project. This review focuses on the application of Land Development, Stormwater Management and BMP measures to the proposed Site Plan.

After reviewing the plans for compliance with the Westmont and DuPage Countywide Stormwater Ordinance and visiting the site we have the following comments:

**Engineering Plans and General Comments**

1. Overall the concepts presented on the Site Plan are acceptable and submittal of Plans for full permit review is recommended.
2. There are numerous restrictors within the existing parking areas being removed. Quantify the existing detention provided on-site, and the existing release rate, and incorporate into the proposed drainage and detention basin design.
3. On the impervious area exhibit, the existing impervious area shall be compared to the proposed impervious area.
4. A drainage structure should be provided for access and maintenance above the 30-inch diameter equalizer pipe between the two basins.
5. There are existing dual 48-inch pipes that traverse the property from south to north, just west of Westmont Drive. The proposed building is located on top of these pipes. The nature, use, and origin of these pipes shall be determined; they shall be incorporated into the site drainage design, as necessary.

**Traffic Study Comments**

6. Parking for the remaining businesses along Westmont Drive shall remain the same or have parking added.
7. Existing traffic volume growth should be determined by this equation:  $V*1.005^{6yr}$ .
8. Please provide an item by item disposition of comments letter with your next submittal.

**Landscape Design Comments**

Article I:

**Sec. 80-6. - Protection.**

1. The plan does not depict or provide tree protection notes and details for the protection of existing trees along Westmont Avenue.

**Sec. 80-9. - Parkway tree planting required at new construction.**

1. Parkway trees are required along Ogden Avenue every 35 linear feet of the parkway. Please provide dimensioning for parkway tree plantings. The 7 that are shown appear to be closer to 60 feet on center.

**Sec. 80-16. - Tree maintenance standards**

1. In order to avoid corner visibility obstructions, no trees shall be planted closer than 30 feet from the point of tangency of the curbs. Please show on the plan all Corner Visibility Triangles as depicted in this section to avoid plant material greater than 24" mature height above the curb except trees that can be planted no closer than 10 feet so that the eventual growth avert interference to the driveway.

Article II:

**Sec. 80-41. - Landscape plan application procedure.**

1. It appears that existing trees along Westmont Drive will be impacted by the proposed development. A tree survey will be required.
2. A tree preservation plan will be required.
3. The landscape plan needs to be a site plan overlaying the locations of existing trees to be preserved, utilities and utility easements, building pads, retention/detention basins, proposed contours and all proposed landscaping. This is missing from the landscape plan.
4. There is a typo under Item 13 in the Planting Notes.
5. Please provide quantities in the plant list.
6. Please label front, side and rear yards, provide required landscape calculations into a landscape requirements table and revise the landscape design to meet the Village requirements:

*Non-residential, minimum standards for commercial and multi-family construction.*

- a. At least 50 percent of the open space on the site shall be landscaped. *The site appears to only provide 25% open space.*
- b. At least one tree shall be planted for every 500 square feet of the area required to be landscaped. One-third of the trees shall be evergreens of a minimum six feet in height, one-third of the trees shall be ornamental a minimum of three inch caliper or six feet in height, and one-third of the trees shall be shade trees, a minimum of three inch DBH. *Please provide breakdown of 74 tree quantities and calcs for shade, ornamental and evergreen trees.*
- c. One shrub shall be planted for every 50 square feet of the area required to be landscaped. For shrubs that mature less than five feet in height, minimum installation size shall be two feet tall. For shrubs that mature greater than five feet in height, minimum installation size shall be three feet tall. *Please provide breakdown of shrub quantities and calcs.*
- d. Foundation plantings of a minimum width of six feet shall be provided on all sides of the main structure except where sidewalks, driveways or other hardscape abuts the structure. Foundation plantings shall be comprised of a combination of shade trees, ornamental trees, evergreens, shrubs, ground covers and flowers. *Plan does not meet this requirement.*

**Sec. 80-47. - Parking lots.**

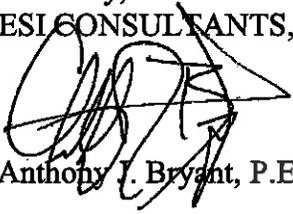
1. Parking lot interior islands are approximately 12,000 SF. The parking lot area is approximately 160,000 SF. 56 trees are required and only 43 are provided. Please provide an additional 13 trees in the parking lot area.
2. Parking lot screening is required to have a screen fence or wall plus a planting strip of four feet minimum width for parking lots containing more than four parking spaces. The landscape design does not meet this requirement.

**Sec. 80-48. - Native/natural areas plantings.**

1. Plants that are native proposed to be planted are Sugar Maple and Sumac.

If you have any questions, please call me at (630) 420-1700 x2120.

Sincerely,  
ESI CONSULTANTS, LTD.



Anthony J. Bryant, P.E.



## Westmont Park District Administrative Office

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55 E. Richmond St., Westmont, IL 60559

p: (630) 969-8080 f: (630) 969-7923

June 8, 2016

**To: Ed Richards, Chairman**  
**Westmont Planning & Zoning Commission**  
**Re: BMW/AutoNation request to close Westmont Drive**

Dear Chairman Richards:

On behalf of the Westmont Park District Board of Commissioners this letter shall serve as notice of the Park District's opposition to the BMW/AutoNation proposal to close Westmont Drive. As you know the Park District's Fitness Club is located on the corner of Westmont and Plaza Drive and will adversely impacted by the loss of direct access to Ogden Avenue. The Park District recognizes BMW's value as a Westmont business and their many contributions to our community. However, closure of Westmont Drive is not in Westmont's best interest, or the interests of those businesses located on Plaza Drive who will lose direct access to Ogden Avenue and substantial on-street parking. It is the opinion of the Park Board that the BMW project and the resulting economic benefits to the Village can be accomplished without vacating Westmont Drive.

From our review of the development plans we note that only parking lots will be constructed east of Westmont Drive. No structures are proposed within the right of way or east of the street. Therefore the project can be constructed and operated safely without eliminating the primary mode of ingress/egress for the numerous businesses immediately north of the project on Plaza Drive. Retaining through traffic while adding mid-block crossings and other traffic calming measures such as signage, lights, and speed bumps will create a safe and appropriate pedestrian cross walk between the lots east of Westmont Drive and the new structures to the west. The Park District would also support a NO LEFT TURN onto Ogden Avenue from Westmont Drive during the evening rush hour as another means of traffic control.

Eliminating access to Plaza Drive from Westmont Drive would have a material adverse economic impact on the Park District's Fitness Club and the other businesses behind BMW. While difficult to quantify without engaging in an expensive and time consuming study it cannot be disputed that any business reliant on convenience and location to attract and retain customers will suffer material consequences from the loss of its principal means of ingress/egress.

Lastly, closing Westmont Drive will add substantially to the already extreme congestion on Blackhawk Drive, essentially placing a stranglehold on the intersections of Ogden Avenue and Blackhawk Drive, and Plaza Drive and Blackhawk Drive. Blackhawk Drive and the streets around Ty Warner Park already strain to safely accommodate the heavily congested area and are constantly filled with a mix of traffic from the businesses, schools, residents, park patrons and transporters for the auto dealers.

