

Village of Carol Stream

BOARD MEETING

AGENDA

MARCH 6, 2006

All matters on the Agenda may be discussed, amended and acted upon

A. ROLL CALL AND PLEDGE OF ALLEGIANCE:

B. MINUTES: Approval of the Minutes of the February 6, 2006 Meeting.

C. AUDIENCE PARTICIPATION & PUBLIC HEARINGS:

1. Presentation by College of DuPage.
2. Presentation to the DARE Program.

D. SELECTION OF CONSENT AGENDA:

E. BOARD AND COMMISSION REPORTS:

1. PLAN COMMISSION

- a. #06011 – Carol Stream Park District, 849 W. Lies Road
Special Use Permit - Amendment
RECOMMENDED APPROVAL SUBJECT TO CONDITIONS (5-0).
Request for zoning approval for the expansion of the fenced area at Coral Cove Water Park.
- b. #05228 – North Shore Holdings, Ltd., 570 N. Schmale Road
Special Use – Shopping Plaza
Special Use – Outdoor Seating Area
RECOMMENDED APPROVAL SUBJECT TO CONDITIONS (5-0).
Zoning approvals for a new 7,950 sq. ft. shopping plaza.
- c. #05349 – Fritz Duda Company, 500-520 E. North Avenue
Special Use – Planned Unit Development
Special Use – Shopping Center
Rezoning – I to B-2 and B-3 to B-2
Preliminary PUD Plan
Variation – Sign Code
RECOMMENDED APPROVAL SUBJECT TO CONDITIONS (5-0).
Zoning approvals necessary for the development of a 5-building, 66,000 sq. ft. shopping center at the southwest corner of North Avenue and Schmale Road.
- d. #05312 – Dearborn Construction, Northeast Corner of Gary Avenue and Kehoe Boulevard

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Special Use – Shopping Plaza

Variation – Parking Setback

Variation – Required Rear Yard

RECOMMENDED APPROVAL (5-0).

Zoning approvals for a new 16,160 sq. ft. shopping plaza.

F. OLD BUSINESS:

1. Ordinance No. _____, Authorizing Execution of the First Amendment to a Pre-Annexation Agreement (DuPage Auto Bath).
Paragraph 18 of the agreement calls for discontinuation of use of the well. The proposed amendment would allow the property owner to continue using the well for up to 5 more years. The public hearing was held on February 6, 2006.

G. STAFF REPORTS & RECOMMENDATIONS:

1. Award of Consultant Contract – Phase III Construction Services for Lies Road LAPP.
This federally funded project requires inspection and documentation in accordance with federal procedures and guidelines. The consultant is familiar with these requirements and will provide assistance and training to Village staff.
2. Award of Contract – Landscape Maintenance.
Award of Contract for 2006 Landscape Maintenance Services – Second Year of a Three Year Agreement.
3. Charger Court Lift Station Change Order and Final Project Acceptance.
Staff is recommending approval of Change Order #1 (reducing the contract cost) and the acceptance of the completed Charger Court Lift Station.
4. Budget Transfers – Public Works.
Staff is recommending the approval of several budget transfers within the Water & Sewer and MFT funds.
5. Request Authorization to Bid – Telecommunications System.
Staff is requesting authorization to solicit bids for a new telecommunications system to replace the 10-year old Executone telephone system).

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6. Town Center & Farmhouse Use Rental Program and 2006 Rate Schedule.
Proposed rate schedule to include 2006 rental fees and event security deposits for residents and non-residents as well as rental contract and rental use policy documents.

H. ORDINANCES:

1. Ordinance No. _____, Granting an Amendment to a Special Use Permit for a Minor Expansion to Coral Cove Water Park (849 W. Lies Road). *See E1a.*
2. Ordinance No. _____, Approving a Special Use for a Shopping Plaza and Outdoor Seating (570 N. Schmale Road). *See E1b.*
3. Ordinance No. _____, Approving Special Uses for a Planned Unit Development (PUD) and Shopping Center, Rezoning from I to B-2 and from B-3 to B-2, and Preliminary PUD Plan Approval (500-520 E. North Avenue). *See E1c.*
4. Ordinance No. _____, Approving a Special Use for a Shopping Plaza, Front Yard Parking Setback Variation and a Rear Yard Setback Variation (Northeast Corner of Gary Avenue and Kehoe Boulevard). *See E1d.*
5. Ordinance No. _____, Amending Chapter 15, Section 8, Article 2 (A) of the Village Code Pertaining to the Use of the Town Center.

