

CITY OF DARIEN
PLANNING AND ZONING COMMISSION

Wednesday, December 18, 2019
7:00 PM
City Hall Council Chambers
1702 Plainfield Road

AGENDA

1. Call to Order
2. Roll Call
3. Regular Meeting

A. Public Hearing PZC 2019-03 - Continued

Case: PZC 2019-03 7710 South Cass Avenue (Modell - Crematory)

Petitioner Modell Funeral Home, as owner of property at 7710 South Cass Avenue, seeks approval of a special use amendment for the construction of a building addition to operate a crematory as a secondary use.

Application has been withdrawn by the Petitioner.

B. Public Hearing PZC 2019-04

Case: PZC 2019-04 7532 South Cass Avenue (Redevelopment)

Petitioner 7532 CASS AVE LLC (John Manos), as owner of property at 7532 South Cass Avenue, seeks approval to permit the redevelopment of a vacant lot (former Phillips 66 service station) into a retail center with one multi-tenant building and one drive through facility, located within the B-2 Community Shopping Center Business District.

4. Correspondence
5. Old Business
6. New Business
7. Approval of Minutes December 4, 2019
8. Next Meeting January 1, 2019 (cancelled)
 January 15, 2019
9. Public Comments [On any topic related to planning and zoning]
10. Adjournment

AGENDA MEMO
PLANNING AND ZONING COMMISSION
December 18, 2019

Case

PZC 2019-03 7710 South Cass Avenue (Modell Funeral Home - Crematory)

Issue Statement

7710 Cass Avenue, Modell Funeral Home: Requests an amendment to the existing special use for the construction of a building addition to operate a crematory as a secondary use in the R-3 Multi-Family Residential zoning district.

General Information

Petitioners / Owners: Modell Funeral Home / Frank Modelski, Jr.
Property Location / PIN#: 7710 S. Cass Avenue / 09-28-410-014/5, 09-28-410-044

Zoning Provisions

Section 5A-2-2-6(G): Special Use Standards
Section 5A-7-3-3(D): R-3 Multi-Family Residence District; Special Uses
Ordinances O-3-77 and O-30-04

Update

This hearing was opened on December 4, 2019, and included Petitioner testimony, public commentary, and general discussion. The PZC continued the hearing to December 18, 2019 to allow the Petitioner additional time to gather expert testimony and provide responses to technical questions regarding operation and emissions of the crematory.

The Petitioner has chosen to withdraw the application. Attached is correspondence received by staff on December 8, 2019.

It is recommended that the PZC close the public hearing and acknowledge the petition withdrawal.

AGENDA MEMO
PLANNING AND ZONING COMMISSION
December 18, 2019

Case

PZC 2019-04 7532 South Cass Avenue (Redevelopment)

Issue Statement

7532 South Cass Avenue, 7532 CASS AVE LLC (John Manos): Requests approval to permit the redevelopment of a vacant lot (former Phillips 66 service station) into a retail center with one multi-tenant building and one drive through facility, located within the B-2 Community Shopping Center Business District.

General Information

Petitioners / Owners:	7532 CASS AVE LLC / John Manos / Jemco & Assoc., LTD
Property Location / PIN#:	7532 S. Cass Avenue / 09-28-402-055
Zoning / Land Use:	Site: B-2 / vacant - former service station North: B-2 / Commercial - Burrito Paradise South: B-1 / Office - Cass Professional Center East: B-2 / Commercial - Darien Pointe West: B-2 / Commercial - Brookhaven Marketplace
Comprehensive Plan:	Future Land Use: Commercial
Size of Subject Lot:	24,980 square feet, 0.57 acres
Natural Features:	none
Transportation:	Frontage to Cass Avenue (145') and Plainfield Road (155')

Zoning Provisions

1. Section 5A-8-3-4: Special use approval for a drive-through establishment.
2. Section 5A-8-3-4: Special use approval to permit eating establishments as a right.
3. Section 5A-8-3-6: Variation to reduce the minimum lot area from 2 acres to .57 acres.
4. Section 5A-8-3-8(A)1(a): Variations to reduce required setbacks:
 - a. Front yard from 50 feet to 29.2 feet.
 - b. Corner Side yard from 50 feet to 30 feet.
5. Section 5A-8-3-8: Variations to reduce required parking setbacks:
 - a. Front yard from 30 feet to 20 feet.
 - b. Interior side yard from 20 feet to zero feet.
 - c. Rear yard from 30 feet to 17 feet.
6. Section 5A-8-3-9: Variation to exceed the maximum permitted lot coverage of 75 percent to 76.7 percent for buildings and all impervious surfaces.

7. Section 5A-10-5 and 5A-10-6: Variation to eliminate the required perimeter yard and parking lot landscaping.
8. Section 5A-10-6(C): Variation to eliminate the required landscape islands for parking and drive aisles.
9. Section 5A-10-7(A): Variation to eliminate the required 10-foot wide building foundation landscape strip.
10. Section 5A-10-7(B)1: Variation to eliminate the required perimeter landscape for a refuse disposal facility from 3 sides to 1 side.
11. Section 5A-11-3(B): Variations to reduce required driveway requirements:
 - a. Minimum driveway width from 24 feet to 23.5 feet.
 - b. Minimum driveway distance from a front property line from 30' to 5.2 feet.
 - c. Minimum driveway distance from a corner side property line from 30' to 12.2 feet.
 - d. Minimum driveway distance from a rear property line from 20' to 5.8 feet.

Development History and Proposal

The subject property is located on the west side of Cass Avenue, north of Plainfield Road. Currently, the property is vacant, but in the past has operated as a Phillips 66 service station. Adjacent to and with access to Brookhaven Plaza, the property has a total of four access points between Cass Avenue and Plainfield Road.

The Petitioner proposes a plan to construct a single building of 3,506 square feet for a two-tenant space, with Dunkin' Donuts occupying the majority of the building, and a drive-through service lane that wraps the building. The parcel itself measures 24,974 square feet in area.

Given the size of the parcel, which does not meet current minimum size requirements for a B-2 property, several variations are required as noted above. The small size of the property has limited redevelopment without needing such variations, and has economically hindered previous interest and investment. Considered a gateway property to the core of the City, the Petitioner has worked with staff to optimize site design despite the size constraints. This includes a revision of existing curb-cuts to be reduced, with no access on Plainfield Road other than the shared Brookhaven Plaza entrance, and one remaining entrance on Cass Avenue.

The petition includes special use requests for both restaurant spaces, and the accompanying drive-through for Dunkin' Donuts. With construction, Dunkin' would relocate from the Plaza to the out lot.

The Petitioner controls ownership of both the subject property and the Plaza, and has drafted a Cross-Access Agreement that has been included with the application materials. This will secure proper easement rights to both properties for any traffic or pedestrians in perpetuity.

Two elevation options have been presented, one consisting of primary EIFS (Dryvit) that would match the construction of the existing Plaza, and one constructed in higher quality materials of brick and stone, with additional lighting and awnings. Code does not require the higher quality materials, but the Petitioner has presented both as there may be the opportunity to partner with the City economically to improve the presence of the building and monument signage to the corner, and is currently being discussed with the Council.

Petitioner Documents (attached to this memo)

1. Petition
2. Narratives addressing requests, Special Use Standards and Variation Justification
3. Draft Access Agreement
4. Plat of Survey
5. Architectural Plans
 - a. Site Plan
 - b. 1st Floor Plan
 - c. Tenant Plan
 - d. Roof Plan
 - e. Elevations (EIFS)
 - f. Elevations (Brick)
6. Engineering Plans
 - a. Title and Notes
 - b. Existing Topography and Demolition
 - c. Site Plan
 - d. Utility Plan
 - e. Grading and Erosion Plan
 - f. Detail Sheet
 - g. Landscape Plan
 - h. Lighting Plan

Staff Documents (attached to this memo)

7. Location Map – aerial of neighborhood
8. Variation Justification Standards
9. Special Use Standards

Staff Plan Review

Zoning Review Summary

As previously discussed, several variations are requested or required for the proposed site improvements and building construction. A summary is noted below:

Bulk Standard	Required	Proposed Variations	Notes
Lot Area	2 acres	.57 acres	Existing lot of record, previously developed
Front Yard Setback (building)	50 ft	29.2 ft	
Corner Side Yard Setback (building)	50 ft	30 ft	
Front Yard Setback (parking)	30 ft	20 ft	
Side Yard Setback (parking)	20 ft	0 ft	Parking at north property line abuts adjacent property
Rear Yard Setback (parking)	30 ft	17 ft	
Front Yard Setback (drive)	30 ft	5.2 ft	
Corner Side Yard Setback (drive)	30 ft	12.2 ft	
Rear Yard Setback (drive)	20 ft	5.8 ft	
Lot Coverage (building and other impervious surfaces)	75%	76.70%	
Landscape (perimeter yards parking lots)	As determined by setback	As determined by setback variation	Parking at north property line abuts adjacent property, no opportunity for plantings
Landscape (required islands)	9' width, at ends of parking	3 islands reduced to 2' to 3'-3", no landscape provided	Limited site area does not support interior islands
Landscape (foundation)	10 ft	0 ft	
Landscape (refuse screening)	3 sides	2 sides	
Driveway (width)	24 ft	23.5 ft	

Despite the requested variations, the site design has accommodated the required amount of parking spaces and drive-through vehicle stacking as required by code. Landscape, although reduced in setback areas, meets minimum requirements for the overall site.

Staff does not object to the proposed variations given the size and shape of the property, and notes the variation requests are similar to those granted to Darien Pointe across the street.

Pending Meeting Schedule

Planning and Zoning Commission:	December 18, 2019
Municipal Services Committee:	December 23, 2019
City Council:	January 6, 2019



ZONING APPLICATION

CITY OF DARIEN
1702 Plainfield Road, Darien, IL 60561
www.darienil.us 630-852-5000

CONTACT INFORMATION

CHRIS GEORGE / JOHN MANOS
Applicant's Name

124 HILL ST MOUNT PROSPECT, IL 60056-2732
Address, City, State, Zip Code

(847)-699-8150 (847)-530-0560
Telephone

CHRISGEORGE_ARCH@YAHOO.COM
Email

BROOK HAVEN PLAZA, LLC

Owner's Name (JOHN MANOS)
242 BUNTING LANE

BLOOMING DALE, IL 60108-1420
Address, City, State, Zip Code

630-212-1644
Telephone

JMANOS@BANKFINANCIAL.COM
Email

PROPERTY INFORMATION

7532 CASS AVENUE
Property address PIN Number(s)

Zoning District Current Land Use(s)

(Attach additional information per the Submittal Checklist.)

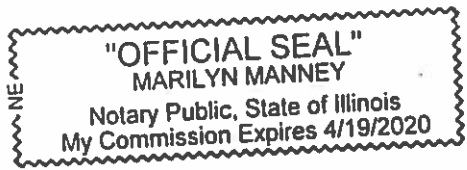
REQUEST

Brief description of the zoning approval requested. (Contact the City Planner for guidance.)

As Notary Public, in and for DuPage County in Illinois, I do hereby certify that JOHN G. MANOS is personally known by me to be the same person whose name is subscribed above and has appeared before me this day in person and acknowledged that they have signed this document as their own free and voluntary act, for the purposes therein set forth.
Given under my hand and seal, this 2ND day of December 2019.

For office use only	
Date Received:	
Case Number:	
Fee Paid:	
Hearing Date:	

→ Marilyn Manney
Notary Public



**PUBLIC NOTICE
CITY OF DARIEN
PLANNING AND ZONING COMMISSION**

Notice is hereby given that the Planning and Zoning Commission of the City of Darien will hold a public hearing on December 18, 2019 at 7:00 p.m. in the Council Chambers at City Hall, 1702 Plainfield Road, Darien, IL 60561.

The purpose of the public hearing will be to hear testimony from interested persons and make a recommendation on Case #2019-04. This case involves a petition from 7532 CASS AVE LLC (John Manos) to permit the redevelopment of a vacant lot (former Phillips 66 service station) into a retail center with one multi-tenant building and one drive through facility, located within the B-2 Community Shopping Center Business District:

1. Section 5A-8-3-4: Special use approval for a drive-through establishment.
2. Section 5A-8-3-4: Special use approval to permit eating establishments as a right.
3. Section 5A-8-3-6: Variation to reduce the minimum lot area from 2 acres to .57 acres.
4. Section 5A-8-3-8(A)1(a): Variations to reduce required setbacks:
 - a. Front yard from 50 feet to 29.2 feet.
 - b. Corner Side yard from 50 feet to 30 feet.
5. Section 5A-8-3-8: Variations to reduce required parking setbacks:
 - a. Front yard from 30 feet to 20 feet.
 - b. Interior side yard from 20 feet to zero feet.
 - c. Rear yard from 30 feet to 17 feet.
6. Section 5A-8-3-9: Variation to exceed the maximum permitted lot coverage of 75 percent to 76.7 percent for buildings and all impervious surfaces.
7. Section 5A-10-5 and 5A-10-6: Variation to eliminate the required perimeter yard and parking lot landscaping.
8. Section 5A-10-6(C): Variation to eliminate the required landscape islands for parking and drive aisles.
9. Section 5A-10-7(A): Variation to eliminate the required 10-foot wide building foundation landscape strip.
10. Section 5A-10-7(B)1: Variation to eliminate the required perimeter landscape for a refuse disposal facility from 3 sides to 1 side.
11. Section 5A-11-3(B): Variations to reduce required driveway requirements:
 - a. Minimum driveway width from 24 feet to 23.5 feet.
 - b. Minimum driveway distance from a front property line from 30' to 5.2 feet.
 - c. Minimum driveway distance from a corner side property line from 30' to 12.2 feet.
 - d. Minimum driveway distance from a rear property line from 20' to 5.8 feet.

Said property is legally described as follows:

THAT PART OF LOT 302 DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF PLAINFIELD ROAD, AND THE WESTERLY LINE OF CASS AVENUE; THENCE WESTERLY ALONG THE NORTHERLY LINE OF PLAINFIELD ROAD, 155 FEET; THENCE NORTHERLY AND PARALLEL WITH CASS AVENUE, 210 FEET; THENCE EASTELY ON A LINE PERPENDICULAR TO CASS AVENUE, 145 FEET TO A POINT ON THE WESTERLY LINE OF CASS AVENUE; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF CASS AVENUE, 145 FEET TO THE PLACE OF BEGINNING, IN BROOKHAVEN MANOR, A SUBDIVISION IN SECTIONS 27 AND 28, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 18, 1956 AS DOCUMENT 827287, IN DUPAGE COUNTY, ILLINOIS.

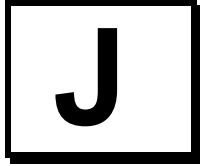
PIN: 09-28-402-025

The property is located at 7532 South Cass Avenue, Darien, Illinois 60561.

Said petition, plan and plat with legal description and PIN# of property may be viewed at City Hall and on the City website: www.darien.il.us starting on December 13, 2019. Verbal and written questions, comments, and testimony prior to the hearing may be directed to the City Planner at City Hall, 630-353-8113, jhennerfeind@darienil.gov. For questions on disability access, contact the City ADA Coordinator at (630) 852-5000.

JoAnne E. Ragona, City Clerk

Published in the DuPage Chronicle on December 4, 2019



Jemco & Associates, LTD.
242 Bunting Lane
Bloomington, IL 60108
630-686-0600 Fax 630-307-0185
e-mail: jmanos@att.net

November 22, 2019

Mayor Joe Marchese
City of Darien
1702 Plainfield Rd.
Darien, IL 60561

Re: 7532 S. Cass Ave., Darien Illinois

Dear Honorable Mayor Marchese,

I hope you are well. This letter is meant to describe the small development of the corner lot located at 7532 S. Cass Avenue.

Our intent is to develop this corner building as close to, and as aesthetically pleasing, as the corner that the City developed across the street on Cass Avenue. We believe that it has made an impact to this busy intersection and compliments not only this intersection, but also the community as a whole.

At this point we have signed a lease agreement with Dunkin Donuts where they will relocate from the inline space to this corner lot location. We have also signed a lease agreement with an Italian restaurateur where they will prepare Italian calzones, pizza and sandwiches.

We believe that this is the best opportunity we have had in the past several years to develop this vacant lot. We foresee this to be a destination oriented facility that will be resident friendly and appealing for this intersection. A place where people can congregate and treat it more as a center of the town.

The building is approximately 3,508 square feet, where the Dunkin space is 2,184 square feet and the Italian space is 1,324 square feet. We have some limited outside seating and a drive through. The existing lot area is 24,974 square feet and is a B-2 Zoning.