---

Board of Commissioners

Diane Main, *President* | James Flynn | John Karesh | James Long | Sandra Smith

Robert Fleck, *Executive Director*

[www.westmontparks.org](http://www.westmontparks.org)



## Westmont Park District Administrative Office

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55 E. Richmond St., Westmont, IL 60559

p: (630) 969-8080 f: (630) 969-7923

For reasons above the Westmont Park District Board of Commissioners opposes the proposed closure of Westmont Drive. The Park District supports BMW's expansion; however, the expansion can and should be completed without eliminating the principal means of ingress and egress to the Fitness Club and the many other businesses located on Plaza Drive who depend on direct access to Ogden Avenue for their success.

We appreciate your serious and careful consideration of our request to preserve Westmont Drive. Please contact me if you wish to discuss this matter further.

In service,

Diane Main  
President, Westmont Park District  
Board of Park Commissioners

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### Board of Commissioners

Diane Main, *President* | James Flynn | John Karesh | James Long | Sandra Smith

Robert Fleck, *Executive Director*

[www.westmontparks.org](http://www.westmontparks.org)

June 2, 2016

InterVarsity Press feedback regarding the proposed BMW redevelopment project

### Concerns and Questions

1. Decrease in our property value from:
  - a. More congested streets, both from car parking and truck traffic.
  - b. Less convenient access to our building for employees, visitors, and semi-truck deliveries, especially since we are at the very East dead end of Plaza Dr.
  - c. The presence of a parking deck that injects a "warehouse" atmosphere into a light business (Plaza Dr.)/retail area (Ogden Ave.). How high, how many decks, will the proposed structure have?
2. Parking on the street is already extremely limited. Where will all the cars park that now park on Westmont Drive?
3. Increase in traffic congestion.
  - a. How will a wayward semi turn around at the East end of Plaza when he finds there's no way out except to turn around?
  - b. A car carrier unloaded this morning right in front of our driveway, potentially blocking access to IVP by any of the 15-20 semi-trucks that deliver and pick up every week. How will you and the Village ensure your car carriers, and those of other dealers, do not unload on Plaza?
  - c. How many cars per day will go up and down Plaza to enter your parking deck and parking lots? What % increase will that be from current levels of dealer car traffic?
  - d. Will emergency vehicles have adequate access to the East end of Plaza? All the trucks that currently dock at businesses along Plaza will now have to exit the same way they came in, increasing the bottlenecks they create. If trucks are in the process of backing into docks along Plaza, and there is no other way to the East end of Plaza, how long will the delay be for an emergency vehicle to force the trucks to abandon their backing-in process and get out of the way?

4. Decrease in business for other retailers on Ogden Ave. We give regular business to Bakersfield, Wendy's, Chipotle and Standard Market. Out of frustration from increased traffic and long waits at the light at Blackhawk, we would expect our employees and guests would frequent these businesses much less often than they do now.

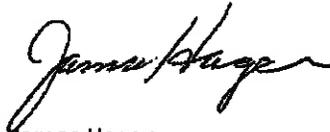
#### Summary

We are strongly against the proposal as it would result in great inconveniences for our 85 employees and guests, and lessen our property value. It will likely lessen the business our people give to businesses on Ogden Ave.



Robert A. Fryling

Publisher



James Hagen

Director of Business and Finance



David Burton

Distribution Center Manager



## **Laurel BMW of Westmont**

Office Address  
430 E. Ogden Avenue  
Westmont, IL 60559  
BMW Westmont.com

**June 16, 2016**

(630) 654-5400

**Mr Edward Richards**

**Chairman Westmont Planning and Zoning**

**Village of Westmont**

**31 West Quincy Street**

**Westmont, IL 60559**

**Mr Richards,**

**As you have probably heard I cannot attend the July Planning and Zoning meeting because I will be in Munich for a BMW meeting that has been planned for six months.**

**We were ready to go for the June meeting but I know the City felt it right to push it back a month as there was some question whether some of our neighbors read their mail.**

**This project is extremely important to me and the health and welfare of Laurel BMW, if I was in the Country I would make sure to be there.**

**I plan on making a video to present at the meeting as we feel it important some of this comes directly from me.**

**We value our relationship with Westmont as I know the City does with us and we want to stay here but have to grow.**

**Purchasing Westmont Drive although it is not very much space is key to our growth as we need every square foot moving forward.**

**Again, I apologize that I cannot attend and wanted you to hear directly from me why I cannot be there as I feel it very important.**

**Thank you for the support of our project.**

A handwritten signature in black ink, appearing to read 'Patrick Womack', written over a white background.

**Patrick Womack**

**General Manager Laurel BMW of Westmont**



Joseph Hennerfeind &lt;jhennerfeind@westmont.il.gov&gt;

**Fwd: Westmont BMW\_requested drawings**

3 messages

Jill Ziegler &lt;jziegler@westmont.il.gov&gt;

Fri, Aug 5, 2016 at 11:11 AM

To: Noriel Noriega &lt;nnoriega@westmont.il.gov&gt;, Steve May &lt;smay@westmont.il.gov&gt;

Cc: Joseph Hennerfeind &lt;jhennerfeind@westmont.il.gov&gt;

Wanted to share some comments from the attorney representing the adjacent office tenants. I will talk to Bob Fleck about park events, and I wanted to review with both of you the Blackhawk signal/Westmont Dr vacation/stormwater topics prior to the meeting.

----- Forwarded message -----

From: Jones, Greg &lt;GJones@ancelglink.com&gt;

Date: Fri, Aug 5, 2016 at 10:59 AM

Subject: Re: Westmont BMW\_requested drawings

To: Jill Ziegler &lt;jziegler@westmont.il.gov&gt;

Cc: Tom McCabe &lt;tmccabe@spacecoinc.com&gt;, Patrick Womack &lt;WomackP@autonation.com&gt;, Sean McGovern &lt;smcgovern@spacecoinc.com&gt;, "Emery, Ellen" &lt;EEmer@ancelglink.com&gt;, Larry Forsberg &lt;lforsberg@westmontchamber.com&gt;, Peter Newfield &lt;pnewfield@ysmdesign.com&gt;

Jill,

Absolutely. We don't have a comprehensive list of questions, but topics my clients intend to discuss include:

- 1) Traffic signal timing;
- 2) Necessity of right of way vacation;
- 3) Signage and visibility;
- 4) Ty Warner Park events; and
- 5) Stormwater management.

I suspect that the village has already evaluated many – if not all – of these subjects, and we're hopeful that we'll receive satisfactory answers on Wednesday. As I'm sure you understand, additional topics may arise during the discussion. That's just the nature of a public hearing.

Thanks,

Greg

Sent from my phone. Please excuse any typos.

On Aug 4, 2016, at 10:42 AM, Jill Ziegler &lt;jziegler@westmont.il.gov&lt;mailto:jziegler@westmont.il.gov&gt;&gt; wrote:

Greg,  
 Could you please share the questions and comments that you have for the Village so that we can prepare for the meeting and ensure we have the appropriate information and answers that your clients need? Thanks!

Jill H. Ziegler, AICP  
 Community Development Director  
 Village of Westmont - 31 W. Quincy Street 60559  
 630.981.6267 <http://www.westmont.il.gov>

My clients have additional questions and comments for the village that will be shared at that time.

On Tue, Aug 2, 2016 at 5:09 PM, Jones, Greg <[GJones@ancelglink.com](mailto:GJones@ancelglink.com)<mailto:[GJones@ancelglink.com](mailto:GJones@ancelglink.com)>> wrote: Tom,

Thank you for sharing BMW's plans. Having the opportunity to review them has answered many of our questions.