I. RESOLUTIONS:

1. Resolution No. _____, for Improvement by Municipality Under the Illinois Highway Code.
The Illinois Department of Transportation requires a resolution for improvement by municipality under the Illinois Highway Code to use motor fuel tax funds for street resurfacing in the amount of \$1,210,994.65.
2. Resolution No. _____, Adopting Municipal Legislative Positions and Priorities for the 2006 Legislative Session.
Resolution adopting the Legislative Program of the DuPage Mayors and Managers Conference.

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3. Resolution No. _____, Authorizing Attendance and Participation in a Meeting of Charter Customers to Commence Section 12(C) Procedures Scheduled by the DuPage Water Commission for March 15, 2006.
Resolution naming a representative to act as the Village's representative at a meeting of member communities of the DuPage Water Commission.
4. Resolution No. _____, Terminating a Contractual Relationship with Monticello Investments, Inc., Regarding the Town Center Land Sale.
Resolution providing for termination of the contract for sale of Village owned property at Town Center that was to be used for a hotel.

J. NEW BUSINESS:

1. Appointment of Ralph Smoot to the Plan Commission/Zoning Board of Appeals.
2. Request for Raffle License and Waiver of Fee – Carol Stream Rotary Club Chili Golf Open.
3. Contaminated Wells – Riviera/Judith
Request for policy direction on contaminated wells.

K. PAYMENT OF BILLS:

1. Regular Bills:
 - a. February 16, 2006
 - b. March 3, 2006
2. Addendum Warrant:
 - a. February 7 – 20, 2006
 - b. February 22 – March 6, 2006

L. REPORT OF OFFICERS:

1. Mayor:
2. Trustees:
3. Clerk:

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4. Treasurer's Report: Revenue/Expenditure Statement and Balance Sheet, Month End, January 31, 2006.

M. EXECUTIVE SESSION:

1. Collective Negotiating Matters.
2. Review of Executive Session Minutes.
3. Pending Litigation.

N. ADJOURNMENT:

LAST ORDINANCE: 2006-02-06

LAST RESOLUTION: 2172

NEXT ORDINANCE: 2006-03-07

NEXT RESOLUTION: 2173

REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES
Gregory J. Bielawski Municipal Center, Carol Stream, DuPage County, Illinois

February 6, 2006

Mayor Pro-Tem Pamela Fenner called the Regular Meeting of the Board of Trustees to order at 8:00 p.m. and directed Deputy Village Clerk Wynne Progar to call the roll.

Present: Trustees McCarthy, Gieser, Stubbs, and Fenner
Absent: Mayor Ferraro, Trustees Saverino and Shanahan and Village Clerk Koester
Also Present: Village Manager Breinig, Assistant Village Manager Mellor, Attorney Diamond and Deputy Clerk Progar

Mayor Pro-Tem Fenner led those in attendance in the Pledge of Allegiance.

MINUTES:

Trustee Gieser moved and Trustee McCarthy made the second to approve the Minutes of the Meeting of January 17, 2006 as presented. The results of the roll call vote were:

Ayes: 4 Trustees McCarthy, Gieser, Stubbs and Fenner
Nays: 0
Absent: 2 Trustees Saverino and Shanahan

AUDIENCE PARTICIPATION AND PUBLIC HEARINGS:

Presentation: Rotary International Student Exchange:

Jim Bailey from the Carol Stream Rotary Club introduced the International Exchange Student to the Board, Julia Topinoja from Hameenlinna, Finland. Mayor Pro-Tem Fenner welcomed Julia to the Village and they exchanged keepsakes . Mr. Bailey also introduced Tim Pedrick who is assigned to Germany and Jeff Knutson who is assigned to Sweden. Mayor Pro-Tem Fenner congratulated them and gave them keepsakes from the Village to share with their hosts.