We are doing our best to develop the lot due to its size constraints and setbacks. We are therefore respectfully asking for a few variances; such as the lot is not the required 2 acres in order to develop. A variance is requested to the front yard setbacks are shown on the architects plan and letter. Parking and stacking are per code and we have a cross easement agreement with Brookhaven Plaza, next door, which we have provided to staff.

We believe this to be a good opportunity to develop this site and to create another gateway sign, comparable to the clock tower built at the center to the east of us. Creating a sort of a portal, to the City of Darien.

While we are eager to develop this site, we have been advised by our Lender and Realtors that it is very risky to develop a center this small and with only two tenants, especially where there is no franchisor guarantee. We have given considerable amount of money to both tenants in order to entice them to take this space. Lender is concerned that the property will not appraise to that value, if you add another \$850,000. This is the initial estimate to construct the building in reference.

We are asking for \$150,000 in support to build this building from the City of Darien. This would make the site as aesthetically pleasing as the property that you constructed across the street. The amount would help fund the gateway sign, additional ornate building facade, landscaping and parking lot area.

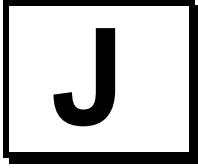
Please review and forward this request to the City Council and let us know if there is any additional information that you may need from us at this time.

We appreciate your time and efforts on this and look forward to working with you to develop this very important corner for our community.

Sincerely,

John G. Manos
President

/js0



Jemco & Associates, LTD.
242 Bunting Lane
Bloomington, IL 60108
630-686-0600 Fax 630-307-0185
e-mail: jmanos@att.net

December 2, 2019

Mayor Joe Marchese
Dan Gombac
Joe Hennerfeind
City of Darien
1702 Plainfield Rd.
Darien, IL 60561

Re: 7532 S. Cass Ave., Darien Illinois

Dear Honorable Mayor Marchese,

I hope you are well. This letter is meant to address the zoning variations and special use explanations for the small development of the corner lot located at 7532 S. Cass Avenue.

CITY OF DARIEN
ZONING VARIATIONS
JUSTIFICATION NARRATIVE

Purpose

To be consistent and fair, the City is obligated to make decisions on zoning variation requests based on findings-of-fact. The Applicant should write a justification narrative that contains evidence (facts) that support a conclusion (finding) that the variation is necessary and would not cause problems. It should include a) explanation of why the variation is being requested, b) describe the 'hardship condition' of the property that makes it difficult to conform, c) estimate the impact on neighbors, and d) respond to each of the decision criteria below.

Decision Criteria (See City Code Section 5A-2-2-3)

- 2a. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the zone.
- This is a small site and is difficult to allow tenants to go in with their minimum square foot requirements and still allow for parking and drive thru for this location.
- 2b. The plight of the owner is due to unique circumstances.
- This is a unique circumstance as it is a small site however there is a cross easement agreement with the neighboring property that allows for solutions to parking and access.
- 2c. The variation if granted will not alter the essential character of the locality.

- It will still be a separate parcel and should allow for patrons to easily access and use the facility.
- 3a. Essential Need? The owner would suffer substantial difficulty or hardship and not mere inconvenience or a decrease in financial gain if the variation is not granted.
- We have had several tenants look at this site and they could not meet the price point to make this site development break even and/or we could not meet their square foot requirements.
- 3b. Problem with Property? There is a feature of the property such as slope or shape or change made to the property, which does not exist on neighboring properties, which makes it unreasonable for the owner to make the proposed improvement in compliance with the Zoning Code. Such feature or change was not made by the current owner and was not known to the current buyer at the time of purchase.
- The site is very small and it is awkward to meet all of the setbacks. We adjusted as much as we could to conform to most of them.
- 3c. Smallest Solution? There is no suitable or reasonable way to redesign the proposed improvements without incurring substantial difficulty or hardship or reduce the amount of variation required to make such improvements.
- We adjusted and cut back building size and adjusted to conform to setbacks as much as possible.
- 3d. Create Neighbor Problem? The variation, if granted, will not cause a substantial difficulty, undue hardship, unreasonable burden, or loss of value to the neighboring properties.
- Being a corner lot and the only adjacent property having a Cross Easement Agreement we have done all we can to not create a problem with neighbors.
- 3e. Create Community Problem? The variation, if granted, may result in the same or similar requests from other property owners within the community, but will not cause an unreasonable burden or undesirable result within the community.
- We hope to be able to create an atmosphere that will be inviting and suitable for the residents and the business users.
- 3f. Net Benefit? The positive impacts to the community outweigh the negative impacts.
- The positive impacts to the community will outweigh the small setback variance that is being requested.
- 3g. Sacrifice Basic Protections? The variation, if granted, will comply with the purposes and intent of the Zoning Code set forth in Section 5A-1-2(A) and summarized as follows; to lessen congestion, to avoid overcrowding, to prevent blight, to facilitate public services, to conserve land values, to protect from incompatible uses, to avoid nuisances, to enhance aesthetic values, to ensure an adequate supply of light and air, and to protect public health, safety, and welfare.
- We have addressed with staff and with our engineers special attention to landscaping, lighting, and assurance to not create any nuisance.

SPECIAL USE STANDARDS
Zoning Code Section 5A-2-2-6(G)

No special use shall be recommended to the City Council by the Plan Commission, nor approved by the City Council, unless findings of fact have been made on those of the following factors which relate to the special use being sought:

1. That the special use is deemed necessary for the public convenience at the location specified.
-This special use is being requested to allow the restaurants and for the drive thru. The restaurants will be a draw for the community. The Dunkin Donuts is already a gathering place for not only coffee but for the residents to congregate and socialize. The Italian restaurant will be a draw with their specialty items.
2. That the establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, or general welfare.
-Our architects and engineers have taken all precautions to make sure that the drive-thru has the stacking, and then the restaurants have all of the safety design features that are needed.
3. 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.
-There is an agreed upon Cross Easement Agreement with the surrounding property and both look to work together with the resident traffic flow.
4. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
-The uses will be a welcomed business to the community as the property owners have been asked by several residents and business owners to bring in and to further develop the vacant with restaurants.
5. That the exterior architectural design, landscape treatment, and functional plan of any proposed structure will not be at variation with either the exterior architectural design, landscape treatment, and functional plan of structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.
-Landlord is planning for the architectural design, landscaping and functional plan to be above average of the neighborhood.
6. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
-Due to the site being smaller than normal the landlord has reviewed several designs so as to assure that all access and facilities are designed to the best possible solution.
7. That adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets.
-This small site currently has four driveways. Our plan and traffic pattern was studied by our architect and engineers so as to insure smooth ingress, egress and no congestions.

8. 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 City Council pursuant to the recommendations of the Plan Commission and the Planning and Development Committee.

-We have done the best we can with staffs reconditions to adjust as best as possible to fit this site.

We appreciate your time and efforts on this and look forward to working with you to develop this very important corner for our community.

Sincerely,

John G. Manos
President

/jso

CROSS ACCESS EASEMENT AND MAINTENANCE AGREEMENT

THIS CROSS ACCESS EASEMENT AND MAINTENANCE AGREEMENT (the "Agreement") is made and entered into this _____ day of _____ 2016 (the "Effective Date"), by and between grantor 7532 Cass Avenue, an Illinois limited liability company with a mailing address of _____ (hereinafter "CASS AVENUE") and grantee Brookhaven Plaza, LLC, with a mailing address of 242 Bunting Lane, Bloomingdale, IL 60108 (hereinafter "BROOKHAVEN PLAZA"). Both at times may herein be referred to as a "Party" or "the Parties."

WITNESSETH:

WHEREAS, CASS AVENUE is the owner of that certain parcel of land more commonly known and numbered 7532 Cass Ave. Darien, IL Pin # 09-28-402-025 and as further set forth on **Exhibit "A"**, attached herein and made a part hereof (the "CASS AVENUE Parcel"); and

WHEREAS, BROOKHAVEN PLAZA is the owner of that certain parcel more commonly known and numbered as 7516 Cass Ave. Darien IL 60561 Pin # 09-28-402-021, 09-28-402-026, 09-28-402-024 and as further set forth on **Exhibit "B"** attached herein and made a part hereof (the "BROOKHAVEN PLAZA Parcel"); and

WHEREAS, the parties intend to grant to a mutual cross-access easement across their respective parcels, subject to the terms and conditions set forth herein below,

NOW, THEREFORE, for and in consideration of the easement herein granted, the receipt and adequacy of which is hereby acknowledged, it is hereby agreed as follows:

1. EASEMENT. CASS AVENUE hereby grants to BROOKHAVEN PLAZA, and its respective successors and assigns, a nonexclusive easement of vehicular and pedestrian ingress and egress over, upon, through and across the CASS AVENUE Parcel as more particularly described and shown on **Exhibit "C-1" and "C-2"**, attached herein and made a part hereof (the "Brookhaven Easement").

Reciprocally, BROOKHAVEN PLAZA hereby grants to CASS AVENUE, and its respective successors and assigns, a nonexclusive easement of vehicular and pedestrian ingress and egress over, upon, through and across the BROOKHAVEN PLAZA Parcel as more particularly described and shown on **Exhibit "D-1" and "D-2"**, attached herein and made a part hereof (the "CASS AVENUE Easement").

2. MAINTENANCE. The parties agree to maintain each respective Easement Area in good order and repair including, but not limited to, surface quality, striping and timely removal of snow and ice. Such maintenance obligation shall be subject to the following:

- (a) Performance. Each party shall be responsible for the actual performance of the maintenance and repair of the Easement Area located on their respective parcel, and that they will at all times maintain said Easement Areas in a good and useable condition.
- (b) Cost. Each party shall be responsible for One Hundred Percent (100%) of the maintenance costs associated with the Easement Area located on their respective parcel.

4. RESERVATION OF RIGHTS. The Parties expressly reserve the right to use the Easement Areas over their respective Parcels for all purposes which are not inconsistent with this Agreement.

5. RESTRICTIONS ON USE. The rights granted herein shall be subject to the following:

- (a) The Easements shall be used only for vehicular and pedestrian traffic for the purpose of ingress and egress.
- (b) No vehicles shall be parked, stored, abandoned or otherwise allowed to remain within the boundaries of the Easement Areas.
- (c) All parties shall use the rights granted by this Agreement with due regard to the rights of others and their use of the Easement Areas, and no person shall use the Easement Areas in any way that will impair the rights of others to use the Easement Areas or to obstruct passage thereon.

6. RELOCATION. CASS AVENUE reserves the right, at its sole expense, to relocate the BROOKHAVEN PLAZA Easement provided the relocated BROOKHAVEN PLAZA Easement Area can reasonably be used for its intended purpose by BROOKHAVEN PLAZA. CASS AVENUE may exercise this right by giving BROOKHAVEN PLAZA no less than sixty (60) days prior written notice of the same. Reciprocally, BROOKHAVEN PLAZA reserves the right, at its sole expense, to relocate the CASS AVENUE Easement Area provided the relocated CASS AVENUE Easement Area can reasonably be used for its intended purpose by CASS AVENUE. BROOKHAVEN PLAZA may exercise this right by giving CASS AVENUE no less than sixty (60) days prior written notice of the same. **COSTS???**

7. CONDITIONS PRECEDENT. The Easements herein granted are subject to all easements, covenants, conditions, encumbrances and restrictions of record applicable to the respective Easement Areas.

8. INDEMNITY. BROOKHAVEN PLAZA, for itself and its successors and assigns, covenants with CASS AVENUE, its successors and assigns, that it will defend, assume all liability for, and pay and indemnify and save harmless CASS AVENUE, its successors and assigns from and against any and all damages, injuries, losses, claims, demands, suits and liabilities of every nature which CASS AVENUE, its successors and assigns, may sustain by reason of the use of the CASS AVENUE Easement by BROOKHAVEN PLAZA, its tenants, successors, assigns, licensees, guests, invitees, customers, suppliers, agents or employees; and CASS AVENUE, for itself and its successors and assigns, covenants with BROOKHAVEN PLAZA, its successors and assigns, that it will defend, assume all liability for, and pay and indemnify and save harmless BROOKHAVEN PLAZA, its successors and assigns from and against any and all damages, injuries, losses, claims, demands, suits and liabilities of every nature which BROOKHAVEN PLAZA, its successors and assigns, may sustain by reason of the use of the BROOKHAVEN PLAZA Easement by CASS AVENUE, its tenants, successors, assigns, licensees, guests, invitees, customers, suppliers, agents or employees

9. WARRANTY OF TITLE. Each Party warrants that it has the full right and power to grant the Easement referred to in this Agreement and that it has the fee simple title to the respective Easement Area.

10. EASEMENT APPURTENANT. Subject to the provisions of paragraph 6 herein above, the Easements hereby granted shall run with the land, and enjoyment thereof shall continue in perpetuity. The obligations hereby imposed and all other terms of this Agreement shall be binding upon and inure to the benefit of the parties hereto, and their respective successors and assigns.

11. GOVERNING LAW. This Agreement shall be construed and interpreted in accordance with the laws of the State of Illinois.

12. ENFORCEMENT. This Agreement may be enforced by the Parties and their respective successors and assigns against any person or entity having obligations hereunder by injunction and/or all such other legal and equitable remedies for the consequences of such breach. If any Party, or person benefited hereby, institutes any litigation to enforce any of the terms, covenants, conditions, easements and restrictions set out in the Agreement, the prevailing Party in such litigation shall be entitled to collect court costs and reasonable attorneys' fees from the non-prevailing Party. Any monetary judgment, which shall include reasonable attorney's fees, shall constitute a lien against the respective real property of the defaulting Party. Upon proper recordation in the Clerk's Office, unpaid assessments, including special assessments, shall constitute a lien and charge against a parcel until paid in full or otherwise discharged and released, and in addition to any other right or remedy, at law or in equity, and shall be collectable and enforceable against said real property.

13. SEVERABILITY. If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

14. COUNTERPARTS. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, and all of which shall together constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the year and date last set forth below, to be inserted as the Effective Date herein above.

7532 CASS AVENUE, LLC,
an Illinois limited liability company

By: _____

Date: _____

STATE OF _____)
) SS:
COUNTY OF _____)

I, _____, a Notary Public, in and for such County and State hereby certify that _____ as _____ of 7532 CASS AVENUE LLC, an Illinois limited liability company appeared before me this day in person, and acknowledged that he signed and delivered this instrument in his stated capacity for the uses and purposes set forth herein.

Given under my hand and notarial seal this _____ day of _____, 20__.

Notary Public
My Commission Expires: _____

[BROOKHAVEN PLAZA SIGNATURE AND NOTARY APPEAR ON THE FOLLOWING PAGE]

BROOKHAVEN PLAZA – Brookhaven Plaza, LLC

By: _____

Date: _____

STATE OF _____)
) SS:
COUNTY OF _____)

I, _____, a Notary Public, in and for such County and State hereby certify that Brookhaven Plaza, LLC appeared before me this day in person, and acknowledged that he signed and delivered this instrument in his capacity for the uses and purposes set forth herein.

Given under my hand and notarial seal this _____ day of _____, 2015.