At this point, our most pressing question for BMW is what agreement it has reached with IDOT concerning traffic signal timing at Ogden Avenue and Blackhawk Drive? BMW's traffic study recommends that the signal be modified to provide additional green time to the Blackhawk Drive approaches. Has BMW spoken with IDOT about signal timing? If not, when does BMW plan to do so?

This issue is critical for the Plaza Drive businesses. As you know, Plaza Drive traffic will be rerouted to Blackhawk Drive. Excessive intersection delays and a low level of service will have a significant and adverse impact on these businesses. That's not an acceptable outcome. Resolving this issue now during development review will help everyone understand the impacts of BMW's proposal.

I don't know that this question warrants a meeting, but we're certainly happy to do so if you'd like. Alternately, we can discuss this at the August 10 hearing. My clients have additional questions and comments for the village that will be shared at that time.

Thank you again for sharing the plans.

Greg

Greg Jones, Attorney at Law  
Ancel, Glink, Diamond, Bush,  
DiCianni & Krafthefer, P.C.  
140 South Dearborn Street, 6th Floor  
Chicago, IL 60603  
Direct Dial: [312.604.9195](tel:312.604.9195)<tel:[312.604.9195](tel:312.604.9195)>  
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Fax: [312.782.0943](tel:312.782.0943)<tel:[312.782.0943](tel:312.782.0943)>  
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[GJones@ancelglink.com](mailto:GJones@ancelglink.com)  
[www.ancelglink.com](http://www.ancelglink.com/)<<http://www.ancelglink.com/>>

[\[http://ancelglink.com/tsmall.jpg\]](http://ancelglink.com/tsmall.jpg)<<https://twitter.com/AncelGlinkLand>>

[\[http://ancelglink.com/bmed.jpg\]](http://ancelglink.com/bmed.jpg)<<http://municipalminute.ancelglink.com/>>

—Original Message—

From: Tom McCabe [<mailto:tmccabe@spacecoinc.com><<mailto:tmccabe@spacecoinc.com>>]  
Sent: Thursday, July 28, 2016 9:31 AM  
To: Jones, Greg; Peter Newfield  
Cc: Patrick Womack; Sean McGovern; Emery, Ellen; Jill Ziegler; Larry Forssberg

Subject: RE: Westmont BMW\_requested drawings

Greg:

Do you have any update on the meeting you have requested with us. We would like to be able to hear your concerns and be prepared to address them at the next meeting on August 10th.

Thanks,

Thomas McCabe, P.E.  
Vice President

SPACECO, Inc.  
2015 NAIOP Engineering Design Firm of the Year  
9575 W. Higgins Road, Suite 700, Rosemont, IL. 60018  
Tel: 847-696-4060<tel:847-696-4060> Fax: 847-696-4065<tel:847-696-4065> [tmccabe@spacecoinc.com](mailto:tmccabe@spacecoinc.com)<mailto:tmccabe@spacecoinc.com>

"Building Relationships Through Engineering Excellence"

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—Original Message—

From: Tom McCabe  
Sent: Tuesday, July 26, 2016 8:12 AM  
To: 'Jones, Greg'; Peter Newfield  
Cc: Patrick Womack; Sean McGovern; Emery, Ellen; 'Jill Ziegler'  
Subject: RE: Westmont BMW\_requested drawings

Greg:

I know Ellen had requested a meeting with BMW at the last public hearing. After reviewing the documents, is this still necessary? If so, please let us know some dates and times of your availability, and we will meet with you.

Thanks,

Thomas McCabe, P.E.  
Vice President

SPACECO, Inc.  
2015 NAIOP Engineering Design Firm of the Year  
9575 W. Higgins Road, Suite 700, Rosemont, IL. 60018  
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—Original Message—

From: Jones, Greg [<mailto:GJones@ancelglink.com><<mailto:GJones@ancelglink.com>>]  
Sent: Tuesday, July 19, 2016 10:46 PM  
To: Peter Newfield

Cc: Tom McCabe; Patrick Womack; Sean McGovern; Emery, Ellen  
Subject: Re: Westmont BMW\_requested drawings

Thanks, Peter.

Sent from my phone. Please excuse any typos.

On Jul 19, 2016, at 9:11 PM, Peter Newfield <[pnewfield@ysmdesign.com](mailto:pnewfield@ysmdesign.com)<mailto:pnewfield@ysmdesign.com><mailto:pnewfield@ysmdesign.com<mailto:pnewfield@ysmdesign.com>>>> wrote:

#### ShareFile Attachments

Title

Size

BMW Westmont\_East Elevations.pdf

189 KB

BMW Westmont\_Existing Arch Site Plan.pdf

523.7 KB

BMW Westmont\_FF & E Shop.pdf

554.8 KB

BMW Westmont\_FF&E Showroom.pdf

690.4 KB

BMW Westmont\_North South Elevations.pdf

311 KB

BMW Westmont\_Overall Plan.pdf

8.1 MB

BMW Westmont\_Proposed Arch Site Plan.pdf

8 MB

BMW Westmont\_West Elevations.pdf

343.6 KB

Westmont BMW\_aerial\_1.jpg

30.1 MB

Westmont BMW\_CD Axon1.pdf

2.9 MB

Westmont BMW\_CD Axon2.pdf

3.3 MB

Westmont BMW\_parking deck\_1.jpg

40.5 MB

Westmont BMW\_parking deck\_2.jpg

28.1 MB

Westmont BMW\_showroom exterior\_1.jpg

5.2 MB

Westmont BMW\_showroom exterior\_2.jpg

19.1 MB

Download Attachments<<https://ysmdesign.sharefile.com/d/s179e502abca4b2eb>>

Peter Newfield uses ShareFile to share documents securely. Learn More.<[https://www.sharefile.com/?src=system-email-outlookplugin-new&utm\\_medium=system-email&utm\\_source=outlookplugin-new](https://www.sharefile.com/?src=system-email-outlookplugin-new&utm_medium=system-email&utm_source=outlookplugin-new)>

Hi Greg,

Please use the embedded link to download the requested architectural drawings and renderings. This is the set that the Village currently has. Spaceco will send you the Civil drawings and other requested materials.

Regards,

Greg Jones, Attorney at Law

[<http://ancelglink.com/sig.gif>]

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---

Peter M. Newfield, AIA

YSM | Design

1320 Ellsworth Industrial Blvd #A100

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From: Tom McCabe [<mailto:tmccabe@spacecoinc.com><<mailto:tmccabe@spacecoinc.com>>]

Sent: Monday, July 18, 2016 9:40 AM

To: Peter Newfield <[pnewfield@ysmdesign.com](mailto:pnewfield@ysmdesign.com)<<mailto:pnewfield@ysmdesign.com>><<mailto:pnewfield@ysmdesign.com>>>>; Patrick Womack <[WomackP@autonation.com](mailto:WomackP@autonation.com)<<mailto:WomackP@autonation.com>>>>; Sean

McGovern <[smcgovern@spacecoinc.com](mailto:smcgovern@spacecoinc.com)<<mailto:smcgovern@spacecoinc.com>><<mailto:smcgovern@spacecoinc.com>>>>; Sean

McGovern <[smcgovern@spacecoinc.com](mailto:smcgovern@spacecoinc.com)<<mailto:smcgovern@spacecoinc.com>><<mailto:smcgovern@spacecoinc.com>>>>

Subject: Fwd: Westmont BMW

Sent from my iPhone

Begin forwarded message:

From: "Jones, Greg" <[GJones@ancelglink.com](mailto:GJones@ancelglink.com)<<mailto:GJones@ancelglink.com>><<mailto:GJones@ancelglink.com>>>>

Date: July 18, 2016 at 8:31:25 AM CDT

To: "tmccabe@spacecoinc.com" <<mailto:tmccabe@spacecoinc.com>><<mailto:tmccabe@spacecoinc.com>><<mailto:tmccabe@spacecoinc.com>>>>

Cc: "Emery, Ellen" <[EEmerly@ancelglink.com](mailto:EEmerly@ancelglink.com)<<mailto:EEmerly@ancelglink.com>><<mailto:EEmerly@ancelglink.com>>>>

Subject: Westmont BMW

Tom,

As you know, we represent the owners of several businesses on Plaza Drive in Westmont. You met my colleague, Ellen Emery, on Wednesday night at the Planning and Zoning Commission hearing. I wanted to reach out to renew our request to receive copies of BMW's plans for its proposed Westmont facility. Having an opportunity to review BMW's plans may resolve some of the issues discussed at the public hearing and allow the parties to work together to find mutually acceptable solutions. Please send by email all engineering plans, architectural plans, renderings, and any other plans, studies, or documents submitted to the village for review to date.

We are also interested in meeting with Pat Womack after our clients have had a chance to review and understand BMW's plans. I understand that Pat may currently be out of the country. Please advise when he will be available to meet and we will work to find a time that works for everyone.

Greg

---

Greg Jones, Attorney at Law

[\[http://ancelglink.com/sig.gif\]](http://ancelglink.com/sig.gif)

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<Attachments.html>

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---

Jill Ziegler <[jziegler@westmont.il.gov](mailto:jziegler@westmont.il.gov)>

Tue, Aug 9, 2016 at 3:30 PM

To: "Jones, Greg" <[GJones@ancelglink.com](mailto:GJones@ancelglink.com)>

Cc: Tom McCabe <[tmccabe@spacecoinc.com](mailto:tmccabe@spacecoinc.com)>, Patrick Womack <[WomackP@autonation.com](mailto:WomackP@autonation.com)>, Sean McGovern <[smcgovern@spacecoinc.com](mailto:smcgovern@spacecoinc.com)>, "Emery, Ellen" <[EEEmery@ancelglink.com](mailto:EEEmery@ancelglink.com)>, Larry Forssberg <[lforssberg@westmontchamber.com](mailto:lforssberg@westmontchamber.com)>, Peter Newfield <[pnewfield@ysmdesign.com](mailto:pnewfield@ysmdesign.com)>, Steve May <[smay@westmont.il.gov](mailto:smay@westmont.il.gov)>, Joseph Hennerfeind <[jhennerfeind@westmont.il.gov](mailto:jhennerfeind@westmont.il.gov)>

Greg,

In response to your list of topics from last Friday, I asked our staff and BMW to respond in order to answer questions in advance, understanding that additional topics always occur at public hearings. Tom McCabe has provided a traffic memo with daily counts, which is attached as a PDF. Bob Fleck, Park District Director, has provided a draft list of events at Ty Warner Park (that list is incomplete as it fluctuates throughout the year), also attached as a PDF, and Manager May has addressed the Westmont Drive proposed right-of-way vacation below. Noriel Noriega, Assistant Public Works Director, replied regarding the Blackhawk Drive signal on August 4. I hope this information is helpful.

Any specific stormwater management questions that we can address?

If you have any questions, please let me know, and we're looking forward to seeing you tomorrow evening at Planning and Zoning Commission. - Jill

Jill H. Ziegler, AICP

Community Development Director

Village of Westmont - 31 W. Quincy Street 60559

630.981.6267 <http://www.westmont.il.gov>

Jill, and all,

Throughout the various discussion regarding the BMW Development, and in particular any 'vacation' of Westmont Drive, two questions/comments tend to re-occur. The first is regarding payment to the Park District. The second being centered around signal timing at Blackhawk and Ogden. Both these topics are shared concerns of the Village Board although not really (specifically) for consideration by P&Z. They certainly are related, but not being directly reviewed by P&Z.

Regardless, I would still like to make some clarifications so that misinformation does not perpetuate:

When initially discussing the possibility of right-of-way vacation, there were several concerns. When discussing the cost/price of the actual property (ROW), a consistent cost per SF was used to calculate. The SF has changed as the project planning has evolved. On top of that cost, the developer was told that a fixed fee of \$50,000 would be added to the SF cost to accommodate any directional/way-finding signage determined necessary. The fee was anticipated to cover additional signage work that would likely be located on Park District property. At the time, we envisioned Blackhawk/Plaza. However, this fee is to the Village, not the Park District. I am not aware of any payments having been proposed to any other entity regarding this project.

Traffic signal timing is a more complex answer. This is due to both a mis-understanding of how traffic signals work combined with the fact that we are not at the stage to firmly involve IDOT yet - being the jurisdictional authority of Ogden Avenue (US34). An IDOT issued highway permit will be required if work within the ROW along Ogden is approved by the municipality. We too were interested in the impact at Blackhawk Drive. We required the traffic study as part of the preliminary discussions. Several intersections are bound to be influenced, not just Blackhawk at Ogden. However, this is the only signalized intersection in the area of influence. The study shows the before/after changes in *Level of Service*. The traffic engineers are very familiar with IDOT operations, standards and expectations. I have no concerns that IDOT will weigh in (when permit is applied for) and adjust accordingly. In the event equipment changes are required (not anticipated here), they would make those costs part of the permit requirements.

Lastly, let me briefly describe traffic signal timing/operation:

**Fixed time:** This type runs a constant time. Real primitive urban fixed time signals do not even change timings overnight. These signals have no idea how much traffic exists. They run the same timing even if not one car is present. When I hear, "... will IDOT change the timing?" I get the sense that the questioner is thinking timings are fixed today. They are not.

**Semi-actuated:** This is when the signal favors the main direction and only senses side street traffic as it occurs. It will stay green forever in one direction until someone else (car or pedestrian) is detected. (Cass/Norfolk; Cass/Traube)

**Fully-actuated:** These have detection in all lanes and run variable timings with min and max parameters programmed internally. This represents most all traffic signals. The controller is essentially a computer.

All of Ogden Avenue (and all our other arterial highways) are already fully actuated controllers. They run different timing patterns during different periods of the day. Furthermore, Ogden Avenue between I-355 and I-294 is called a traffic responsive connected corridor. Every signal talks to each other and continuously maximises the efficiency along the entire corridor at once. Each signal measure existing traffic real-time and selects from a variety of internally stored timing plans. The timing at 2:15p may be different than the timing at 2:20p and so on. It may not react to one unique momentary event, but it is perpetually evaluating and adapting. So the question as to whether the timing will be changed at Blackhawk/Ogden - yes. It would even today if traffic starts showing up.

I hope this helps a little. There is actually much more to it but I hope the overview helps. Please feel free to share accordingly if useful.