Mr. Diamond said that there should be a motion to select Trustee Fenner as the Mayor Pro-Tem for this meeting. Trustee McCarthy moved and Trustee Stubbs made the second to appoint Trustee Pamela Fenner as Mayor Pro-Tem for this meeting. The results of the roll call vote were:

Ayes: 4 Trustees McCarthy, Gieser, Stubbs and Fenner
Nays: 0
Absent: 2 Trustees Saverino and Shanahan

PUBLIC HEARING:

Amendment to the Pre-annexation Agreement with DuPage Auto Bath at 27W230 North Avenue to Extend the Deadline for Termination of Use of the Onsite Well:

Trustee Gieser moved and Trustee Stubbs made the second to open the public hearing on this matter. The results of the roll call vote were:

Ayes: 4 Trustees McCarthy, Gieser, Stubbs and Fenner
 Nays: 0
 Absent: 2 Trustees Saverino and Shanahan

Mr. Diamond said that this is an amendment to an annexation agreement with DuPage Auto Bath. Under the existing annexation agreement, they had ten years in which to connect to Village water and terminate the use of the on-site well. They had requested an additional five years and the proposed amendment continues the Annexation Agreement entirely in effect under its prior terms but it extends for the period of five years the time for the discontinuation of the use of the well, and all of the same provisions are contained in the document relating to the way in which the well would have to be capped at the end of that period of time. This was brought before the Board informally previously and the Board indicated that it would not have any difficulty, however, while we can hold the public hearing tonight, but we can't act on this amendment to the annexation agreement because an amendment to an annexation agreement requires five votes. Therefore the public hearing can be opened and concluded at this meeting, but this will need to appear on the next agenda where it is hoped there will be five voting members in attendance.

Scott Stuble of DuPage Auto Bath appeared before the Board to answer any questions.

There were no comments or questions from those in attendance at the call for public hearing.

Trustee McCarthy moved and Trustee Stubbs made the second to close the public hearing. The results of the roll call vote were:

Ayes: 4 Trustees McCarthy, Gieser, Stubbs and Fenner
 Nays: 0
 Absent: 2 Trustees Saverino and Shanahan

CONSENT AGENDA:

Trustee Gieser moved and Trustee McCarthy made the second to establish a Consent Agenda for this meeting. The results of the roll call vote were:

Ayes: 4 Trustees McCarthy, Gieser, Stubbs and Fenner
 Nays: 0
 Absent: 2 Trustees Saverino and Shanahan

Trustee McCarthy moved and Trustee Stubbs made the second to put the following items on the Consent Agenda for this meeting. The results of the roll call vote were:

Ayes: 4 Trustees McCarthy, Gieser, Stubbs and Fenner
 Nays: 0
 Absent: 2 Trustees Saverino and Shanahan

1. Final Plat of Re-Subdivision – 400 Fullerton Ave. –Resolution 2168
2. Put on table to April 3, 2006-Duke Appeal of Gary Ave. Master Plan
3. Amendments to Bldg. Residential, Fire Codes –Ord. 2006-02-05
4. Award of contract: Health Insurance Coverage Review
5. Letter of Credit Reduction #2- Fountains at Town Center
6. Request to apply for membership –DuPage River/Salt Creek Workgroup
7. Pre-Approval to Purchase Police Squad cars
8. Town Center & Historic Farmhouse use policy, procedures, forms & rates-2006
9. Ord. 2006-02-04: Amend Code-bldg. Construction-Maint. Code- land imp. Fees
10. Table to 3/6 meeting: Ord. Amending annex agree. – DuPage Auto Bath

11. R. 2167: Amending R. 2161- Creating a Youth Council- increase member to 10
12. R. 2169: Declare Surplus Property- 10 used firearms
13. R. 2170: Adopt Statement of goals, direction & guidance for Village govt. decisions
14. Request from CS Chamber of Commerce for Raffle License
15. Regular Bills, Addendum Warrant of Bills

COMMENTS:

On G-1, Trustee Stubbs said they seem to be an effort to improve and strengthen safety, some the fees have changed, some went up, some went down, on some the related expenses in this, what was the major driver for some of these. Bob Glee, Community Development Director said that in 2004 the set of International Codes were adopted as well as the 2003 ICC Codes with local amendments which went into effect in June of 2004. For the last year and a half, we've been collecting comments or situations where we needed to make some clarifications to the Codes also there are a couple of things where technology has come along, for example, that would allow fire detection and alarm systems to transmit information wirelessly to DUCOMM, so we need to enable our Codes to allow that sort of technology.

On H-4, Trustee McCarthy commented that he is asking for the amount of people on it to change from 5 to between 5 and 10. I'm expecting at the next meeting to have for your approval, 2 additions to our Youth Council from Driscoll. We are still looking for interested students from U-46 and West Chicago since we are trying to find students from all corners of Carol Stream. Trustee Gieser asked what would happen if the membership fell below the 5, Trustee McCarthy said that there would not be a quorum to do anything, and Mr. Breinig said that, it can't...If it falls below 5 for a period of time, staff would probably recommend disbanding it.