Notary Public
My Commission Expires: _____

This Instrument Prepared By:
Gregory G. Castaldi
Law Office of Gregory G. Castaldi,
A Professional Corporation
5521 North Cumberland Avenue, Suite 1109
Chicago, Illinois 60656

ATTACHED EXHIBITS –

- Exhibit A - CASS AVENUE Parcel (legal description)
- Exhibit B - BROOKHAVEN PLAZA Parcel (legal description or address)
- Exhibit C-1 - Legal description of CASS AVENUE Easement Area
- Exhibit C-2 - Drawing depicting CASS AVENUE Easement Area
- Exhibit D-1 - Legal description of BROOKHAVEN PLAZA Easement Area
- Exhibit D-2 - Drawing depicting BROOKHAVEN PLAZA Easement Area

Exhibit A - CASS AVENUE Parcel (legal description)

Exhibit B - BROOKHAVEN PLAZA Parcel (legal description or address)

Exhibit C-1

Legal description of CASS AVENUE Easement Area

Exhibit C-2

Drawing depicting CASS AVENUE Easement Area

Exhibit D-1

Legal description of BROOKHAVEN PLAZA Easement Area

Exhibit D-2

Drawing depicting BROOKHAVEN PLAZA Easement Area

ALTA/ACSM Land Title Survey

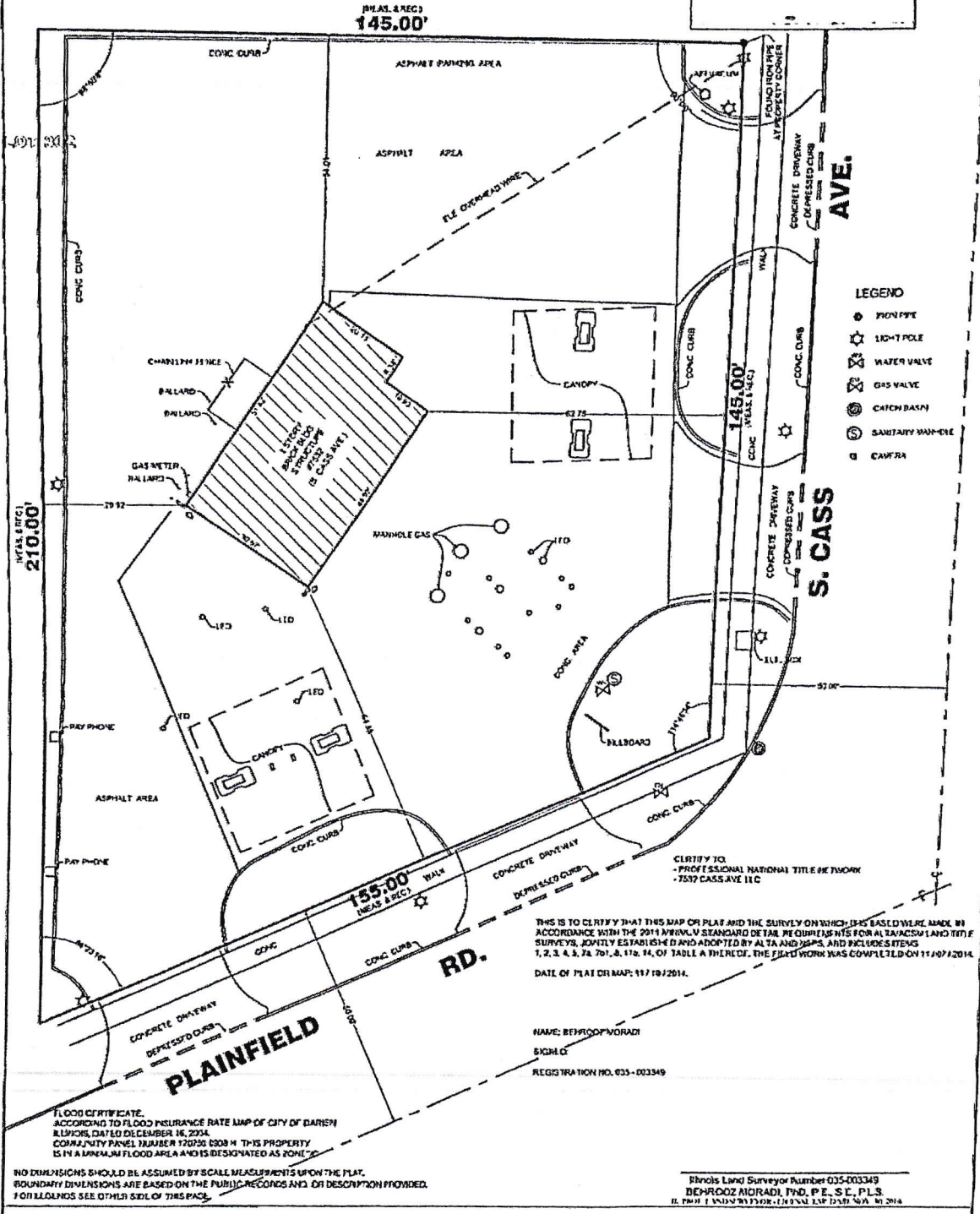
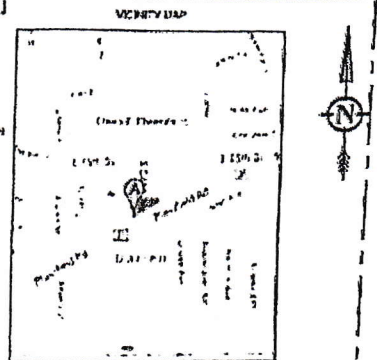
THAT PART OF LOT 302 DESCRIBED AS FOLLOWS, BEGINNING AT THE INTERSECTION OF THE NORTH-SOUTH LINE OF PLAINFIELD ROAD, AND THE WESTERLY LINE OF CASS AVENUE, THENCE WESTERLY ALONG THE NORTH-SOUTH LINE OF PLAINFIELD ROAD, 155.00 FEET, THENCE NORTHERLY AND PARALLEL WITH CASS AVENUE, 91.00 FEET, THENCE EASTERLY ON A LINE PERPENDICULAR TO CASS AVENUE, 145.00 FEET TO A POINT ON THE WESTERLY LINE OF CASS AVENUE, 145.00 FEET SOUTH OF THE PLACE OF BEGINNING, BY THE INTERSECTION OF SECTIONS 27 AND 28, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAN OF RECORD NUMBER 184-002111, IN DUPAGE COUNTY, ILLINOIS.

LAND TOTAL AREA: 13425 SQ. FT.
 (AS SHOWN ON THE PLAN OF RECORD NUMBER 184-002111)

COMMONLY KNOWN AS: 7537 SOUTH CASS AVENUE, DARIEN, ILLINOIS

FILE 057840025

0 10 20 30
 SCALE: 1 INCH = 20 FEET



- LEGEND**
- PROTOTYPE
 - ★ LIGHT POLE
 - ⊗ WATER VALVE
 - ⊕ GAS VALVE
 - ⊙ CATCH BASIN
 - ⊙ SANITARY MANHOLE
 - CATCH BASIN

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD OF PRACTICE FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ACSP, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 7, 8, 11, 12, 14, OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 11/10/2014.

DATE OF PLAN OR MAP: 11/10/2014.

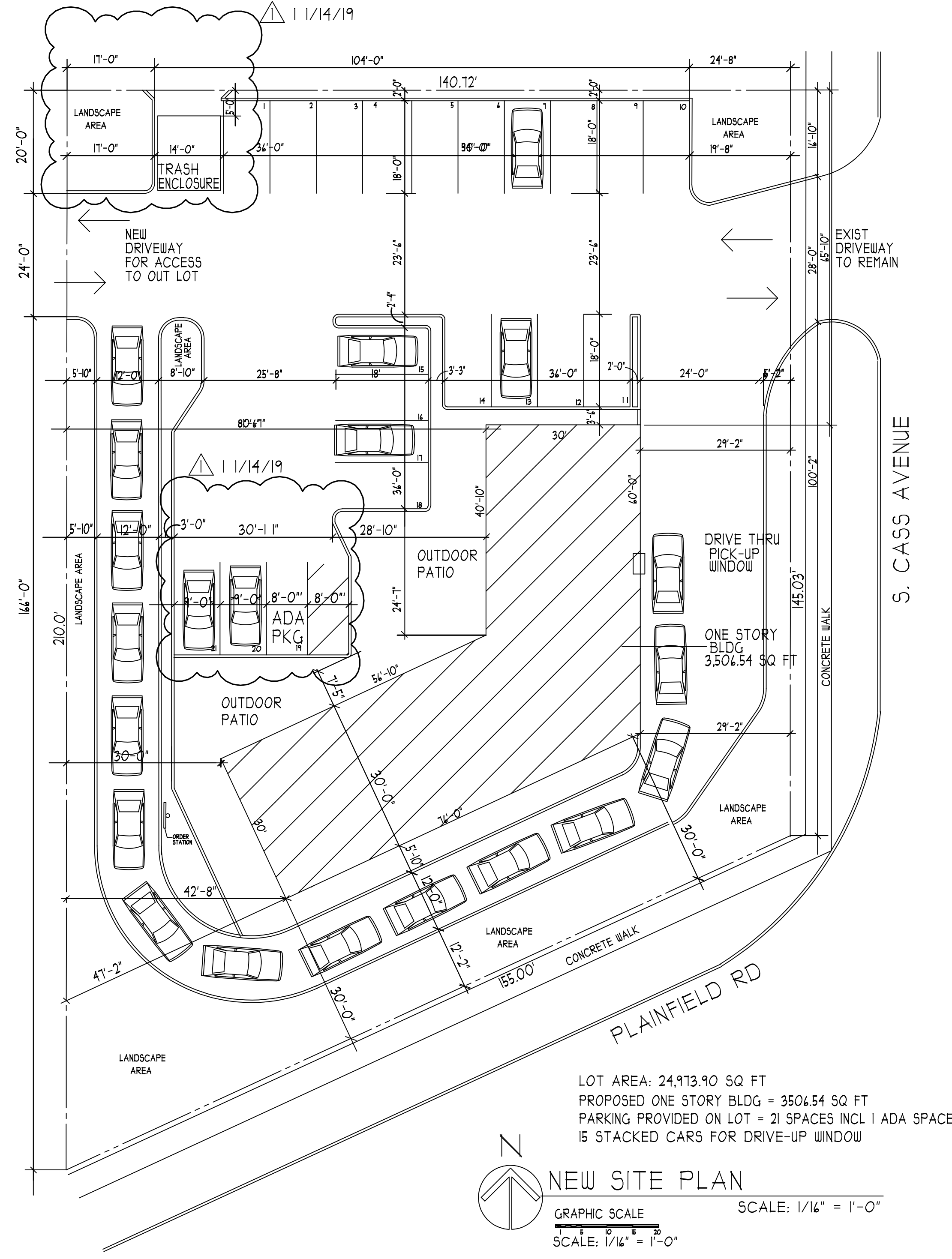
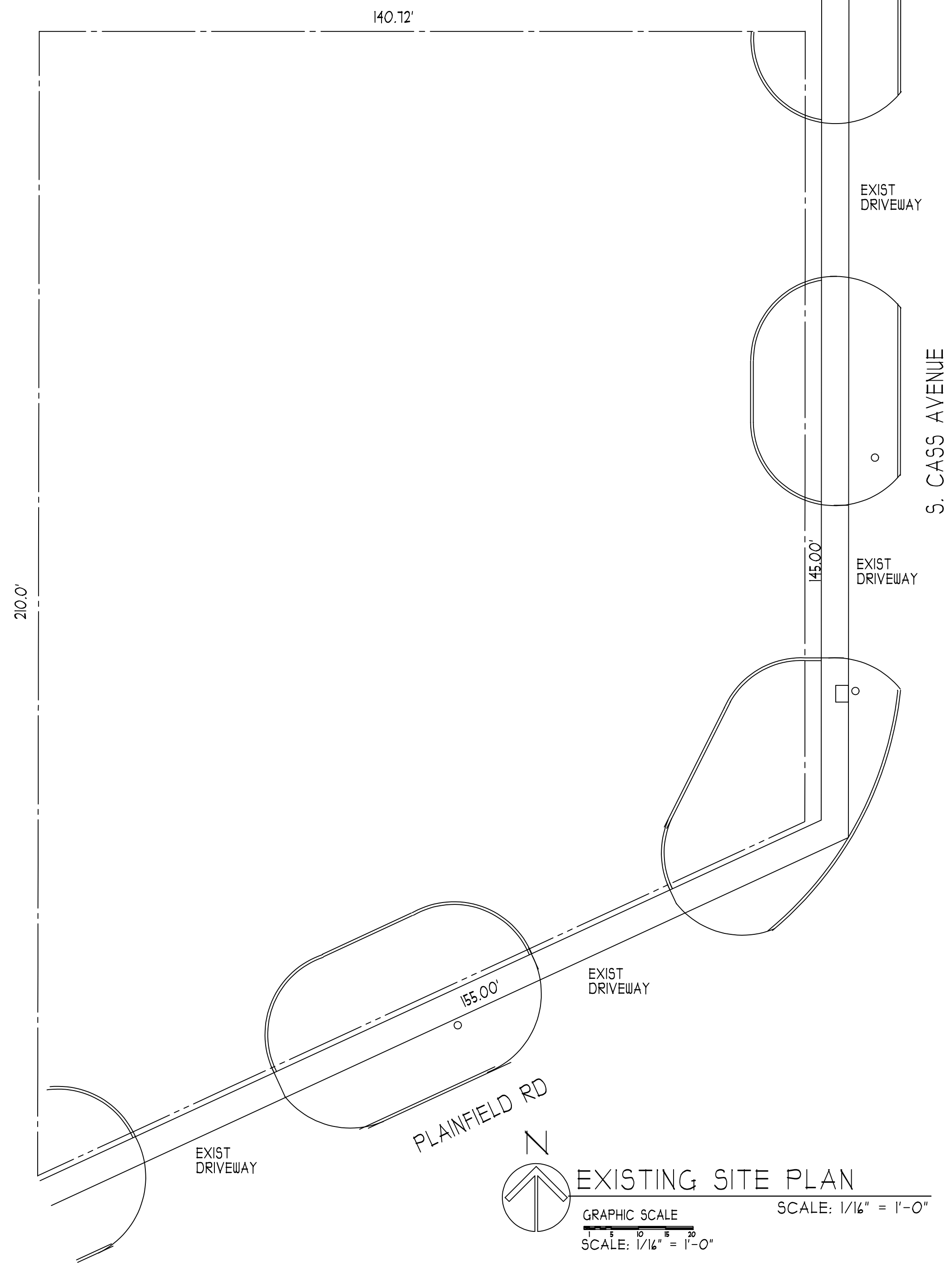
NAME: BEYBLOOM/RADZI
 SIGNATURE
 REGISTRATION NO. 035-003349

FLOOD CERTIFICATE:
 ACCORDING TO FLOOD INSURANCE RATE MAP OF CITY OF DARIEN, ILLINOIS, DATED DECEMBER 16, 2004, COMMUNITY PANEL NUMBER 170236 0508 THIS PROPERTY IS IN A MINOR FLOOD AREA AND IS DESIGNATED AS ZONE "C".

NO DIMENSIONS SHOULD BE ASSUMED BY SCALE MEASUREMENTS UPON THE PLAN. BOUNDARY DIMENSIONS ARE BASED ON THE PUBLIC RECORDS AND OR DESCRIPTION PROVIDED. FOR DETAILS SEE OTHER SIDE OF THIS PAGE.

Illinois Land Surveyor Number 035-003349
 DEHROOZ MORADI, PND, P.E., S.E., P.L.S.
 1117 W. WASHINGTON STREET, CHICAGO, ILLINOIS 60607

<p>MORADI MULTI DIMENSIONS CONSULTING ENGINEERS</p> <p>2343 SKYWAY PARK RD, CHICAGO, IL 60678 TEL: (773) 478-6242 FAX: (773) 478-2947</p>	JOB #: 283-14 DRAWN BY: [Name] DATE: 11/10/2014	CHECKED BY: [Name] SCALE: 1" = 20'-0"	THE LEGAL DESCRIPTION NOTED ON THIS PLAN WAS PROVIDED BY THE CLIENT AND MUST BE CORRELATED WITH DEED AND/OR TITLE POLICY. BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE PUBLIC RECORDS. FOR BUILDING RESTRICTIONS AND/OR EASEMENTS REFER TO YOUR DEED, CONTRACT, TITLE POLICY, AND/OR ZONING REGULATIONS. THIS PLAN IS VALID ONLY IF IT CONTAINS THE ORIGINAL SIGNATURE AND SEAL OF THE SURVEYOR. IF YOU HAVE ANY QUESTIONS, PLEASE DO NOT HESITATE TO CONTACT US.
	3-SHEET: 1 CHECKED BY: [Name]	DATE OF FIELD WORK: 11/10/2014	PDF Created with deskPDF PDF Writer - Trial! - http://www.docuDesk.com



DO NOT SCALE DRAWINGS USE DIMENSIONS
 COPYRIGHT © 2019 CHRIS H. GEORGE P.C.