Steve

**Stephen M. May, P.E., PTOE**  
 Village Manager  
 Village of Westmont  
 31 W. Quincy Street  
 Westmont, IL 60559-1865

[Quoted text hidden]

2 attachments

15-194 Laurel BMW Daily Traffic Count Memo 8-5-2016.pdf

 250K Ty Warner draft event list.pdf  
70K

Jones, Greg <GJones@ancelglink.com>  
To: Jill Ziegler <jziegler@westmont.il.gov>

Tue, Aug 9, 2016 at 3:42 PM

Cc: Tom McCabe <tmccabe@spacecoinc.com>, Patrick Womack <WomackP@autonation.com>, Sean McGovern <smcgovern@spacecoinc.com>, "Emery, Ellen" <EEEmery@ancelglink.com>, Larry Forssberg <lforssberg@westmontchamber.com>, Peter Newfield <pnewfield@ysmdesign.com>, Steve May <smay@westmont.il.gov>, Joseph Hennerfeind <jhennerfeind@westmont.il.gov>

Thank you, Jill.

**Greg Jones, Attorney at Law**

**Ancel  
Glink**

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**From:** Jill Ziegler [mailto:jziegler@westmont.il.gov]

**Sent:** Tuesday, August 09, 2016 3:30 PM

**To:** Jones, Greg

**Cc:** Tom McCabe; Patrick Womack; Sean McGovern; Emery, Ellen; Larry Forssberg; Peter Newfield; Steve May; Joseph Hennerfeind

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**MEMORANDUM TO:** Thomas McCabe, PE  
SPACECO, Inc.

**FROM:** Michael A. Werthmann, PE, PTOE

**DATE:** August 5, 2016

**SUBJECT:** Addendum to Traffic Study  
Redevelopment of the Laurel BMW of Westmont Dealership  
Plaza Drive Daily Traffic Counts  
Westmont, Illinois

This memorandum is an addendum to the traffic impact study dated September 28, 2015 prepared by Kenig, Lindgren, O'Hara, Aboona, Inc. for the proposed redevelopment of the Laurel BMW of Westmont Dealership in Westmont, Illinois. The primary dealership is located on the east side of Westmont Drive between Ogden Avenue and Plaza Drive with the certified pre-owned dealership located in the northwest corner of the intersection of Ogden Avenue and Westmont Drive. As proposed, the existing site will be expanded to contain several parcels on the west side of Westmont Drive, including the existing Oak Brook Racquet and Fitness Club and the certified pre-owned dealership. In addition, the redevelopment will require the vacation of the southern portion of Westmont Drive between Ogden Avenue and Plaza Drive.

The purpose of this addendum is to determine the daily traffic volume and type of traffic using Plaza Drive between Westmont Drive and Blackhawk Drive. This was accomplished by performing daily traffic counts at the following locations on Tuesday and Wednesday, July 26 and 27, 2016.

- Plaza Drive just west of Westmont Drive
- Plaza Drive just east of Blackhawk Drive

**Table 1** illustrates the results of the traffic counts.

From Table 1 it can be seen that Plaza Drive has an average daily traffic volume between 1,426 and 2,081 vehicles. Further, semi-trailers account for only one to two percent of the daily traffic along Plaza Drive with an average of 24 semi-trailers per day traversing the subject segment of Plaza Drive. As such, Plaza Drive carries a low volume of daily traffic and a limited number of semi-trailers traverse the road.

Further, video observations showed that it took trucks between 30 seconds to a maximum of two minutes (with an average time of 60-90 seconds) to back in to a loading dock from Plaza Drive. Therefore, given the width of Plaza Drive (approximately 34 feet), the low volume of trucks traversing Plaza Drive, and the short time it takes trucks to back into the loading docks, the truck traffic has a limited impact on the flow of traffic along Plaza Drive.

Table 1  
**PLAZA DRIVE DAILY TRAFFIC COUNTS**

	Passenger Vehicles		Single Unit Trucks		Semi-Trailers		Total
	Eastbound	Westbound	Eastbound	Westbound	Eastbound	Westbound	
	Plaza Drive West of Westmont Drive		Plaza Drive East of Blackhawk Drive				
Tuesday, July 26, 2016	686	692	23	10	7	6	1424
Wednesday, July 27, 2016	676	693	24	22	9	4	1428
Average	681	592.5	23.5	16	8	5	1426
<b>Plaza Drive East of Blackhawk Drive</b>							
Tuesday, July 26, 2016	1126	840	37	25	17	16	2061
Wednesday, July 27, 2016	1146	850	40	31	20	14	2101
Average	1136	845	38.5	28	18.5	15	2081



ESI Consultants, Ltd.  
*Excellence. Service. Integrity*

August 8<sup>th</sup>, 2016

Village of Westmont  
31 W. Quincy Street  
Westmont, IL 60559

Attn: Community Development Department

Re: Preliminary Land Development, Stormwater & BMP Review – Site Improvement Plans for 430 East Ogden Avenue

We have performed a PRELIMINARY review of the packages sent to us that relate to the above referenced project. This review focuses on the application of Land Development, Stormwater Management and BMP measures to the proposed Site Plan.

After reviewing the plans for compliance with the Westmont and DuPage Countywide Stormwater Ordinance and visiting the site we have the following comments:

**Engineering Plans and General Comments**

1. Overall the concepts presented on the Site Plan are acceptable and submittal of Plans for full permit review is recommended.

**Traffic Study Comments**

2. Final review to occur during permit submittal.

**Landscape Design Comments**

**Sec. 80-6. - Protection.**

1. The plan does not graphically depict the trees to be removed or to be remained or graphically show the tree protection fencing for the Norway Maple to be saved. The plan did provide enough for the review and address many of the previous comments.

**Sec. 80-9. - Parkway tree planting required at new construction.**

1. Parkway trees are required along Ogden Avenue every 35 linear feet of the parkway. Please provide dimensioning for parkway tree plantings. The plan shows 9 shade trees with 3 different varieties. Please provide dimensions on the spacing of the parkway trees to verify the required 35 foot spacing.

2. Parkway trees shall not be planted in a cluster, but shall instead be planted in a mixed scheme (example: A, B, A, C, B, C is acceptable. A, A, B, B, C, C is not acceptable). Please arrange the parkway trees to meet this mixed scheme requirement.

**Sec. 80-16. - Tree maintenance standards**

1. In order to avoid corner visibility obstructions, no trees shall be planted closer than 30 feet from the point of tangency of the curbs. Please show on the plan all Corner Visibility Triangles as depicted in this section to avoid plant material greater than 24" mature height above the curb except trees that can be planted no closer than 10 feet so that the eventual growth avert interference to the driveway.
2. No trees shall be planted closer than ten feet to any utility poles. If the existing utility pole on the corner of Ogden Ave and Westmont Drive is to remain, please provide dimensions that show the proposed parkway tree at a minimum ten feet from the utility pole.

**Article II: Landscape Requirements**

**Sec. 80-41. - Landscape plan application procedure.**

1. The landscape plan needs to be a site plan overlaying the locations of existing trees to be preserved, utilities and utility easements, building pads, retention/detention basins, proposed contours and all proposed landscaping. This is missing from the landscape plan.
2. The general restoration areas to be seeded/sodded are not labeled or a quantity identified. It is recommended that all seeded areas receive erosion control blanket.
3. Please label front, side and rear yards, provide required landscape calculations into a landscape requirements table and revise the landscape design to meet the Village requirements:

*Non-residential, minimum standards for commercial and multi-family construction.*

- a. Foundation plantings of a minimum width of six feet shall be provided on all sides of the main structure except where sidewalks, driveways or other hardscape abuts the structure. Foundation plantings shall be comprised of a combination of shade trees, ornamental trees, evergreens, shrubs, ground covers and flowers.