On H-7, Mr. Diamond stated that the resolution adopting the statement of goals, direction and guidance is on the Consent Agenda and he suggested that in Section 2, it talks about these policies shall guide the future policy and governance, and the words "shall be used in guiding" because we are bound by statute. All were in agreement.

On H-6, Trustee Gieser asked Police Chief Willing what happens with these weapons. Chief Willing said that when bid are secured for the purchase of replacement hand guns, as a part of the bid process, they have to offer us a trade-in value for the weapons that are being disposed of. That trade-in is calculated into the total dollar amount for the purchase of the new weapons. Trustee Gieser asked if they are destroyed after being traded in and Chief Willing said that he thinks they do a resale of them, but it is through a licensed, regulated firearms dealer .

On G-1, Mr. Breinig noted that an Ordinance was attached to that item, but through an oversight it was not listed under Ordinance and Resolutions, he asked that the Board would act on the Ordinance at this meeting. All agreed to add this to the Consent Agenda and was given the Number 2006-02-05.

Trustee Stubbs moved and Trustee McCarthy made the second to approve the items placed on the Consent Agenda for this meeting by omnibus vote. The results of the roll call vote were:

Ayes:	4	Trustees McCarthy, Gieser, Stubbs and Fenner
Nays:	0	
Absent:	2	Trustees Saverino and Shanahan

The following is a brief description of those items on the Consent Agenda for this meeting.

Final Plat of Re-Subdivision – 400 Fullerton Ave. –Resolution 2168:

At their meeting on January 23, 2006, the Combined Plan Commission/Zoning Board of Appeals recommended approval of the request for a final plat of re-subdivision for the Glenbard Graphics Subdivision. The Board concurred with the recommendation and adopted Resolution 2168, A RESOLUTION APPROVING A FINAL PLAT OF RESUBDIVISION- (400 FULLERTON AVENUE).

Amendments to Bldg. Residential, Fire Codes –Ord. 2006-02-05:

The Board adopted Ordinance 2006-02-05, AN ORDINANCE AMENDING CHAPTER 6 AND CHAPTER 15 OF THE CAROL STREAM CODE OF ORDINANCES.

Award of contract: Health Insurance Coverage Review:

The Board awarded a contract to Segal Company to perform a review of the Village's health insurance coverages for a fee not to exceed \$26,000.

Letter of Credit Reduction #2- Fountains at Town Center:

Town & Country Homes has submitted reduction request # 2 for Fountains at Town Center. All the work as shown on the reduction request has been completed per the approved plans and Village specifications. The Board approved a letter of credit reduction in the amount of \$579,079.88. The remaining balance of security is \$137,200.05.

Request to apply for membership –DuPage River/Salt Creek Workgroup:

The Board approved the request for membership in the DuPage River/Salt Creek Workgroup (DRSCW). The first year dues (March 2005 through February 2006) are \$9,726.00. The dues for the second year (March 2006 through February 2007) will be \$9,726.00.

Pre-Approval to Purchase Police Squad cars:

The Board gave their pre-approval to purchase two FORD Crown Victoria Police Interceptor patrol vehicles under the State of Illinois bid from Landmark Ford, Springfield, IL. The vehicles will not be delivered prior to May 1, 2006 and the total cost is \$39,592.00.

Town Center & Historic Farmhouse use policy, procedures, forms & rates-2006:

The Board received the draft proposal for Town Center & Historic Farmhouse Rental Use Fees and Protocols.

Ord. 2006-02-04: Amend Code-bldg. Construction-Maint. Code- land imp. Fees:

The Board adopted Ordinance 2006-02-04, AN ORDINANCE AMENDING THE BUILDING CONSTRUCTION AND MAINTENANCE CODE, SECTION 6-13-9 ENGINEERING & REVIEW FEES AND THE SUBDIVISION CODE, SECTION 7-2-5 PLANS & SPECIFICATIONS AND REVIEW FEES FOR LAND IMPROVEMENT.

R. 2167: Amending R. 2161- Creating a Youth Council- increase member to 10:

The Board adopted R. 2167, A RESOLUTION AMENDING RESOLUTION No 2161, CREATING A LOCAL YOUTH COUNCIL.

R. 2169: Declare Surplus Property- 10 used firearms:

The Board adopted Resolution No. 2169, A RESOLUTION DECLARING SURPLUS PROPERTY OWNED BY THE VILLAGE OF CAROL STREAM.