NEW BUILDING ON OUT LOT
BROOKHAVEN SHOPPING CENTER
 1522 CASS AVENUE
 DARIEN, IL 60561

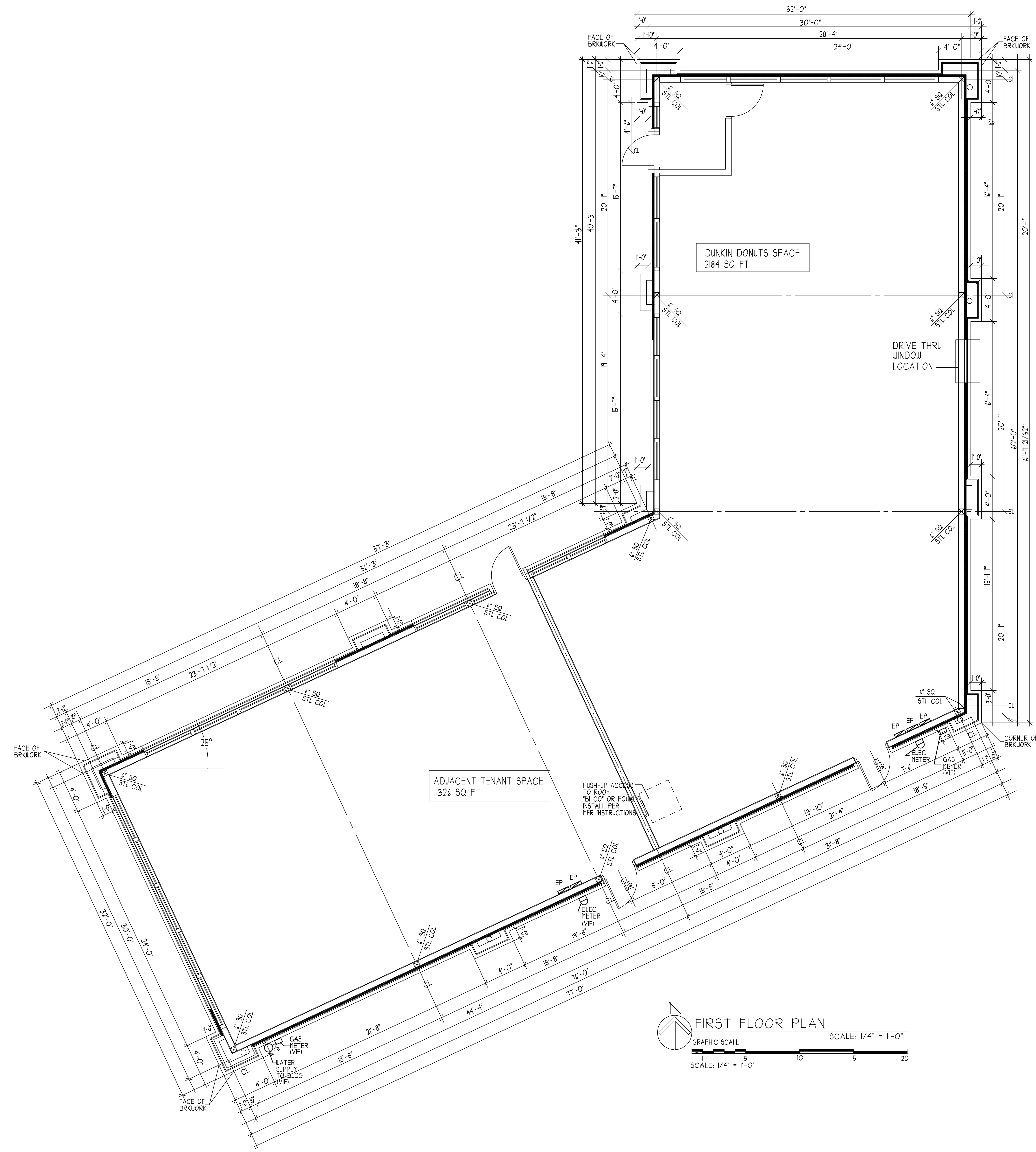
CHRIS GEORGE, P.C.
 ARCHITECTS
 104 HILL STREET
 MT. PROSPECT, IL 60056-2732
 email: chrisgeorge_arch@yahoo.com
 (847) 699-8150 FAX(847) 699-8151

REVISION	DATE

PROFESSIONAL SEAL

DRAWN : CG
 CHECKED :
 DATE : 1/21/19
 SCALE : NOTED
 JOB NO. : T100

SHEET
 A



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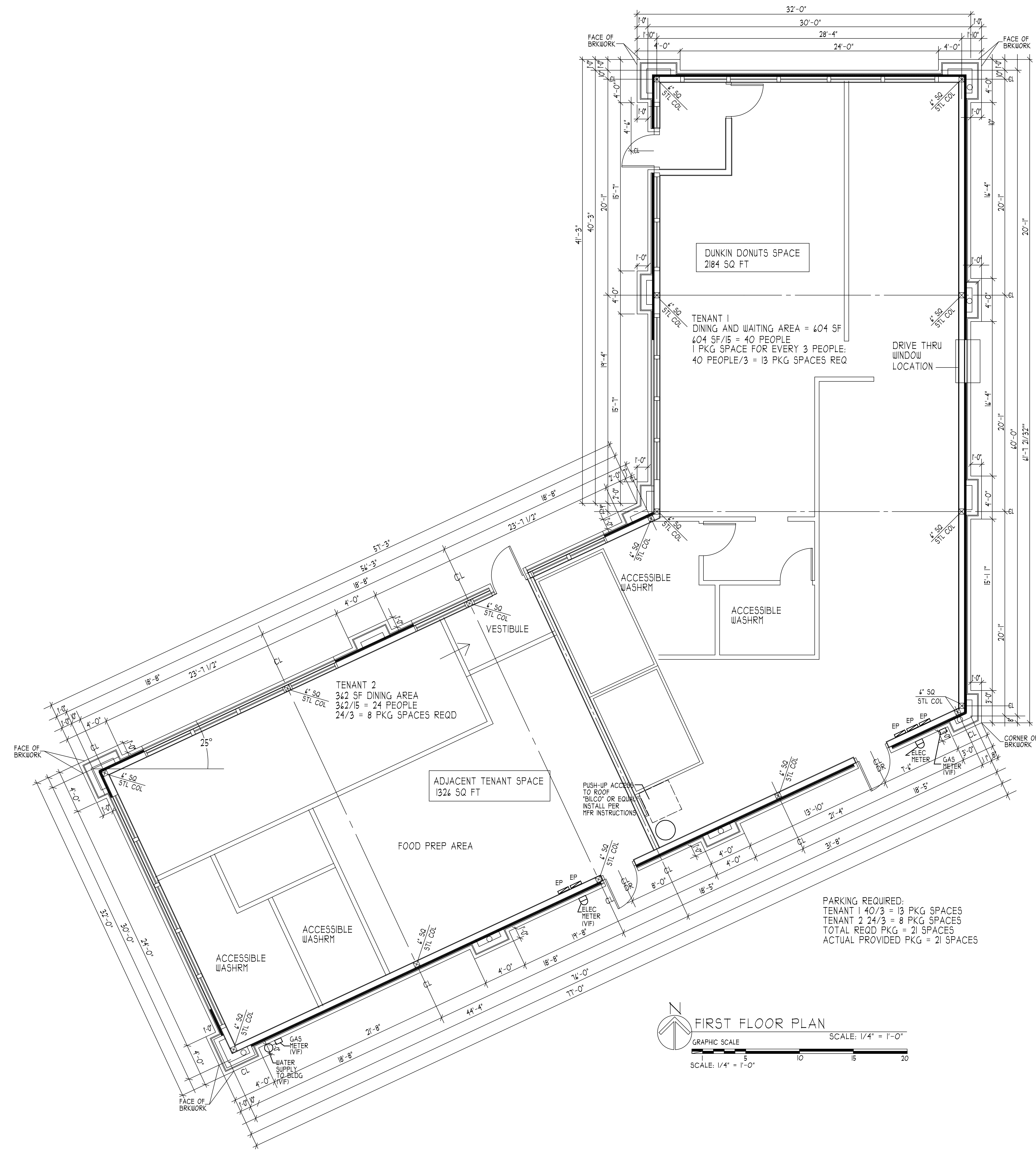
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SHEET

A



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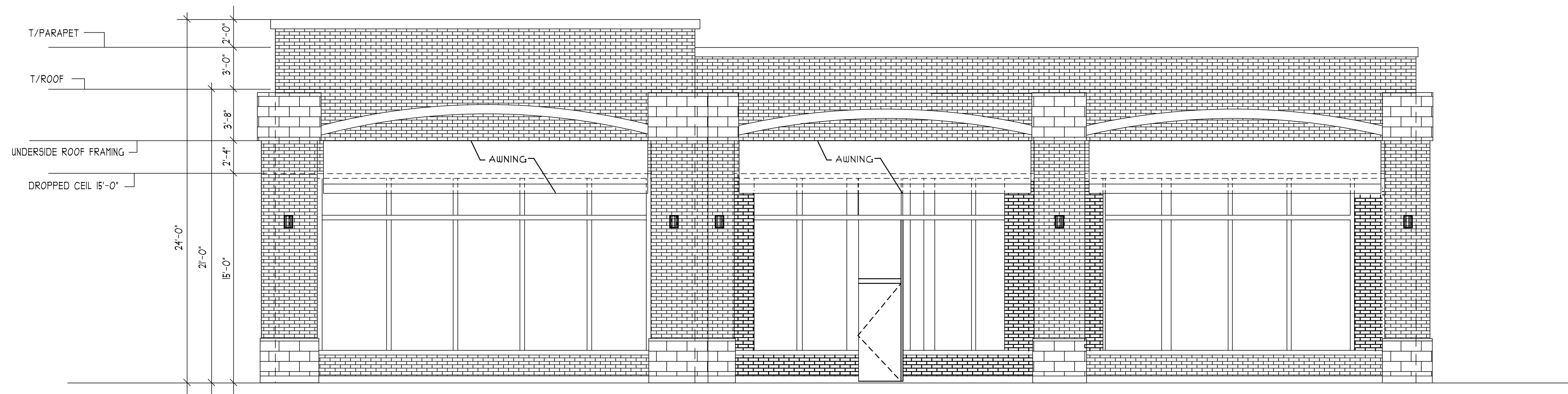
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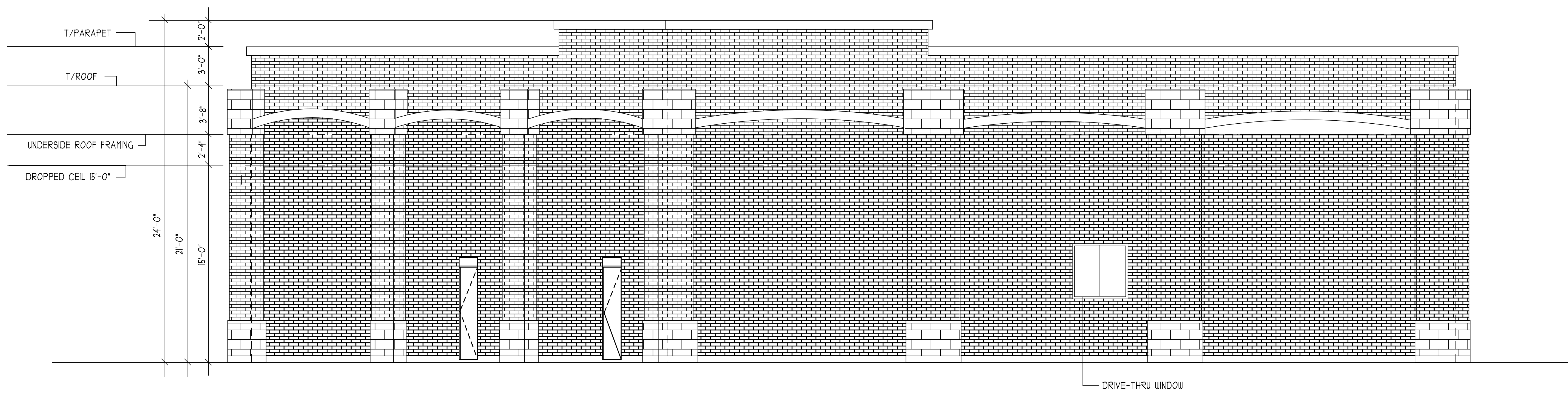
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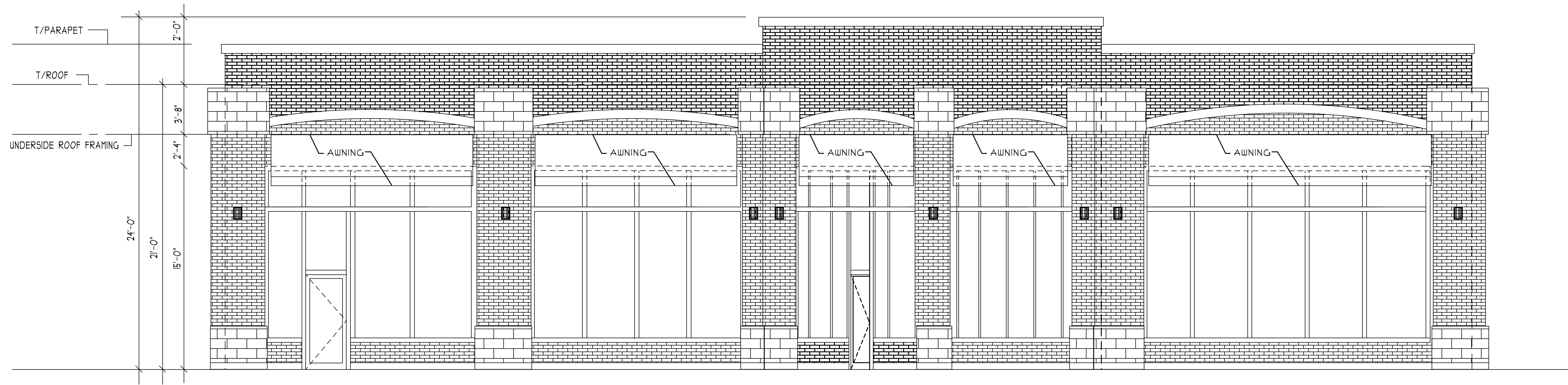
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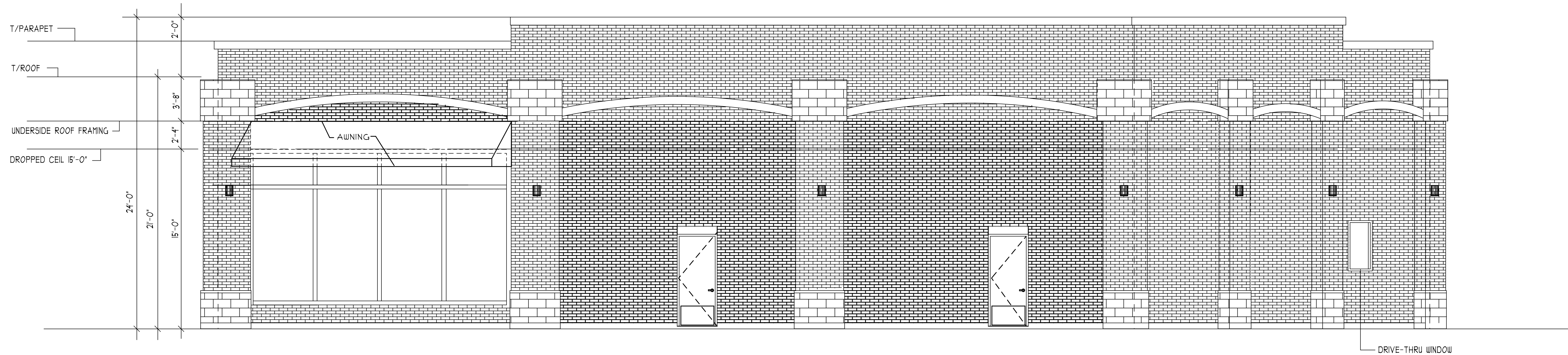
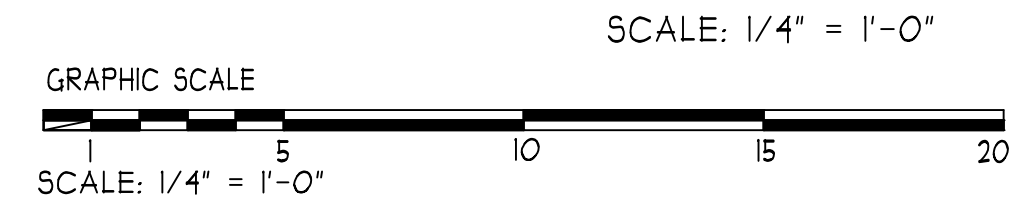
NORTH ELEVATION
 SCALE: 1/4" = 1'-0"
 GRAPHIC SCALE
 SCALE: 1/4" = 1'-0"



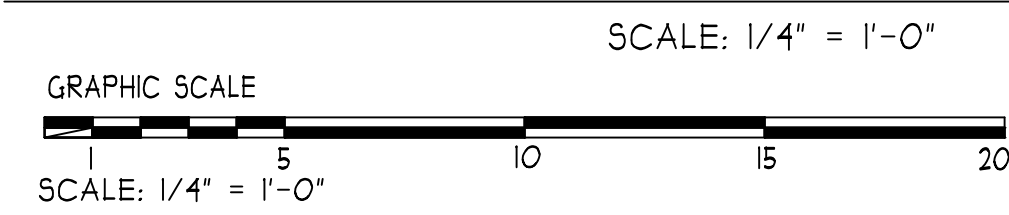
EAST ELEVATION
 SCALE: 1/4" = 1'-0"
 GRAPHIC SCALE
 SCALE: 1/4" = 1'-0"