The landscape plan shows a small planting bed with a combination of evergreen and deciduous shrubs along the southwest portion of the southernmost proposed building. It is unclear from the plan if the large area between the planting bed and the curb is paved or a further opportunity to provide additional landscaping to meet the diversity of the combination plant types required.

**Sec. 80-47. - Parking lots.**

1. Parking lot screening is required to have a screen fence or wall plus a planting strip of four feet minimum width for parking lots containing more than four parking spaces. The

landscape design for the parking lots fronting Ogden Avenue do not meet this requirement. A planting bed is shown in the southwest portion of the site in front of the parking lot. This bed could be extended to cover the frontage of the entire parking lot to fulfill the screening requirement.

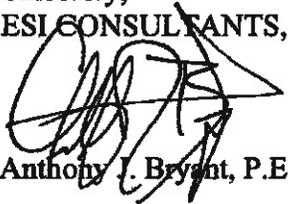
**Sec. 80-48. - Native/natural areas plantings.**

1. Plants that are native proposed to be planted include:

- Kentucky Coffeetree
- Honeylocust
- Sumac

If you have any questions, please call me at (630) 420-1700 x2120.

Sincerely,  
ESI CONSULTANTS, LTD.

  
Anthony J. Bryant, P.E.

**VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION**  
**FINDINGS OF FACT**

**PUBLIC HEARING OF AUGUST 10, 2016**

**P/Z 16-013: Westmont B. Imports, Inc., regarding 420 and 430 E. Ogden Avenue, a portion of Westmont Drive, 645, 650 and 651 Westmont Drive, and 415 Plaza Drive, Westmont**

Request for a special use to allow an automotive dealership in the B-2 General Business District.

***CRITERIA NO. 1: That the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.***

**FINDINGS OF FACT:** The Applicant currently operates an automobile dealership on almost all of these properties and there is no history showing this use is detrimental to the public health, safety and welfare. The proposed new structure and the use of additional property likewise is not expected to have any detrimental impacts. Similar automotive dealership uses are present along all of Ogden Avenue without adverse impacts on the public health, safety, morals or welfare.

***CRITERIA NO. 2: That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.***

**FINDINGS OF FACT:** The Ogden Avenue corridor is developed with numerous automobile dealerships, including the Applicant's dealership. The proposed use is consistent with these existing uses and consistent with the Village's Zoning Ordinance and Comprehensive Land Use Plan. The proposed improvements will enhance the property and keep all operations within a contained site, thereby benefitting surrounding properties.

***CRITERIA NO. 3: That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.***

**FINDINGS OF FACT:** Surrounding property is fully-developed, and this redeveloped automobile dealership will not adversely impact the ability of surrounding properties to redevelop.

***CRITERIA NO. 4: That adequate utilities, access ways, drainage and/or other necessary facilities have been or are being provided.***

**FINDINGS OF FACT:** The property is currently served by adequate utilities, access ways and other necessary facilities. The Applicant will provide improved storm water management for the site.

***CRITERIA NO. 5: That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.***

**FINDINGS OF FACT:** The site will have sufficient ingress and egress onto Ogden Avenue, and will have secondary access to Plaza Drive. Ogden Avenue is a heavily-trafficked thoroughfare and this redeveloped automobile dealership will not significantly increase traffic congestion on Ogden Avenue.

***CRITERIA NO. 6: That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the village board pursuant to the recommendation of the plan commission.***

**FINDINGS OF FACT:** The redeveloped automobile dealership will meet all requirements of the Zoning Ordinance, Land Development Code, and all applicable building and fire codes, except that Applicant is seeking two zoning variances for a minor setback encroachment and a building height variance.

***CRITERIA NO. 7: The proposed use meets the special conditions of Special Condition 7.***

**FINDINGS OF FACT:** The Applicant is providing sufficient landscaping and setbacks which will screen vehicles awaiting service or customer pick-up. A significant portion of vehicle inventory will be located in an enclosed parking garage.

  6   The Planning and Zoning Commission agrees with the above findings.

  6   The Planning and Zoning Commission does not agree with the above findings.

**VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION**  
**FINDINGS OF FACT**

**PUBLIC HEARING OF AUGUST 10, 2016**

**P/Z 16-013 – Westmont B. Imports, Inc., regarding 420 and 430 E. Ogden Avenue, a portion of Westmont Drive, 645, 650 and 651 Westmont Drive, and 415 Plaza Drive, Westmont**

Request for a variance to allow parking within the required front yard setback.

***CRITERIA NO. 1:** The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.*

**FINDINGS OF FACT:** Ogden Avenue contains a supplemental front yard setback of 30 feet, rather than the traditional B-2 District setback of 10 feet. In order to adequately display vehicles for sale which are visible to motorists along Ogden Avenue, the Applicant seeks a variance to allow an encroachment of 6.58 feet. This variance, if granted, is less than the current setback encroachment, is less than the parking encroachment of other automobile dealerships along Ogden Avenue, and will allow the Applicant to yield a reasonable return.

***CRITERIA NO. 2:** The plight of the owner is due to unique circumstances.*

**FINDINGS OF FACT:** The setback encroachment is necessary to adequately display vehicles for sale to the public, and is requested in order to maximize the use of the property.

***CRITERIA NO. 3:** The variation, if granted, will not alter the essential character of the locality.*

**FINDINGS OF FACT:** The Ogden Avenue corridor is heavily commercial with numerous automobile dealerships. This request will actually lessen the setback encroachment from current conditions, and is less intensive than the setback encroachments of other nearby businesses.

6 The Planning and Zoning Commission agrees with the above findings.

0 The Planning and Zoning Commission does not agree with the above findings.

**VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION**  
**FINDINGS OF FACT**

**PUBLIC HEARING OF AUGUST 10, 2016**

**P/Z 16-013 – Westmont B. Imports, Inc., regarding 420 and 430 E. Ogden Avenue, a portion of Westmont Drive, 645, 650 and 651 Westmont Drive, and 415 Plaza Drive, Westmont**

Request for a variance to increase the allowed height of a structure in the B-2 General Business District.

***CRITERIA NO. 1:** The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.*

**FINDINGS OF FACT:** Applicant seeks to increase the maximum allowed height of a structure by 5 feet. This height variance is necessary to accommodate a proposed parking garage for the storage of vehicles for sale as well as a ground floor building beneath the parking garage. The parking garage height is similar to the height of a nearby parking garage and will allow the Applicant to yield a reasonable return.

***CRITERIA NO. 2:** The plight of the owner is due to unique circumstances.*

**FINDINGS OF FACT:** Rather than constructing a dealership building for sales and service, plus a separate parking garage, the Applicant has combined these 2 uses into a single structure, thus preserving and maximizing space on the property.

***CRITERIA NO. 3:** The variation, if granted, will not alter the essential character of the locality.*

**FINDINGS OF FACT:** The Ogden Avenue corridor is heavily commercial with numerous automobile dealerships. The proposed dealership building with parking garage is similar to an existing, nearby parking garage for another automotive dealership. The amount of the variance is minimal compared to the value added to the site by having a single building housing the primary dealership sales and service, plus the parking garage.