R. 2170: Adopt Statement of goals, direction & guidance for Village govt. decisions:

The Board adopted R. 2170, A RESOLUTION ADOPTING STATEMENTS OF GOALS, DIRECTION AND GUIDANCE FOR THE VILLAGE GOVERNMENT DECISIONS. The addition of the words “shall be use in guiding” to replace “shall guide” in Section 2 of the Resolution.

Request from CS Chamber of Commerce for Raffle License:

The Board approved the request from the Carol Stream Chamber of Commerce for a raffle license and waived the fees.

Regular Bills, Addendum Warrant of Bills:

The Board approved the payment of the Regular Bills in the amount of \$1,116,858.48. The Board approved the payment of the Addendum Warrant of Bills in the amount of \$603,231.30.

REGULAR MEETING:

Special Use Permit – PUD, Preliminary/Final PUD Plan, Special Use Permits- Shopping Plaza, Drive-up window, outdoor seating – 600 E. North Avenue-Integrity Development:

At their meeting on January 23, 2006, the Combined Plan Commission/Zoning Board of Appeals recommended approval of a special use for a Planned Unit Development, A PUD preliminary/final plan, and special uses for shopping plaza, outdoor seating, ancillary to a coffee shop use and drive-up window service in accordance with the recommendation of staff, adding to the recommendation to the Village Board that the PC encourages that additional tenants be sales tax generating businesses.

Trustee Stubbs asked for an illustration of the drive thru that is envisioned for the Starbucks. Chip Belchenko, Real Estate Manager for Starbucks appeared before the Board. He provided elevation drawings showing the Starbucks location on the proposed development. He noted that the drive-thru window is located on the west side of the building and therefore traffic can circulate and come back down to North Avenue or come back and exit onto Schmale Road. In response to the question he stated that there is stacking for nine cars. Trustee Fenner asked the number of parking spaces on the east side of the building and was told that there are eleven parking stalls. Trustee Gieser asked if the drive-thru stacking is standard for other free standing Starbucks and Mr. Belchenko said that the drive thru standards and drive thru manual calls for 6 to 8 car stack, so this is above and beyond what are standards call for. Trustee McCarthy asked if the parking spaces to the west of the retail building will be opened up into the shopping center behind it? He said that there is a cross access to that property. Trustee Fenner asked how many shops were anticipated in the adjacent retail building and was told there will be 4 to 6 tenants.

Trustee Stubbs moved and Trustee McCarthy made the second to concur with the recommendation of the Combined Board and adopt Ordinance No. 2006-02-06, AN ORDINANCE APPROVING SPECIAL USES FOR A PLANNED UNIT DEVELOPMENT (PUD), SHOPPING PLAZA, OUTDOOR SEATING AND DRIVE UP WINDOW SERVICE AND PRELIMINARY/FINAL PUD PLAN APPROVAL – (SE CORNER OF NORTH AVENUE & SCHMALE ROAD). The results of the roll call vote were:

Ayes:	4	Trustees McCarthy, Gieser, Stubbs and Fenner
Nays:	0	
Absent:	2	Trustees Saverino and Shanahan

REPORT OF OFFICERS:

Trustee Fenner congratulated the 2005 Citizens of the Year, Deborah Nuccio, Matthew Stanio, Wanda Franz, James Ortinau and Renee Vennero and Suzanne Hlotke

Trustee McCarthy congratulated all of the nominees as well as the winners.

Trustee Stubbs concurred with the others.

Trustee Gieser also agreed. He asked Mr. Breinig how things were proceeding with the entertainment plans for the summer.

Mr. Breinig said that there has been a meeting with Mr. Onesti to go over the lineup and a run thru of the 4-day event. Our concerts will be similar to what has been in the past, a pretty good variety of entertainment, local bands, nothing national or even regional. The 4-day event will have on Thursday night, the two bands being contemplated are Maggie Speaks and the Fabulous James, they play more recent music and hits of the 90's. Friday is more like a 60's feel, American English would be the headline act, Beggar's Banquet, a Rolling Stones tribute band, would play as well as the New Invaders'. On Saturday would be a Fleetwood Mac tribute band, Chuck Negron from Three Dog Night would perform as a kind of headliner and a band called Arra, that plays classic rock would fill out that bill. On Sunday, he is suggesting something different, there is an ABBA tribute band that is supposed to draw a fairly good crowd as well as looking at either a disco or funk band, music from the 70's and 80's, more dance oriented. Mr. Breinig said that this is still somewhat in flux, because he hasn't booked the bands. Right now, based on ballpark estimates, this is about \$8,000 more than was spent last year, but that is before he has negotiated their prices. It will be brought into line because we can't let it grow that much. Trustee Stubbs asked if that would be subject to Board approval and Mr. Breinig said that that would be impossible to do. This is more like running the concept past the Board. By the time Board approval could be assured, bands would come and bands would go, these are situations where a band has an open date, and two weeks later, when it could come before the Board, that date could be taken. These venues are not going to wait for two weeks to get a commitment.