WEST ELEVATION



SOUTH ELEVATION



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SHEET
A

GENERAL NOTES FOR UNDERGROUND IMPROVEMENTS

- THE CONTRACTOR SHALL INSTALL ALL UNDERGROUND IMPROVEMENTS PER THE STANDARD SPECS. FOR WATER & SEWER MAIN CONSTRUCTION IN ILL.(LATEST ED.), VILLAGE-ENG. DEPT. STANDARDS & SEWER PERMIT ORDINANCE & PRACTICES. THE VILLAGE STANDARDS SHALL TAKE PRECEDENCE IN CASE OF CONFLICT.
- THE CONTRACTOR SHALL NOTIFY: DuPAGE COUNTY PUBLIC WORKS DEPARTMENT-630/407-6801, PROJECT ARCHITECT, OWNER AND ENGINEER-847/#439-8225 AT LEAST TWO (2) WORKING DAYS BEFORE STARTING.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIS OWN CONSTRUCTION STAKING & LAYOUT.
- THE CONTRACTOR SHALL USE COMPACTED CRUSHED AGGREGATE (CA-6) FOR TRENCH BACKFILL UNDER OR WITHIN THREE FT. OF ANY EXIST. OR PROP. CURB, WALK, PAVEMENT OR BUILDING.
- THE ELEVATIONS SHOWN ON THE PLAN ARE BASED ON USGS DATUM.
- THE FOLLOWING PIPE SPECIFICATION SHALL APPLY:
 - A. DUCTILE IRON (CL-52/WM) PER ANSI/A21.51-PIPE, A21.11-JOINT & A21.04-CEMENT LINING.
- THE CONTRACTOR SHALL REQUEST NEW FIRE HYDRANT & MAIN INSPECTIONS FROM VILLAGE. THE MAIN SHALL BE PRESSURE TESTED, CHLORINATED & SAMPLED BEFORE THE HYDRANT IS PLACED IN SERVICE. IT SHALL NOT BE USED UNLESS THEY ARE "APPROVED" BY THE VILLAGE ENGINEER.
- THE CONTRACTOR SHALL KEEP "AS-BUILT" PLANS THAT SHALL BE GIVEN TO THE ENGINEER FOR HIS PREPARATION OF "RECORD DRAWINGS" (MYLAR) REQ'D. BY THE VILLAGE. CHANGES IN PIPE: LENGTH, MATERIAL, LOCATION, SLOPE OR ALIGNMENT SHALL BE MARKED. THE MANHOLE, WATER-VAULT/BOX LOCATIONS SHALL BE TIED IN & MEASURED FROM THE BUILDING CORNER OR DOWNSTREAM MANHOLE.
- THE OWNER SHALL OBTAIN A PERMIT FROM THE VILLAGE FOR THE SITE WORK.
- THE CONTRACTOR SHALL FULL-DEPTH SAWCUT THE REMOVAL LIMITS FOR PAVING & CURB.
- THE CONTRACTOR SHALL REQUEST UTILITY LOCATES & VERIFY THE LOCATION BEFORE STARTING. HE SHALL BE RESPONSIBLE FOR ANY DAMAGE. (JULIE-800/#892-0123 & PW.-630/#719-4753)
- THE CONTRACTOR SHALL VERIFY ELEVATIONS AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES.
- THE CONTRACTOR SHALL INDEMNIFY: OWNER, ARCHITECT, ENGINEER, ARCHITECT AND VILLAGE EMPLOYEES, INCLUDING THEIR AGENTS FROM ALL SITE CONSTRUCTION & TESTING LIABILITY.
- THE PROPOSED WATER MAINS & SERVICES SHALL BE PRESSURE TESTED, CHLORINATED, FLUSHED, SAMPLED & TESTED PER STATE & VILLAGE STANDARDS BEFORE IT IS "APPROVED" FOR USE.
- THE CONTRACTOR SHALL RESTORE ALL DISTURBED LAWN AREAS WITH 4" TOPSOIL & SOD.
- THE CONTRACTOR SHALL GUARANTEE HIS WORK FOR 1 YEAR FROM DATE OF FINAL ACCEPTANCE.
- THE CONTRACTOR SHALL WRAP BURIED DUCTILE IRON PIPE & FITTING WITH 8 MIL. POLY BAG. THE NEW WATERMAIN AND SERVICE LINES SHALL HAVE A 6"-0" MIN. DEPTH OF COVER.
- THE CONTRACTOR SHALL CONTACT THE VILLAGE: PUBLIC WORKS (WATER DEPT.) AT LEAST TWO WORKING DAYS IN ADVANCE TO REQUEST THE OPERATION OF ANY VALVES OR HYDRANTS.
- THE CONTRACTOR SHALL REMOVE & DISPOSE OF EXCESS OR UNSUITABLE EXCAVATED MATERIAL.
- AN AS-BUILT SURVEY OF THE SEWER MAIN WILL NEED TO BE SUBMITTED, APPROVED AND ACCEPTED BY THE DuPAGE COUNTY PUBLIC WORKS DEPARTMENT BEFORE THE SERVICE LINE CAN BE CONNECTED.

GENERAL NOTES FOR SURFACE IMPROVEMENTS

- THE CONTRACTOR SHALL PERFORM ALL WORK PER IDOT-"STANDARD SPECIFICATIONS FOR ROAD & BRIDGE CONSTRUCTION"-IL.(LATEST ED.), VILLAGE & DuPAGE COUNTY CODE REQUIREMENTS
- THE CONTRACTOR SHALL NOTIFY: VILLAGE (COMM. DEV. DEPT.)-630/#719-4750, SURVEYOR, OWNER, ARCHITECT & CIVIL ENGINEER-847/#439-8225 AT LEAST TWO (2) WORKING DAYS IN ADVANCE.
- THE CONTRACTOR SHALL USE CL-SI/X CONC. (6 BAG CEMENT MIX) FOR ALL EXTERIOR WORK. IT SHALL HAVE A MIN. 3,500 P.S.I. COMPRESSIVE STRENGTH AFTER 14 DAY CURING PERIOD & HAVE AIR ENTRAINMENT BETWEEN 4% AND 6% .
- THE CONTRACTOR SHALL COMPACT FILL(AFTER TOP SOIL REMOVAL) TO THE FOLLOWING DENSITIES:
 - A. UNDER AND WITHIN 5' OF THE PROPOSED BUILDING - 95% MODIFIED PROCTOR
 - B. UNDER AND WITHIN 3' OF THE PAVEMENT/CURB/WALK - 95% MODIFIED PROCTOR
 - C. REMAINING NON-PAVED AREAS - 90% MODIFIED PROCTOR
- THE CONTRACTOR SHALL SAWCUT(FULL-DEPTH) THE LIMITS OF ANY PAVEMENT OR CURB REMOVAL.
- THE CONTRACTOR SHALL REMOVE & DISPOSE OF ALL EXCESS & UNSUITABLE EXCAVATED MATERIAL.
- THE CONTRACTOR SHALL OBTAIN A VILLAGE PERMIT BEFORE STARTING DEMOLITION WORK.
- THE CONTRACTOR SHALL RESTORE ALL NON-PAVED AREAS WITH 4" MIN. TOP SOIL & SOD.
- THE CONTRACTOR SHALL VERIFY THE ELEVATIONS & NOTIFY THE ENG. OF ANY DISCREPANCIES.
- THE CONTRACTOR SHALL INDEMNIFY: OWNER, ENGINEER, PROJECT ARCHITECT, SURVEYOR & VILLAGE EMPLOYEES, INCLUDING THEIR AGENTS FROM ALL CONSTRUCTION LIABILITY.
- THE CONTRACTOR SHALL "PROOF ROLL" WITH A LOADED 10 WHEELER TRUCK, IN THE PRESENCE OF THE ENGINEER, THE SUBBASE BEFORE PROCEEDING WITH THE PLACEMENT OF THE GRANULAR SUB-BASE. ANY SOFT OR YIELDING AREAS SHALL BE CORRECTED. (UNDERCUT,GEOTEXTILE...ETC.)
- THE CONTRACTOR SHALL "STRING-LINE" THE DOCK'S SUBGRADE IN ENGINEER'S PRESENCE BEFORE PLACEMENT OF AGGREGATE & POURING CONCRETE TO INSURE THAT IT IS PROPERLY GRADED.
- THE CONTRACTOR SHALL USE A MAX. 3/8"φ AGGREGATE IN THE BITUMINOUS SURFACE COURSE.
- THE CONTRACTOR SHALL PROVIDE ADEQUATE CONSTRUCTION SIGNS & BARRICADES, PER MUTCD.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIS OWN CONSTRUCTION STAKING & LAYOUT.
- THE CONTRACTOR SHALL GUARANTEE HIS WORK FOR ONE (1) YEAR FROM FINAL ACCEPTANCE.
- THE CONTRACTOR SHALL CO-ORDINATE HIS WORK WITH THE TENNANTS TO MINIMIZE CONFLICTS.
- THE CONTRACTOR SHALL NOT PAVE OR POUR WITHOUT THE ENGINEER'S GRADE APPROVAL.

SOIL EROSION & SEDIMENT CONTROL NOTES

- CONTRACTOR SHALL PERFORM ALL WORK PER THE "PROCEDURES & STANDARDS FOR SOIL EROSION & SEDIMENTATION CONTROL"- ILLINOIS(LATEST EDITION) & TO VILLAGE STANDARDS.
- CONTRACTOR SHALL PREVENT STORM SEWER SILTATION BY INSTALLING MEASURES SUCH AS FILTER FABRIC (PAVED AREAS), PERIMETER SILT FENCE (LAWN AREAS) & USE EXIST. GRAVEL DRIVE FOR ACCESS. (SEE: GRADING & EROSION PLAN), BEFORE STARTING ANY SITE WORK.
- CONTRACTOR SHALL INSPECT & MAINTAIN ADEQUATE SITE DRAINAGE: DITCH & STORM SEWER. HE SHALL INSURE ALL EROSION & SEDIMENT CONTROL MEASURES FUNCTION CORRECTLY.
- THE CONTRACTOR SHALL REMOVE ANY TIRE CONSTRUCTION MUD DEPOSITED IN THE ROAD.
- CONTRACTOR TO TEMPOARY SEED IF TEMPORARY TOPSOIL STOCKPILES IF > 30 DAYS.