6 The Planning and Zoning Commission agrees with the above findings.

0 The Planning and Zoning Commission does not agree with the above findings.

REVISIONS	BY
08.09.16	

**Dowden Landscape Design**  
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**LANDSCAPE PLAN**

**BMW OF WESTMONT**  
430 E. OGDEN AVENUE  
WESTMONT, ILLINOIS

Date **07.10.16**  
Scale **1"=50'**  
Drawn **CJD**  
Job  
Sheet

**PLANT LIST**

Qty.	Common Name	Botanical Name	Size	Remarks
<b>Shade Trees (45)</b>				
2	Marmo Maple	Acer freemanii 'Marmo'	2 1/2"	B&B
3	State Street Miyabe Maple	Acer miyabei 'Morton'	2 1/2"	B&B
3	Skyline Locust	Gleditsia triacanthos 'Skyline'	2 1/2"	B&B
16	Espresso Kentucky Coffee Tree	Gymnocladus dioica 'Espresso'	2 1/2"	B&B
14	Chanticleer Pear	Pyrus calleryana 'Chanticleer'	2 1/2"	B&B
2	Swamp White Oak	Quercus bicolor	2 1/2"	B&B
2	Greenspire Linden	Tilia cordata 'Greenspire'	2 1/2"	B&B
3	Triumph Elm	Ulmus carpinifolia 'Morton Glossy'	2 1/2"	B&B

<b>Ornamental Trees (31)</b>				
19	Cumulus Serviceberry	Amelanchier grandiflora 'Cumulus'	2"	B&B
3	Covey Weeping Redbud	Cercis canadensis 'Covey'	2 1/2"	B&B
9	Ivory Silk Japanese Tree Lilac	Syringa reticulata 'Ivory Silk'	2"	B&B

<b>Evergreen Trees (28)</b>				
6	Mountbatten Juniper	Juniperus chinensis 'Mountbatten'	6'	B&B
5	Black Hills Spruce	Picea pungens 'Densata'	6'	B&B
17	Shawnee Brave Bald Cypress	Taxodium distichum 'Shawnee Brave'	2"	B&B

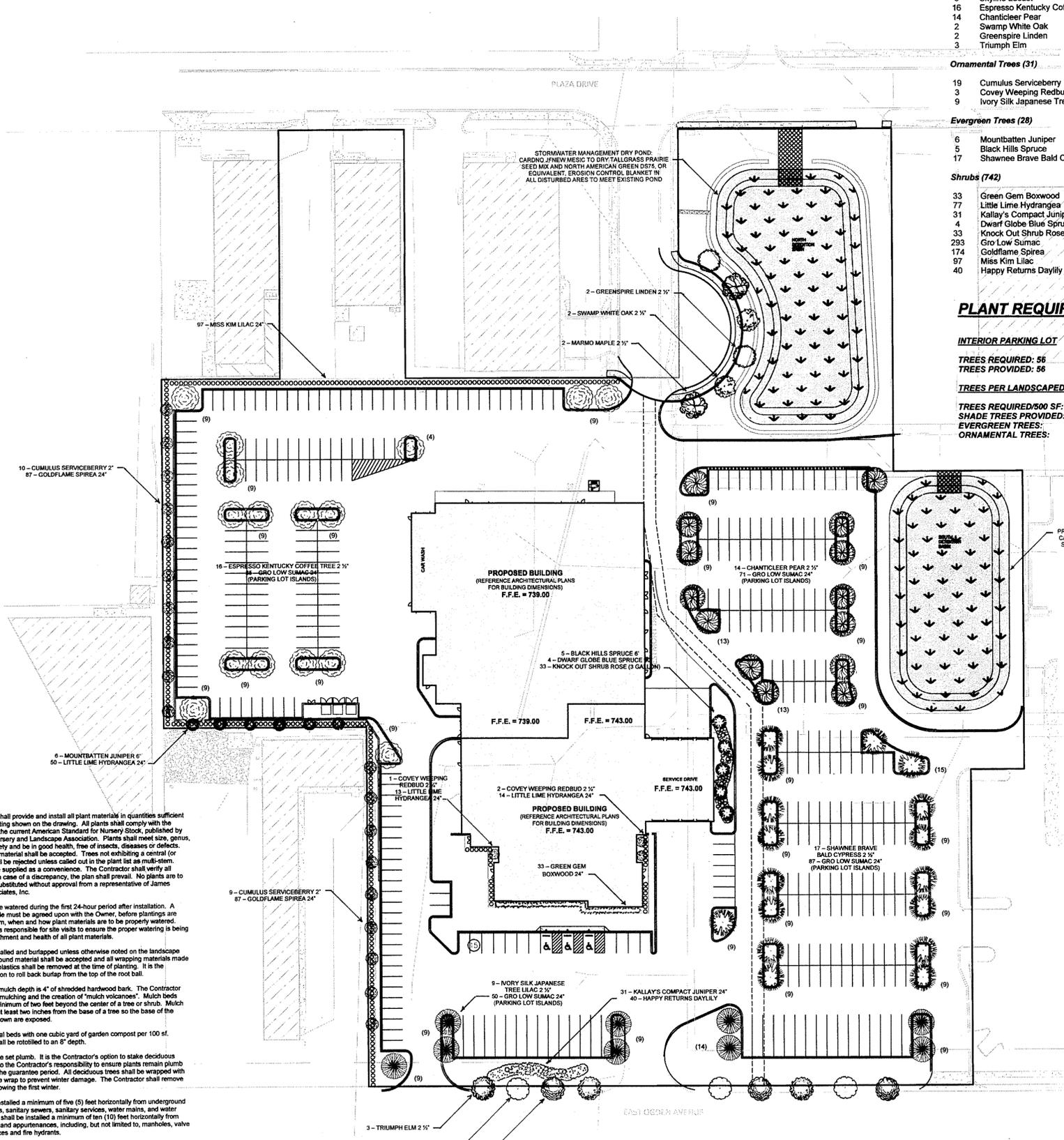
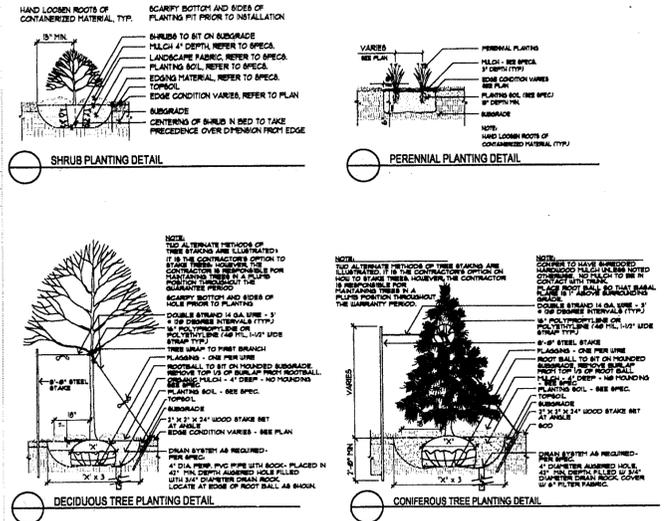
<b>Shrubs (742)</b>				
33	Green Gem Boxwood	Buxus 'Green Gem'	24"	Cont.
77	Little Lime Hydrangea	Hydrangea paniculata 'Jane'	24"	Cont.
31	Kallay's Compact Juniper	Juniperus chinensis 'Kallay's Compact'	24"	Cont.
4	Dwarf Globe Blue Spruce	Picea pungens glauca 'Globosa'	30"	B&B
33	Knock Out Shrub Rose	Rosa 'Radrizz'	3 Gallon	Pots
293	Gro Low Sumac	Rhus aromatica 'Gro Low'	24"	Cont.
174	Goldflame Spirea	Spiraea bumalda 'Goldflame'	24"	Cont.
97	Miss Kim Lilac	Syringa patula 'Miss Kim'	24"	Cont.
40	Happy Returns Daylily	Heemerocallis 'Happy Returns'	Gallon	Pots