Trustee Gieser said that in hearing these proposals, he is a little disappointed in Onesti. It hasn't been completely booked, but for \$8,000 more, he would think that there would be more of a variety of national acts coming thru, or be available. Maybe we can't afford it, and that should be said by the provider.

Mr. Breinig said that his take on this is that the money we budget for this event is not a tremendous amount for a four-day event for entertainment. The money surely goes farther with the cover bands and the local acts than it does with the retail acts or the national acts. Trustee Gieser said that his concern is with Chuck Negron, I'm sure he is a good performer, but if that's all we've been given, he is very disappointed. Mr. Breinig said that this is not all that we have been given, but the problem is entertainers like Cheap Trick was \$40,000 to \$50,000, Jim Blossom is around \$15,000 so if a cover band that will play many more recognizable numbers that a one or two hit wonder for the same or less money. Mr. Breinig noted that some the surrounding communities that are getting national names have started charging for admission. We have tried to stay away from that and have family entertainment available. Trustee Gieser said that he was led to believe that we were going to have some great choices. Trustee Fenner said that maybe we have to talk to Mr. Onesti and Mr. Breinig said that he can try to have him at the next meeting, but that is a month away and suggested that he get an explanation of what he has encountered and what we have gotten and why and then get it to the Board through the mail and any questions and/or comments can be resolved. Mr. Breinig noted that there was some pressure to sign American English because they have offers for the same date as the 4-day event. Trustee Gieser said that on that matter we should allow him to act, and Mr. Breinig said that he will pursue getting an explanation for the Board as to why what you thought was going to happen didn't happen. What market conditions changed, what factors came into to play that led to this. Trustee McCarthy said that he is not impressed with the line up what so ever. He commented that the Village as a whole is too young for Three Dog Night, and we

need to get a little more current, even it is the solid cover bands that are available. Mr. Breinig said that the challenge in this, and the balance that we always try to strike, and work hard at, is to try to find something that there is something for everybody. It's never skewed too far to the oldies, or to far such a young demographic that people who are older don't get disconnected from the event. He said that if it is the direction the Board wants to take, the \$13,000 for the Three Dog Night can be taken and used to find some good cover bands. Mr. Breinig asked if the Board would consider Tribute bands as opposed to cover bands, and explained that cover bands typically play everybody's song of a certain style, like classic rock. A tribute band narrows in on a band. It was agreed to move away from Chuck Negron. Trustee McCarthy said that the only demographic that we keep skipping is a Country band. Mr. Breinig said that that is being worked on for a Thursday night.

At 8:45 p.m. Trustee Stubbs moved and Trustee McCarthy made the second to adjourn. The results of the roll call vote were:

Ayes:	4	Trustees McCarthy, Gieser, Stubbs and Fenner
Nays:	0	
Absent:	2	Trustees Saverino and Shanahan

FOR THE BOARD OF TRUSTEES

REGULAR MEETING-PLAN COMMISSION/ZONING BOARD OF APPEALS
Gregory J. Bielawski Municipal Center, Carol Stream, DuPage County, Illinois

FEBRUARY 13, 2006

ALL MATTERS ON THE AGENDA MAY BE DISCUSSED, AMENDED AND ACTED UPON

Chairman Pro-Tem Donald Sutenbach called the Regular Meeting of the Combined Plan Commission/Zoning Board of Appeals to order at 7:30 and directed Recording Secretary Wynne Progar to call the roll.

Present: Commissioners Vora, Spink, Michaelsen and Sutenbach
Absent: Commissioners Weiss and Hundhausen
Also Present: Community Development Director Glees and Recording Secretary Progar

MINUTES: January 23, 2006 – **Approved 4-0**

Commissioner Spink moved and Commissioner Michaelsen made the second to approve the Minutes of the Meeting of January 23, 2006 as presented. The results of the roll call vote were:

Ayes: 4 [Commissioners Vora, Spink, Michaelsen and Sutenbach]
Nays: 0
Absent: 2 [Commissioners Weiss and Hundhausen]

At 7:35 Commissioner Hundhausen entered the meeting.