I.E.P.A. WATER NOTES

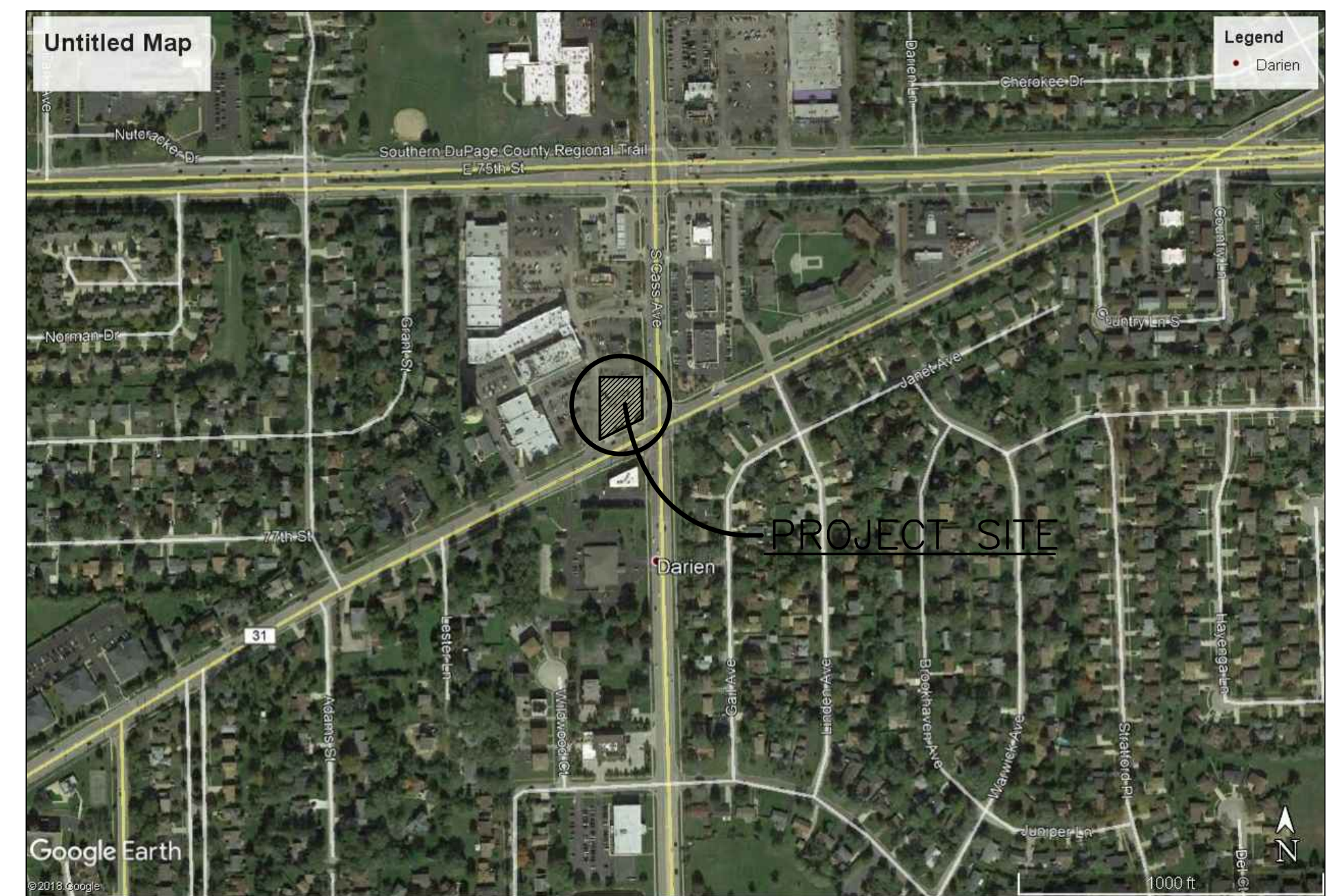
DIVISION - IV
WATER DISTRIBUTION
SECTION 41: PIPE INSTALLATION FOR WATER MAINS

- GENERAL
PIPE SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS & INSTRUCTIONS FOR THE TYPE OF PIPE USED & APPLICABLE AWWA STANDARDS, SUCH AS C-600 & C-603, UNLESS MODIFIED OR CHANGED IN THE SPECIAL PROVISIONS.
- CONSTRUCTION
PROTECTION OF WATER MAIN & WATER SERVICE LINES
- GENERAL
WATER MAINS & WATER SERVICE LINES SHALL BE PROTECTED FROM SANITARY SEWERS, STORM SEWERS, COMBINED SEWERS, HOUSE SEWER SERVICE CONNECTIONS AND DRAINS AS FOLLOWS:
 - 41-2.01B HORIZONTAL SEPARATION - WATER MAINS & SEWERS
 - (1) WATER MAINS SHALL BE LOCATED AT LEAST TEN (10) FT./(3.1M) HORIZONTALLY FROM ANY EXIST. OR PROP. DRAIN, STORM/SANITARY/COMBINED SEWER OR SEWER SERVICE CONNECTION.
 - (2) WATER MAINS MAY BE LOCATED CLOSER THAN TEN (10) FT./(3.1M) TO A SEWER LINE WHEN:
 - (A) LOCAL CONDITIONS PREVENT LATERAL SEPARATION OF 10 FT. OR 3.1 METERS; AND
 - (B) WATER MAIN INVERT IS AT LEAST 18 IN./(460MM) ABOVE THE SEWER'S CROWN; AND
 - (C) WATER MAIN INVERT IS EITHER IN A SEPERATE TRENCH OR IN THE SAME TRENCH ON AN UNDISTURBED EARTH SHELF LOCATED TO ONE SIDE OF THE SEWER.
 - (3) WHEN IT IS IMPOSSIBLE TO MEET (1) OR (2) ABOVE, BOTH WATER MAIN, DRAIN & SEWER SHALL BE CONSTRUCTED OF OF SLIP-ON OR MECHANICAL JOINT CAST/DUCTILE IRON PIPE, PRE-STRESSED CONC. PIPE, OR PVC PIPE EQUIVALENT TO WATER MAIN CONSTRUCTION STANDARDS. THE DRAIN OR SEWER SHALL BE PRESSURE TESTED TO THE MAX. EXPECTED SURGE HEAD BEFORE BACKFILLING. (SEE: IEPA. STD. DRAWING-#18)
 - 41-2.01C VERTICAL SEPARATION - WATER MAINS & SEWERS
 - (1) A WATER MAIN SHALL BE SEPARATED FROM A SEWER SO THAT ITS INVERT IS 18" MIN./460 MM. ABOVE THE DRAIN OR SEWER CROWN WHENEVER WATER MAINS CROSS STORM, SANITARY SEWER OR SEWER SERVICE CONNECTION. THE VERTICAL SEPARATION SHALL BE MAINTAINED FOR THAT PORTION OF THE WATER MAIN LOCATED WITHIN TEN (10) FT./(3.1M) HORIZONTALLY OF ANY SEWER OR DRAIN CROSSED. A LENGTH OF WATER MAIN PIPE SHALL BE CENTERED OVER THE SEWER TO BE CROSSED WITH JOINTS EQUIDISTANT FROM THE SEWER OR DRAIN.
 - (2) BOTH WATER MAIN & SEWER SHALL BE CONSTRUCTED OF SLIP-ON OR MECHANICAL JOINT CAST/DUCTILE PIPE, PRESTRESSED CONCRETE PIPE OR PVC. PIPE EQUIVALENT TO WATER MAIN STANDARDS OF CONSTRUCTION WHEN:
 - (A) IT IS IMPOSSIBLE TO OBTAIN THE PROPER VERTICAL SEPARATION AS DESCRIBED IN (1) ABOVE; OR
 - (B) THE WATER MAIN PASSES UNDER A SEWER OR DRAIN
 - (3) A VERTICAL SEPARATION OF 18" (460MM) BETWEEN THE SEWER OR DRAIN INVERT & THE WATER MAIN CROWN SHALL BE MAINTAINED WHERE A WATER MAIN CROSSES UNDER A SEWER. SUPPORT THE SEWER OR DRAIN LINES TO PREVENT SETTLING & BREAKING THE WATER MAIN, AS SHOWN ON THE PLANS OR AS "APPROVED" BY THE ENGINEER.
 - (4) CONSTRUCTION SHALL EXTEND ON EACH SIDE OF THE CROSSING UNTIL THE PERPENDICULAR DISTANCE FROM THE WATER MAIN TO THE SEWER OR DRAIN LINE IS AT LEAST TEN (10) FEET/(3.1M) (SEE: STANDARD DRAWINGS #20 - #23)
 - 41-2.01D WATER SERVICE LINES
 - (1) THE HORIZONTAL & VERTICAL SEPARATION BETWEEN WATER SERVICE LINES AND ALL STORM, SANITARY, COMBINED SEWERS OR ANY DRAIN OR SEWER SERVICE CONNECTION SHALL BE THE SAME AS WATER MAIN SEPARATION REQUIREMENTS DESCRIBED IN 41-2.01B & 41-2.01C ABOVE.
 - (2) WATER PIPE DESCRIBED IN 41-2.01B ABOVE SHALL BE USED FOR SEWER SERVICE LINES WHEN MINIMUM HORIZONTAL & VERTICAL SEPARATION CANT BE MAINTAINED.
 - 41-2.01E SPECIAL CONDITIONS
CONDITIONS IN 41-2.01B, 41-2.01C & 41-2.01D OR AS SHOWN ON STANDARD DRAWINGS #19-#23 SHALL BE MET UNLESS SPECIAL CONSIDERATIONS ARE COVERED IN THE PLANS & SPECIAL PROVISIONS.
 - 41-2.01F SEWER MANHOLES
NO WATER PIPE SHALL PASS THROUGH OR COME INTO CONTACT WITH ANY PART OF A SEWER OR SEWER MANHOLE.
 - 41-2.02 EXCAVATION & BACKFILL
EXCAVATION & BACKFILL FOR WATER MAINS SHALL CONFORM TO THE PROVISIONS OF SECTIONS 20, 21, 22 & THE REQUIREMENTS BELOW.
 - 41-2.02A DEPTH OF COVER
A PIPE SHALL BE LAID TO A MINIMUM DEPTH AS SHOWN ON THE PLANS & MEASURED FROM THE EXISTING GROUND SURFACE OR ESTABLISHED GRADE TO THE TOP OF THE BARREL OF THE PIPE. MIN. DEPTH WILL RANGE FROM THREE (3) TO FIVE (5) FEET (1M-1.5M) FROM SOUTHERN TO NORTHERN ILLINOIS RESPECTIVELY. IN AREAS SUBJECT TO TO SUBSEQUENT EXCAVATION OR FILL, THE MAINS SHALL BE LAID TO GRADES SHOWN ON THE PLANS.
 - 41-2.02B PIPE FOUNDATIONS & UNSTABLE TRENCH CONDITIONS
FOR PIPE BEDDING, AND FOR UNSUITABLE TRENCH CONDITIONS, SEE: SECTIONS-20-2.20. FOR UNSTABLE OR UNSUITABLE TRENCH CONDITIONS, SEE: SECTION 20-2.20A (2), (3) & (4).

EXCAVATION DEWATERING:

- All outlets for dewatering discharges shall be stable and protected from erosion.
- Cofferdams, swales, and temporary diversions shall be built and maintained as outlined in the plans set, and per Illinois Urban Manual guidelines.
- Installation of cofferdams and sumps shall follow the requirements as outlined in practice standard COFFERDAM 803 and SUMP PIT 950.
- Excess surface runoff shall be diverted from the construction area as outlined in practice standards TEMPORARY DIVERSION 955, TEMPORARY SWALE 980, DIVERSION 815, and DIVERSION DIKE 820, as applicable.
- Drains, sumps, pumps, and all other items required to dewater the site shall be furnished, installed, and maintained.
- In poorly drained soil areas, or where well dewatering is not practical, pumping directly from the construction trenches shall be allowed.
- All dewatering activities shall be done in a manner that does not negatively impact the water quality of the water table or cause erosion or transport sediment or other pollutants.
- Sediment removal shall be provided using the following practices depending on the sediment, dewatering method, location, and amount of dewatering:
 - Where sumps are used, they shall meet the requirements of SUMP PIT 950. In addition, where space is available, TEMPORARY SEDIMENT TRAPS 960 shall be used to detain water and remove sediment from pumping and diversion operations. where there is limited space a PORTABLE SEDIMENT TANK 895 shall be used to retain seiment from dewatering operations. POLYACRYLAMIDE (PAM) FOR TURBIDITY REDUCTION AND SEDIMENT CONTROL 894 may also be used, as appropriate.
- Where there is low, intermittent amounts of dewatering, pumps with filtration bags shall be used. Filtration bags shall be attached to pump discharges and surrounded with a secondary containment or on a stabilized area. Filter bags shall not be placed, whole or partially, within aquatic areas (wetlands, streams, etc.) The material for the filtration bag shall meet the requirements of material specification 592 GEOTEXTILE, Table 2, Class I with a minimum tensile strength of 200 lbs. The filtration bag shall be sized per manufacturer recommendations and based on the size of the pump. The largest size pump to be used with a filtration bag shall be 4-inch diameter.
- The temporary dewatering facilities shall be removed after they have served their purpose. The dewatering areas shall be graded and stabilized with the appropriate erosion control practices. The dewatering sites after removal shall not create any erosion control practices. The dewatering sites after removal shall not create any obstruction of the flow of water or any other interference with the operation of or access to the permanent works.
- The location and capacity of temporary diversion and protective works should be based on the characteristics of the site, accessibility, and the potential damage during development.
- Inspections shall be conducted to ensure proper operation and compliance with any permits or water quality standards.
- Accumulated sediment shall be removed from the flow area and temporary diversions shall be repaired, as required.
- Outlet areas shall be checked and repairs made in a timely manner, as needed.
- Pump outlets shall be inspected for erosion, and sumps shall be inspected for accumulated sediment.
- Dewatering bags shall be removed and replaced when half full of sediment or when the pump discharge has reduced to an impractical rate.
- If the receiving area is showing any signs of cloudy water, erosion, or sediment accumulation, discharges shall be stopped immediately once safety and property damage concerns have been addressed.
- Sediment shall be disposed in accordance with all applicable laws and regulations.

**PROPOSED RETAIL DEVELOPMENT
7532 S. CASS AVENUE
DARIEN, ILLINOIS 60561**



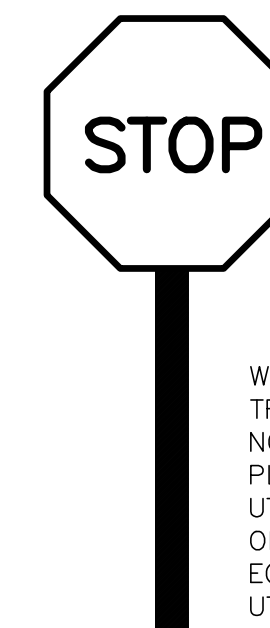
PROFESSIONAL ENGINEER'S DRAINAGE CERTIFICATION

THE PROPOSED LOT GRADE CHANGES WILL NOT CAUSE SURFACE WATER TO BE DIVERTED ONTO OR DETAINED ON ABUTTING OR NEARBY PROPERTY, WILL NOT SIGNIFICANTLY ALTER EXISTING DRAINAGE PATTERNS AND WILL NOT INCREASE OR CONCENTRATE SITE STORMWATER RUNOFF ONTO ABUTTING STORMWATER RUNOFF ONTO ABUTTING OR NEARBY PROPERTY.

NAME: CLIFFORD J. TOBERMAN SIGNATURE: *Clifford J. Toberman*
DATE: 11/21/19 ILL. P.E.-# 050567 EXPIRES- 11-30-21

OWNER/BUILDER CERTIFICATION

OWNER: _____ SIGNATURE: _____ DATE: _____



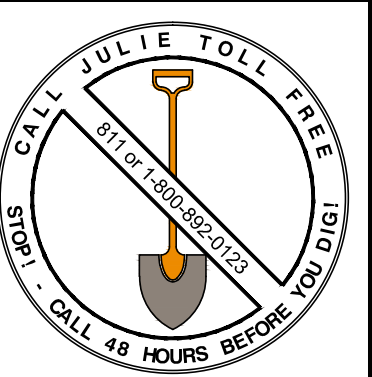
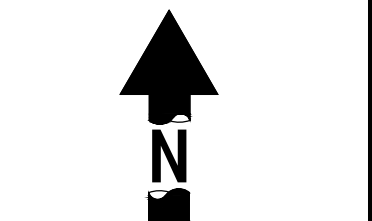
CALL JULIE
48 HOURS BEFORE YOU DIG.
811 OR 1-800-892-0123



WHETHER YOU'RE DIGGING A FOUNDATION OR JUST PLANTING A TREE, MAKE SURE YOU CALL JULIE FIRST. JULIE IS A FREE NOTIFICATION SERVICE THAT ALERTS UTILITY COMPANIES OF PLANNED DIGGING ACTIVITIES IN AREAS WITH UNDERGROUND UTILITY FACILITIES. UNDERGROUND FACILITIES CAN BE DAMAGED OR RUPTURED BY A SHOVEL BLADE OR OTHER DIGGING EQUIPMENT. AVOID THE PAIN AND COST OF DAMAGING BURIED UTILITIES... CALL BEFORE YOU DIG. STATE LAW NOW REQUIRES YOU TO CALL JULIE TWO WORKING DAYS BEFORE YOU DIG.

INDEX OF SHEETS

- C-1 TITLE & NOTES SHEET
- C-2 EXISTING TOPOGRAPHY & DEMOLITION PLAN
- C-3 SITE PLAN
- C-4 UTILITY PLAN
- C-5 GRADING & EROSION PLAN
- C-6 DETAIL SHEET
- L-1 LANDSCAPE PLAN
- LT-1 LIGHTING PLAN



REVISION

DATE 11/22/19

NO. 1

NORMAN J. TOBERMAN & ASSOCIATES, LLC
CIVIL ENGINEERS & SURVEYORS
118 S. WILSON ST. SUITE 203A E. MARYSHAW, ILL. 60068
P: (630) 244-2030 F: (630) 244-0104
n.j.toberman@naill.com
Ill. Design Firm: 184,008 Bldg
Engineer: 6-20-2021

TITLE & NOTES SHEET

PROPOSED RETAIL DEVELOPMENT
JOHN G. MANOS
7532 S. CASS AVENUE, DARIEN, IL
PHONE: (630) 212-1644
JMANOS@ATT.NET

THIS SEAL IS VOID IF NON-PRINTED CHANGES APPEAR ON THESE PLANS



Sheet No.

C-1

NJT Project No.
19-7041

WATER DATA

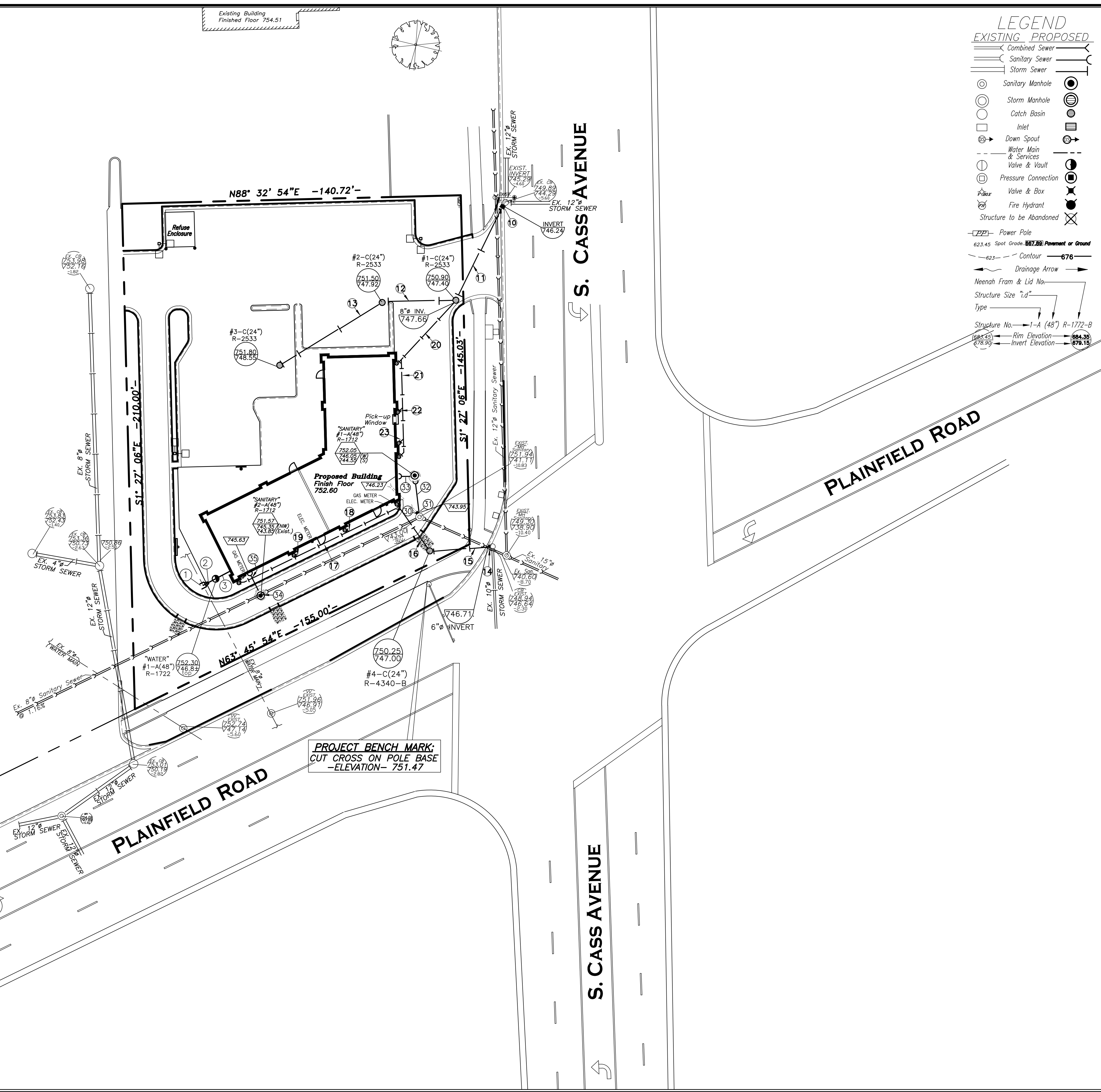
- ① 1 EA CONNECT TO EXIST. 8"Ø WATER MAIN WITH CUT-IN 8"x8"x6"TEE FOLLOWED BY 6"x4" REDUCER
- ② 4 LF 4"Ø DIP(CL-52), MIN. 5.50' DEPTH
- ③ 6 LF 4"Ø DIP(CL-52), MIN. 5.50' DEPTH

STORM SEWER DATA

- ⑩ 1 EA CONNECT TO EXIST. CB (CORE DRILL)
- ⑪ 42 LF 8"Ø DIP(CL-52) @ 2.75%
- ⑫ 26 LF 8" PVC(SDR-26) @ 2.00%
- ⑬ 50 LF 8" PVC(SDR-26) @ 1.25%
- ⑭ 1 EA CONNECT TO EXIST. CB (CORE DRILL)
- ⑮ 23 LF 6"Ø DIP(CL-52) @ 1.25%
- ⑯ 23 LF 6"Ø PVC(SDR-26) @ 5.00%
- ⑰ 73 LF 6"Ø PVC(SDR-26) @ 2.00% (MIN.)
- ⑱ 2 LF 4"Ø PVC(SDR-26) @ 2.00% (MIN.)
- ⑲ 2 LF 4"Ø PVC(SDR-26) @ 2.00% (MIN.)
- ⑳ 35 LF 6"Ø PVC(SDR-26) @ 2.00%
- ㉑ 41 LF 6"Ø PVC(SDR-26) @ 2.00%
- ㉒ 3 LF 4"Ø PVC(SDR-26) @ 2.00% (MIN.)
- ㉓ 3 LF 4"Ø PVC(SDR-26) @ 2.00% (MIN.)