**PLANT REQUIREMENTS & CALCULATIONS**

INTERIOR PARKING LOT	SHRUBS REQUIRED PER LANDSCAPED AREA
TREES REQUIRED: 56	SHRUBS REQUIRED/50 SF: 740
TREES PROVIDED: 56	SHRUBS PROVIDED: 742
<b>TREES PER LANDSCAPED AREA</b>	
TREES REQUIRED/500 SF: 74	
SHADE TREES PROVIDED: 30	
EVERGREEN TREES: 28	
ORNAMENTAL TREES: 31 (89)	

Botanical Name	Common Name	PLS	Ounces/Acre
<b>Mesic-to-Dry Prairie Seed Mix</b>			
<b>Permanent Grasses:</b>			
<i>Andropogon gerardii</i>	Big Bluestem		18.00
<i>Bouteloua curtipendula</i>	Side Oats Grama		8.00
<i>Carex spp.</i>	Prairie Sedge Mix		4.00
<i>Elymus canadensis</i>	Canada Wild Rye		4.00
<i>Panicum virgatum</i>	Switch Grass		24.00
<i>Schizachyrium scoparium</i>	Little Bluestem		28.00
<i>Sorghastrum nutans</i>	Indian Grass		12.00
	<b>Total</b>		<b>98.00</b>
<b>Temporary Cover:</b>			
<i>Avena sativa</i>	Common Oat		360.00
<i>Lolium multiflorum</i>	Annual Rye		100.00
	<b>Total</b>		<b>460.00</b>
<b>Forbs:</b>			
<i>Anemone cylindrica</i>	Thimbleweed		0.50
<i>Asclepias syriaca</i>	Common Milkweed		1.00
<i>Asclepias tuberosa</i>	Butterfly Weed		1.25
<i>Baptisia alba</i>	White Wild Indigo		2.00
<i>Baptisia bracteata</i>	Cream Wild Indigo		0.50
<i>Chamaecrista fasciculata</i>	Partridge Pea		10.00
<i>Coreopsis lanceolata</i>	Sand Coreopsis		3.50
<i>Coreopsis palmata</i>	Prairie Coreopsis		0.75
<i>Desmanthus illinoensis</i>	Illinois Sensitive Plant		1.00
<i>Desmodium illinoense</i>	Illinois Tick Trefoil		0.50
<i>Echinacea purpurea</i>	Broad-Leaved Purple Coneflower		6.50
<i>Eryngium yuccifolium</i>	Rattlesnake Master		2.00
<i>Lespedeza capitata</i>	Round-Headed Bush Clover		2.00
<i>Liatris aspera</i>	Rough Blazing Star		2.00
<i>Liatris pycnostachya</i>	Prairie Blazing star		0.50
<i>Lupinus perennis</i>	Wild Lupine		2.00
<i>Monarda fistulosa</i>	Wild Bergamot		0.75
<i>Oligoneuron rigidum</i>	Stiff Goldenrod		2.00
<i>Parthenium integrifolium</i>	Wild Quinine		1.00
<i>Potentilla arguta</i>	Prairie Cinquefoil		0.50
<i>Pycnanthemum virginianum</i>	Virginia Mountain Mint		0.50
<i>Ratibida pinnata</i>	Yellow Coneflower		3.50
<i>Rudbeckia hirta</i>	Black-Eyed Susan		5.00
<i>Silphium integrifolium</i>	Rosin Weed		3.00
<i>Silphium laciniatum</i>	Compass Plant		2.00
<i>Silphium terebinthinaceum</i>	Prairie Dock		4.00
<i>Solidago nemoralis</i>	Old-field Goldenrod		0.25
<i>Solidago speciosa</i>	Showy Goldenrod		0.50
<i>Symphoricarpos laevis</i>	Smooth Blue Aster		1.00
<i>Symphoricarpos novae-angliae</i>	New England Aster		1.00
<i>Symphoricarpos oolentangiense</i>	Sky-Blue Aster		1.00
<i>Tradescantia ohimensis</i>	Common Spiderwort		1.25
<i>Veronicastrum virginicum</i>	Culver's Root		0.25
	<b>Total</b>		<b>63.50</b>

Native Component	Mix Statistics			% of Native Mix
	PLS lbs/Acre	PLS Seeds/Acre	PLS Seeds/Sq. Ft.	
Forbs	3.97	1,815,338	41.67	65.36%
Grasses	6.13	920,280	21.13	33.64%
Total Natives	10.09	2,735,618	62.80	100.00%
Cover	28.75	4,343,800	98.72	
Totals	38.84	7,079,418	162.52	



- Notes:**
- The Contractor shall provide and install all plant materials in quantities sufficient to complete planting shown on the drawing. All plants shall comply with the requirements of the current American Standard for Nursery Stock, published by the American Nursery and Landscape Association. Plants shall meet size, genus, species and variety and be in good health, free of insects, diseases or defects. No "park grade" material shall be accepted. Trees not exhibiting a central (or single) leader will be rejected unless called out in the plant list as multi-stem. Quantity lists are supplied as a convenience. The Contractor shall verify all quantities and, in case of a discrepancy, the plan shall prevail. No plants are to be changed or substituted without approval from a representative of James Dowden & Associates, Inc.
  - All plants shall be watered during the first 24-hour period after installation. A watering schedule must be agreed upon with the Owner, before plantings are installed, of whom, when and how plant materials are to be properly watered. The Contractor is responsible for site visits to ensure the proper watering is being done for establishment and health of all plant materials.
  - Plants shall be balled and burlapped unless otherwise noted on the landscape plan. Not root bound material shall be accepted and all wrapping materials made of synthetics or plastics shall be removed at the time of planting. It is the Contractor's option to roll back burlap from the top of the root ball.
  - Recommended mulch depth is 4" of shredded hardwood bark. The Contractor shall avoid over mulching and the creation of "mush volcanoes". Mulch beds shall extend a minimum of two feet beyond the center of a tree or shrub. Mulch must be pulled at least two inches from the base of a tree so the base of the trunk and root crown are exposed.
  - Prepare perennial beds with one cubic yard of garden compost per 100 sf. The compost shall be rotted to an 8" depth.
  - All plants shall be set plumb. It is the Contractor's option to stake deciduous trees but it is also the Contractor's responsibility to ensure plants remain plumb until the end of the guarantee period. All deciduous trees shall be wrapped with an approved tree wrap to prevent winter damage. The Contractor shall remove all tree wrap following the first winter.
  - Trees shall be installed a minimum of five (5) feet horizontally from underground electrical feeders, sanitary sewers, sanitary services, water mains, and water services. Trees shall be installed a minimum of ten (10) feet horizontally from utility structures and appurtenances, including, but not limited to, manholes, valve vaults, valve boxes and fire hydrants.
  - The Contractor shall locate the existence of all underground utilities prior to starting work. The Contractor must also keep the pavement and work areas in neat and orderly condition throughout the construction process. The Contractor shall acquaint himself with, and verify, working conditions in advance of submitting a proposal. Failure to recognize inherent responsibilities does not relieve the Contractor of his obligations due to miscalculations.
  - All turf shall include top soil, finish grading, sunny mix grass seed and straw blanket in all disturbed areas except as noted.