PUBLIC HEARING:

**#04307: David Schonback, NE Corner of St. Charles Road and Morton Road
Rezoning (Preannexation)
Continued from 12/12/05 Meeting
DISMISSED FOR LACK OF ACTIVITY – NO ACTION**

**#05292: Parkview Development, Southeast Corner of Gary Avenue and Lies Road
Final Planned Unit Development Plan - Partial
Continued from 1/9/06 Meeting**

At the request of the petitioner, to allow more time to complete the requirements for the Final PUD Plan, Commissioner Spink moved and Commissioner Hundhausen made the second to continue this matter to the meeting of March 13, 2006. The results of the roll call vote were:

Ayes: 5 [Commissioners Vora, Spink, Michaelsen, Hundhausen and Sutenbach]
Nays: 0
Absent: 1 [Commissioner Weiss]

**#05348: Universal Health II, LLC, 505 E. North Avenue
Special Use - Medical and Rehabilitation Facility**

Mr. Glees stated that the expected response regarding staff commentary on the request for the Special Use has not been received so staff is requesting a continuance of this matter to the next meeting. Commissioner Michaelsen moved and Commissioner Vora made the second to continue this matter to the meeting of February 27, 2006. The results of the roll call vote were:

Ayes: 5 Commissioners Vora, Spink, Michaelson, Hundhausen and Sutenbach
 Nays: 0
 Absent: 1 Commissioner Weiss

#05312 Dearborn Construction, Northeast Corner of Gary Avenue and Kehoe Gary Avenue Corridor Review Special Use - Shopping Plaza Variations - Zoning

Paul Conarty, Dan Lenaghan, and Charles Luchese were sworn in as witnesses in this matter. Mr. Conarty explained that the request is for a special use for a shopping plaza, variations for parking and landscape front setbacks and rear building setback as well as a Gary Avenue Corridor Review. The proposed development is a 16,160 sf multi-tenant commercial building on a 2.18-acre vacant property located on the east side of Gary Avenue between Thunderbird Trail and Kehoe Boulevard and is zoned B-2, General Retail District. There will be three access points, one is a right in/right out on the southerly portion of the property. The second will be a full service access at Thunderbird on the north end of the property and then an access for commercial purposes between the shopping centers to the north and this parcel. In regard to the parking and landscaping elevation drawings and landscape plans were presented. There will be 81 parking spaces provided and it was noted that all roof top mechanicals will be screened by parapet walls. There will be covered walkways and/or cloth awnings along the front of the building and there will be an architectural highlight of a waterfall and shallow pond in the center of the building. It was stated that following discussions with staff, there will some changes in the proposed landscaping in regard to salt tolerant shrubs and plantings. There were no comments or questions from those in attendance at the call for public hearing. Mr. Glees stated that Chuck Luchese and Leo Lenaghan of Dearborn Realty and Construction are requesting approval for the development of a B-2 General Business District zoned 2.18-acre site between Thunderbird Trail and Kehoe Boulevard along Gary Avenue. Dearborn is proposing a 16,160 square foot multi-tenant building that would consist of sixteen units. No tenants have been secured at this time. Dearborn is requesting the approval of a special use for a shopping plaza. Gary Avenue Corridor review is also required of this development. And finally, to accommodate the center on this shallow parcel, variations of three setback requirements are also being requested.

Special Use – Shopping Plaza in B-2 General Business District

The applicant is requesting a Special Use for a Shopping Plaza, which the Zoning Code defines as “a commercial development in excess of one acre of land, improved with a structure containing three or more distinct and separate retail businesses, also sharing common parking areas and access drives.” The proposed plaza would contain 16,160 square feet of space in an in-line multi-tenant building.

Access and Parking:

As the site plans depict, two access points are located along Gary Avenue. The southern point is designed as a right-in/right-out entrance facilitating northbound traffic on Gary Avenue. The northern entrance has an existing signal at Thunderbird Trail, which allows full access with a dedicated left turn lane. The north end of the parking lot is aligned with the signalized intersection.

Access to the site is also accommodated by the existing retail development to the north of the site. Shared access connects the parking lots along the front of the buildings. However, it is proposed that the two commercial properties be separated to the rear of the buildings. This will avoid conflict with the location of the dumpster on the existing retail development.