SANITARY SEWER DATA

- ③① 1 EA., DISCONNECT EXISTING SANITARY SEWER & REPAIR OPENING TO MANHOLE w/ BRICK & MORTAR
- ③② 1 EA., CONNECT TO EXISTING MANHOLE (CORE DRILL & RUBBER BOOT)
- ③③ 17 L.F. 6"Ø DIP (CL-52) @ 3.50% SLOPE
- ③④ 5 L.F. 6"Ø DIP (CL-52) @ 3.50% SLOPE
- ③⑤ 1 EA. INSTALL NEW SANITARY MANHOLE & RECONNECT EXISTING SANITARY SEWER PIPES (CONSTRUCT NEW BENCH)
- ③⑥ 8 L.F. 6"Ø DIP (CL-52) @ 3.50% SLOPE



PROJECT BENCH MARK:
CUT CROSS ON POLE BASE
-ELEVATION- 751.47

LEGEND

EXISTING	PROPOSED

0 10' 20'
SCALE: 1"=20'

N

NO. 1 DATE 11/22/19

NORMAN J. TOBERMAN & ASSOCIATES, LLC
CIVIL ENGINEERS & SURVEYORS
110 S. 20th Avenue, Hill Country, NJ 08065
P. (609) 484-2222 F. (609) 748-4104
mailto:info@norman-j.com
lic. no. 35-263-001

UTILITY PLAN

PROPOSED DUNKIN DONUTS
JOHN G. MANOS
7532 S. CASS AVENUE, DARIEN, IL
JMANOS@ATT.NET PHONE: (630) 212-1644

THIS SEAL IS VOID IF NON-PRINTED
CHANGES APPEAR ON THESE PLANS

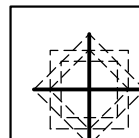
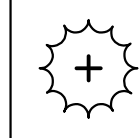
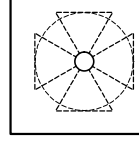
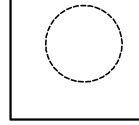
Expires: 11/30/21

Sheet No.
C-4
NJ Project No.
19-7043

TREES

-  **AUTUMN GOLD GINKGO BILOBA (GB)**
(Ginkgo Biloba 'Autumn Gold') Male only (Min. 3" cal.)
-  **IMPERIAL HONEYLOCUST (HL)**
(Gleditsia triacanthos var. inermis 'Imperial') (Min. 3" cal.)
-  **COLORADO SPRUCE (SPR)**
(Picea pungens) (Min. 6' ht.)
-  **CHINA SNOW PEKING LILAC (PL)**
(Syringa pekinensis 'Morton') (Min. 2" cal.)

SHRUBS

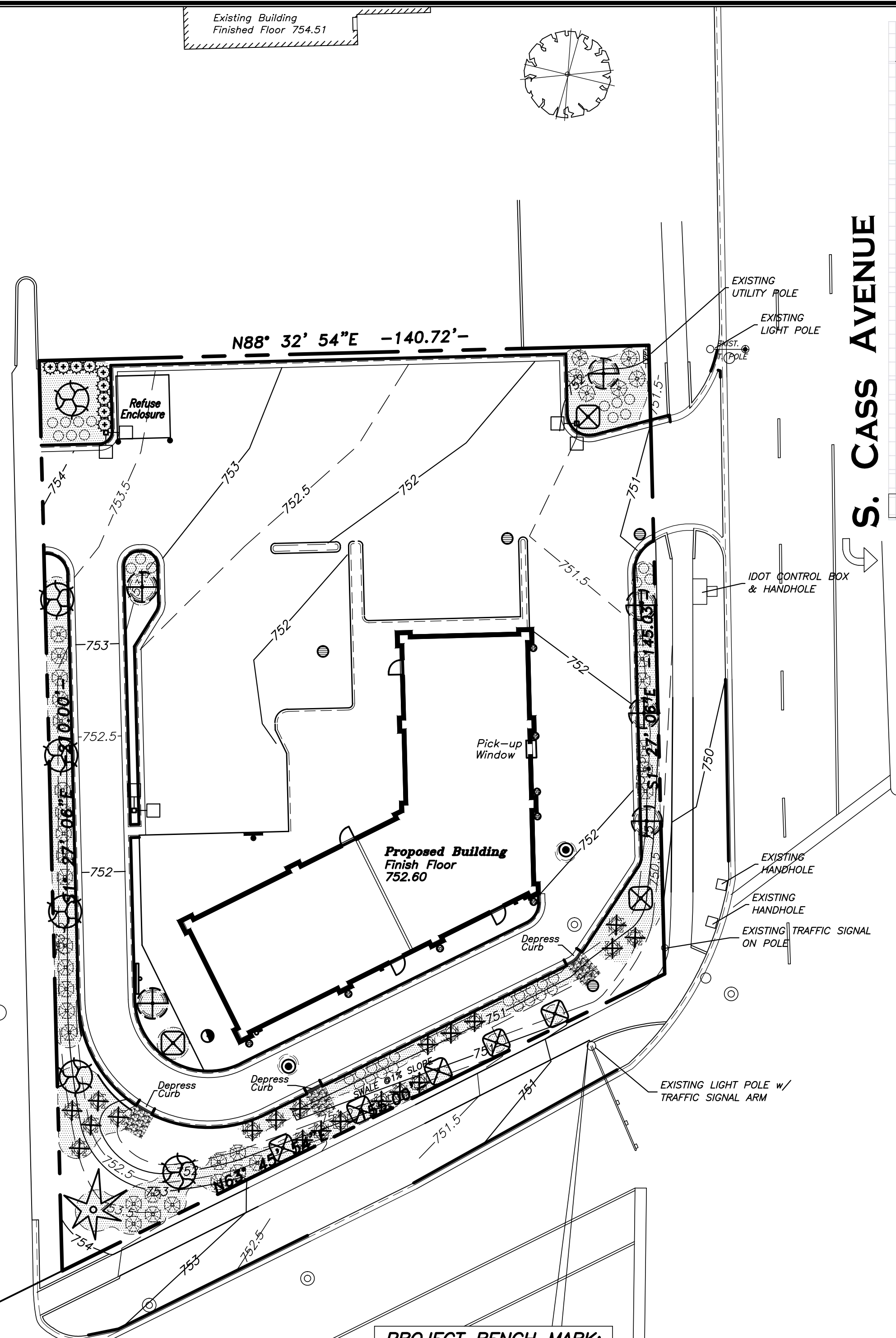
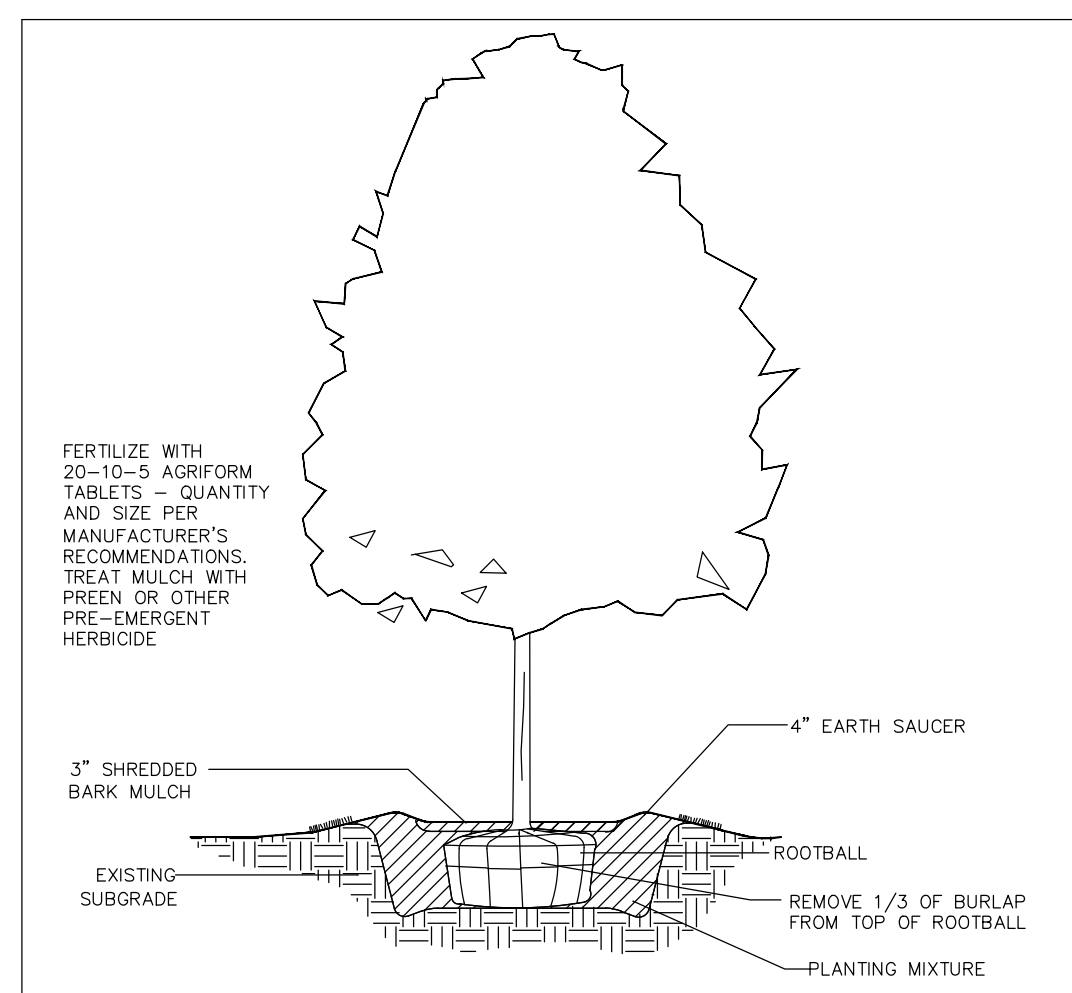
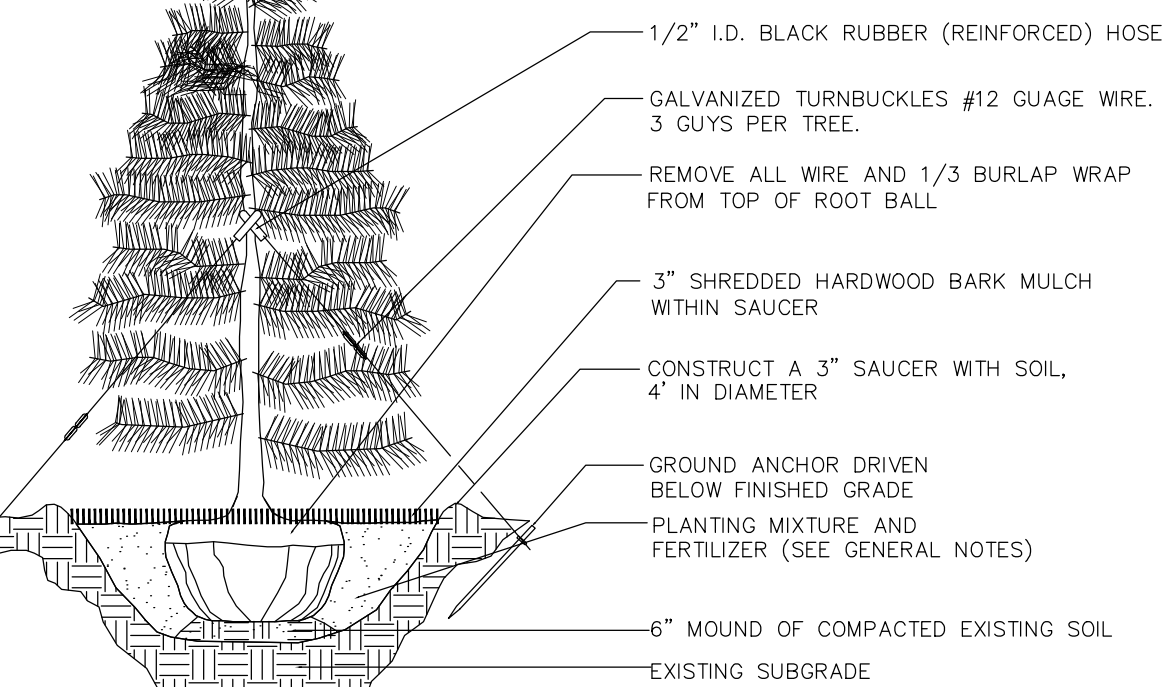
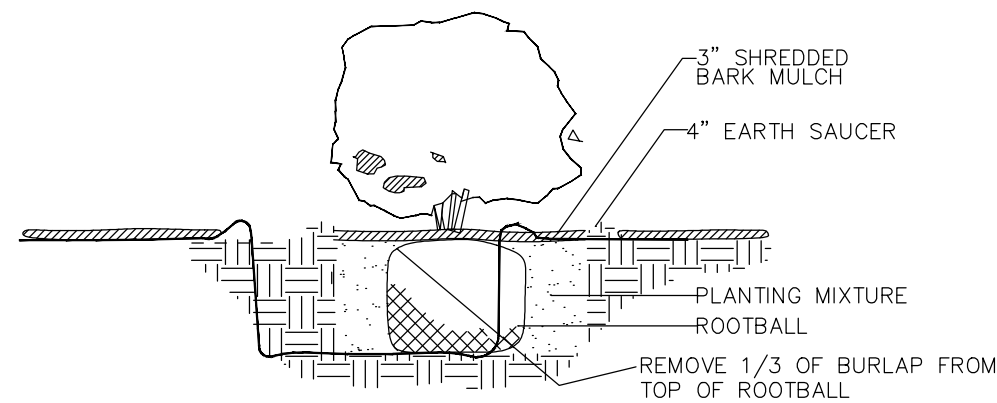
-  **SEA GREEN JUNIPER (JC)**
(Juniperus chinensis 'Sea Green') 47 shrubs (Min. 24" ht.)
-  **BEANPOLE YEW (BY)**
(Taxus x Media 'Beanpole') (Min. 36" ht.)
-  **DWARF BURNING BUSH (EA)**
(Euonymus alatus 'Compactus') 95 shrubs (Min. 36" ht.)
-  **CRANBERRY COTONEASTER (CC)**
(Cotoneaster apiculatus) 40 shrubs (Min. 24" ht.)

GROUND COVER

-  **SHREDDED HARDWOOD MULCH**
(Application Depth - see note below)

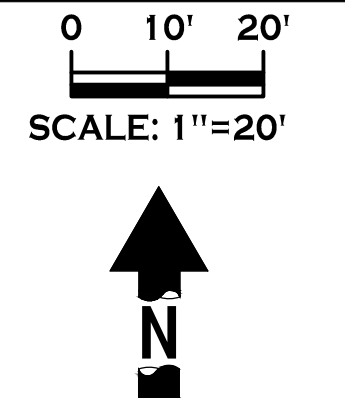
****NOTE:**
ALL PLANTING AREAS WITH SHRUBS ARE TO BE FINISHED WITH HARDWOOD MULCH AT MINIMUM 2" DEPTH.
ALL TREES ARE TO BE FINISHED WITH HARDWOOD MULCH AT MINIMUM 4" DEPTH.

FERTILIZE WITH 20-10-5 AGRIFORM TABLETS - QUANTITY AND SIZE PER MANUFACTURER'S RECOMMENDATIONS TREAT WITH PREEN OR OTHER PRE-EMERGENT HERBICIDE



4.5 x (the foot length of the yard measured at the lot line) = number of points required for landscape materials

Yard:	Lot Line Length	Point Req. (Length * 4.5)	Common Name	Botanical Name	Qty.	Species Points *	Total Points
Interior Side Yard (North lot line)	140.72	633	1	Autumn Gold Ginkgo	Ginkgo Biloba 'Autumn Gold'	1	100
			2	Imperial Honeylocust	Gleditsia triacanthos 'Imperial'	1	100
			3	China Snow Peking Lilac	Syringa pekinensis 'Morton'	1	50
			4	Dwarf Burning Bush	Euonymus alatus 'Compactus'	6	15
			5	Beanpole Yew	Taxus x media 'Beanpole'	9	15
			6	Cranberry Cotoneaster	Cotoneaster apiculatus	14	10
Total Interior Side Yard (North lot line)							615
Rear Yard (West lot line)	210.00	945	1	Autumn Gold Ginkgo	Ginkgo Biloba 'Autumn Gold'	2	100
			2	Imperial Honeylocust	Gleditsia triacanthos 'Imperial'	4	100
			3	China Snow Peking Lilac	Syringa pekinensis 'Morton'	1	50
			4	Dwarf Burning Bush	Euonymus alatus 'Compactus'	15	15
			5	Sea Green Juniper	Juniperus chinensis 'Sea Green'	5	10
			6	Cranberry Cotoneaster	Cotoneaster apiculatus	3	10
Total Rear Yard (West lot line)							955
Corner Side Yard (South lot line)	155.00	698	1	Imperial Honeylocust	Gleditsia triacanthos 'Imperial'	1	100
			2	China Snow Peking Lilac	Syringa pekinensis 'Morton'	5	50
			3	Colorado Spruce	Picea pungens	1	60
			4	Dwarf Burning Bush	Euonymus alatus 'Compactus'	10	15
			5	Sea Green Juniper	Juniperus chinensis 'Sea Green'	12	10
			6	Cranberry Cotoneaster	Cotoneaster apiculatus	18	10
Total Corner Side Yard (South lot line)							860
Front Yard (East lot line)	145.03	653	1	Autumn Gold Ginkgo	Ginkgo Biloba 'Autumn Gold'	3	100
			2	China Snow Peking Lilac	Syringa pekinensis 'Morton'	1	50
			3	Dwarf Burning Bush	Euonymus alatus 'Compactus'	6	15
			4	Sea Green Juniper	Juniperus chinensis 'Sea Green'	3	10
			5	Cranberry Cotoneaster	Cotoneaster apiculatus	3	10
Total Front Yard (East lot line)							500
Total Landscape Points Required:							2928
Total Landscape Points Provided:							2930



NO.	DATE	REVISION
1	11/22/19	

NORMAN J. TOBERMAN & ASSOCIATES, LLC
CIVIL ENGINEERS & SURVEYORS
110 S. WASHINGTON AVENUE, SUITE 200
MERRILLVILLE, IN 46459
P: (847) 484-2228 F: (847) 748-4184
n.toberman@njta.com
lls@njta.com

LANDSCAPE PLAN
PROPOSED DUNKIN DONUTS
JOHN G. MANOS
7532 S. CASS AVENUE, DARIEN, IL
JMANOS@ATT.NET PHONE: (630) 212-1644

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Sheet No.
L-1
NJ Project No.
19-7043

Symbol	Qty	Label	Arrangement	LMF	Lum. Lumens	Lum. Watts	Part Number
▶	5	3M-4L	SINGLE	1.000	4270	33	XSPW-B-WM-3ME-4L-30K-UL-BZ
◀	3	4-2(90)	GO 4/6	1.000	10738	86	OSQ-A-NM-4ME-B-30K-UL-BZ w/OSQ-DABZ

Calculation Summary; 1.00 LLF						
Label	Units	Avg	Max	Min	Avg/Min	Max/Min
All Calc Points	Fc	1.78	7.8	0.0	N.A.	N.A.
Pavement	Fc	2.54	6.5	1.0	2.54	6.50

CREE LIGHTING

A COMPANY OF IDEAL INDUSTRIES, INC.
9201 Washington Ave, Racine, WI 53406 https://creelighting.com - (800) 236-6800

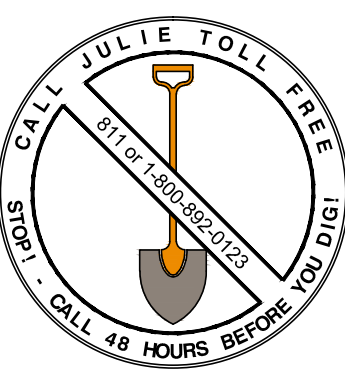
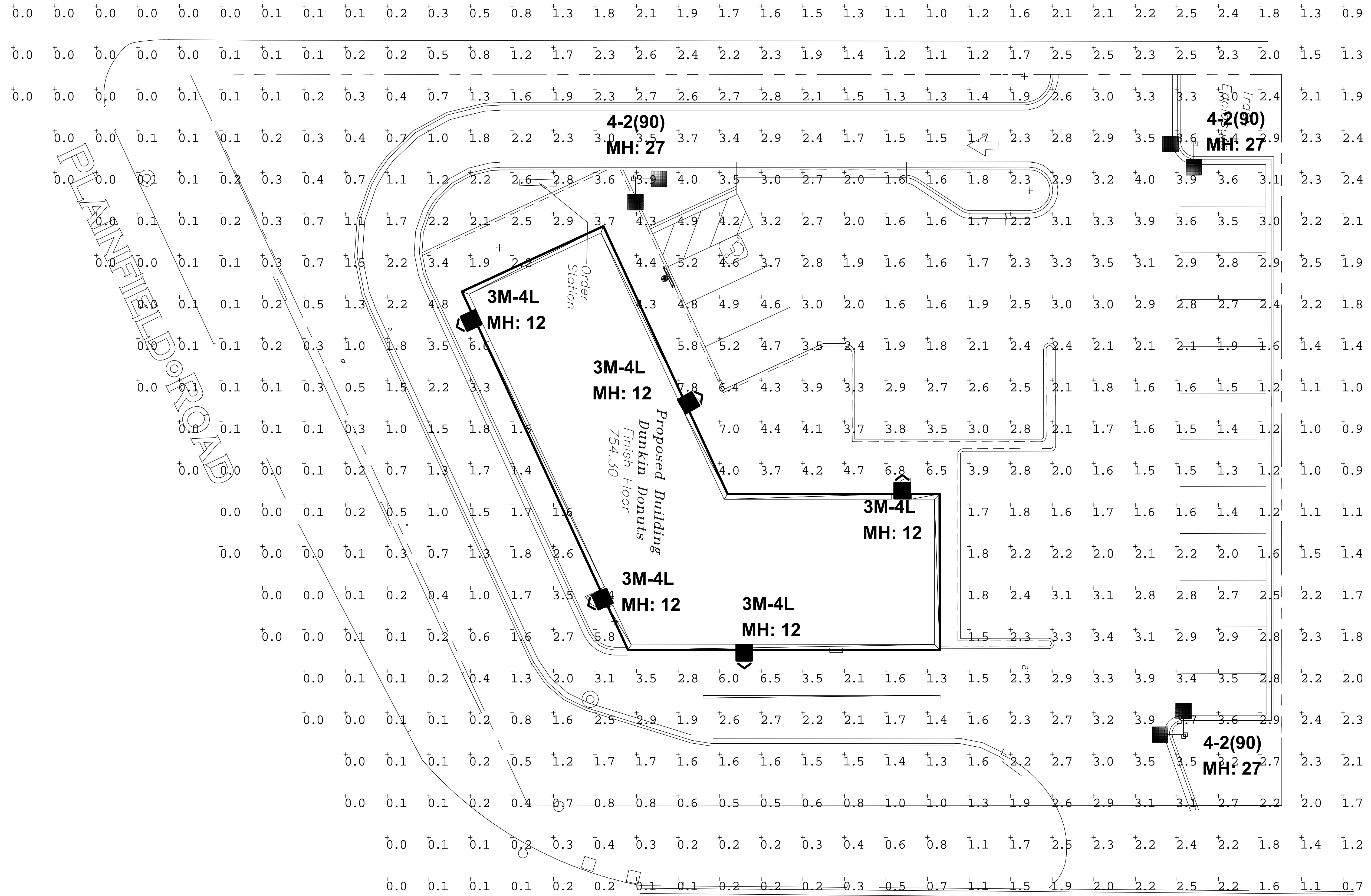
Illustration results shown on this lighting design are based on project parameters provided to Cree Lighting used in conjunction with luminaire test procedures conducted under laboratory conditions. Actual project conditions differing from these design parameters may affect field results. The customer is responsible for verifying dimensional accuracy along with compliance with any applicable electrical, lighting or energy code.

Fixture Mounting Height: 27' AFG (25' Pole + 2.0' Base)

Pole Schedule
(3) - CL-SSP-4011-25-D6-BZ-ABL (25' x 4" x 11ga; Steel Square Pole)
Proposed poles meet 120 MPH sustained winds.

Additional Equipment:
(6) - OSQ-DABZ - (Direct Arm Mount)

*** CUSTOMER TO VERIFY ORDERING INFORMATION AND CATALOGUE NUMBER PRIOR TO PLACING ORDER ***

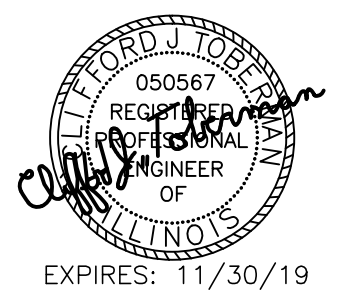


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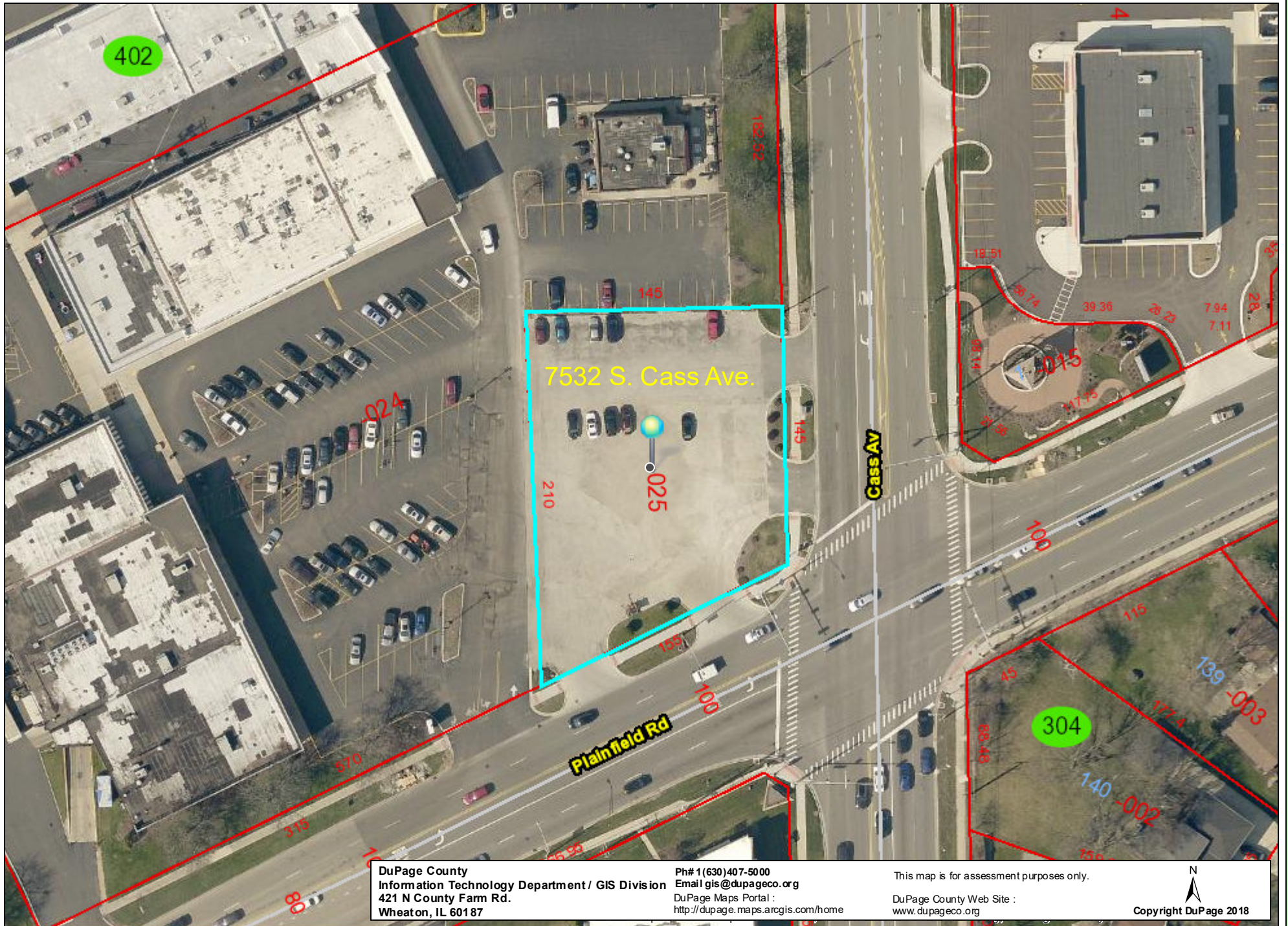
NORMAN J. TOBERMAN & ASSOCIATES, LLC
CIVIL ENGINEERS & SURVEYORS
118 S. WYOMING ST., SUITE 200, CHICAGO, IL 60605
P: (773) 644-2001 F: (773) 644-0404
n.j.toberman@njtoberman.com
Ill. Design Firm: 184,0088910
Engineer: 4-20-2021

LIGHTING PLAN
PROPOSED RETAIL DEVELOPMENT
JOHN G. MANOS
7532 S. CASS AVENUE, DARIEN, IL
PHONE: (630) 212-1644
JMANOS@ATT.NET

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Sheet No.
LT-1
NJ Project No.
19-7041



DuPage County
Information Technology Department / GIS Division
421 N County Farm Rd.
Wheaton, IL 60187

Ph# 1(630)407-5000
Email gis@dupageco.org
DuPage Maps Portal :
<http://dupage.maps.arcgis.com/home>

This map is for assessment purposes only.

DuPage County Web Site :
www.dupageco.org


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CITY OF DARIEN
ZONING VARIATIONS
JUSTIFICATION NARRATIVE

Purpose

To be consistent and fair, the City is obligated to make decisions on zoning variation requests based on findings-of-fact. The Applicant should write a justification narrative that contains evidence (facts) that support a conclusion (finding) that the variation is necessary and would not cause problems. It should include: a) explanation of why the variation is being requested, b) describe the 'hardship condition' of the property that makes it difficult to conform, c) estimate the impact on neighbors, and d) respond to each of the decision criteria below.

Decision Criteria (See City Code Section 5A-2-2-3)

2a. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the zone.

2b. The plight of the owner is due to unique circumstances.

2c. The variation if granted will not alter the essential character of the locality.

3a. Essential Need? The owner would suffer substantial difficulty or hardship and not mere inconvenience or a decrease in financial gain if the variation is not granted.

3b. Problem with Property? There is a feature of the property such as slope or shape or change made to the property, which does not exist on neighboring properties, which makes it unreasonable for the owner to make the proposed improvement in compliance with the Zoning Code. Such feature or change was not made by the current owner and was not known to the current buyer at the time of purchase.

3c. Smallest Solution? There is no suitable or reasonable way to redesign the proposed improvements without incurring substantial difficulty or hardship or reduce the amount of variation required to make such improvements.

3d. Create Neighbor Problem? The variation, if granted, will not cause a substantial difficulty, undue hardship, unreasonable burden, or loss of value to the neighboring properties.

3e. Create Community Problem? The variation, if granted, may result in the same or similar requests from other property owners within the community, but will not cause an unreasonable burden or undesirable result within the community.

3f. Net Benefit? The positive impacts to the community outweigh the negative impacts.

3g. Sacrifice Basic Protections? The variation, if granted, will comply with the purposes and intent of the Zoning Code set forth in Section 5A-1-2(A) and summarized as follows; to lessen congestion, to avoid overcrowding, to prevent blight, to facilitate public services, to conserve land values, to protect from incompatible uses, to avoid nuisances, to enhance aesthetic values, to ensure an adequate supply of light and air, and to protect public health, safety, and welfare.



CITY OF DARIEN

In the County of DuPage and the State of Illinois
Incorporated 1969

SPECIAL USE STANDARDS

Zoning Code Section 5A-2-2-6(G)

No special use shall be recommended to the City Council by the Plan Commission, nor approved by the City Council, unless findings of fact have been made on those of the following factors which relate to the special use being sought:

1. That the special use is deemed necessary for the public convenience at the location specified.
2. That the establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, or general welfare.
3. 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.
4. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
5. That the exterior architectural design, landscape treatment, and functional plan of any proposed structure will not be at variation with either the exterior architectural design, landscape treatment, and functional plan of structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.
6. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
7. That adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets.
8. 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 City Council pursuant to the recommendations of the Plan Commission and the Planning and Development Committee.