As proposed, the shopping plaza would include 81 parking spaces. Based on the parking

requirements for shopping plazas, this building needs a minimum of 64 spaces. Parking requirements of future uses will be assessed individually to determine if enough parking spaces remain in the surplus to accommodate the use.

Architectural Design:

The GAC standards encourage harmonious physical and visual relationships among developments along Gary Avenue to create a unique and unified appearance for the entire corridor. This development has provided design elements to help achieve this standard. The material for the façade uses Lannon stone and Lannon stone veneer, which is consistent with the natural stone materials that are found throughout the GAC. In the center of the building, a wall of Lannon stone will be the architectural focal point for this development, providing waterfalls over the surface ending in a narrow pond at the bottom of the wall. This area will also be highlighted with annual plantings and benches for patrons.

The elevations indicate the awnings and covered walkways will be provided for each storefront to provide continuous protection for customers. The area directly in front of the waterfall will not include a covering, because it would obstruct the view of this unique architectural detail.

Site Design:

The long shallow building footprint reflects the long and narrow nature of the lot. Parking is generally located in the front of the building. The parking to the north is designed to facilitate traffic queues at the traffic signal at Thunderbird Lane and establish shared access to the development to the north.

Also with respect to site design, the GAC regulations require that pedestrian facilities should be considered within the site. This simple design provides sidewalks and covered walkways along the entire façade of the building. The parking lot dimensions do not necessitate further sidewalks; all public stalls are convenient to the storefronts. The detail plans of the elevations depict benches within the waterfall area to further accommodate pedestrians. Generally, we find the proposed pedestrian walkways to be acceptable.

Landscape Design:

With respect to site landscape considerations, the corridor regulations were designed to allow flexibility in design but require a certain amount of landscape material on-site.

It is the designer's choice as to how to combine landscape materials on the site in order to meet the criteria of the ordinance and achieve the intent or concept of the corridor. As can be seen on the final Landscape Plan (Exhibit B), landscape materials are shown within the parkways and adjacent to the parking space and within the parking lot landscape islands.

The landscape islands depicted on the landscape plan measure about 3,460 square feet in area, which equals 12.5% greenspace, so the standard is met. The landscape islands are required to have 1,730 points of landscape material, and based upon the landscape plan, the islands would have 5,836 points of material, which far exceeds the required point value.

The GAC landscape standards require a landscape screen within the first five feet immediately adjacent to the parking spaces and drive aisle along Gary Avenue. The landscape screen requires 5,000 points of landscape material. The GAC also requires a landscape setback in the area between the landscape screen and the Gary Avenue property line, which requires 3,600 points of landscape material. Given the request for a setback variation within this area, the total landscaped area for these two distinct sections has been merged into one ten-foot strip. To simplify this review, both requirements were combined for a total 8,680 points. And the plan provides 9,960 points of material, and so staff believes the standard is met within the confines of the site constraints.

Overall, staff finds the landscape and site plans meet the GAC standards, with the exception of

the landscape setback variation discussed below.

Variations

The setback requirements for this zoning district include a minimum rear yard of 40 feet. The front setback required in the GAC is 60 feet. In addition, the GAC standards require a 30-foot setback for parking lots. If the petitioner were to apply these minimums to this site, an 80-foot wide development footprint would have to accommodate both building and adequate parking. This is not feasible; therefore, the petitioner is requesting a total of three setback variations:

- A variation of the required front yard-parking setback from 30 feet to 12 feet
- A variation of the required front landscape setback from 15 feet to 12 feet.
- A variation of the required rear-building setback from 40 feet to 28 feet.

This property is a unique, undeveloped parcel.

The granting of the variation will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.

The granting of the variations would actually allow the retail development of the site as designated by the Village of Carol Stream Future Land Use Plan. The Future Land Use Plan encourages retail development here to service the area residents and enhance the Gary Avenue Corridor through a quality, harmonious development that integrates well with the corridor.

Summary

In our evaluation of this project, we find that the criteria for the Special Uses for a shopping plaza are met, subject to conditions. We further find the requested variations to be acceptable as noted in this report and the Recommendation section. And we find the criteria for a development within the Gary Avenue Corridor have been met, subject to conditions.

Staff recommends approval of the Special Use for a shopping plaza, Gary Avenue Corridor Review, and the following Variations: a variation of the required front yard parking setback from 30 feet to 12 feet, a variation of the required front landscape setback from 15 feet to 12 feet, and a variation of the required rear building setback from 40 feet to 28 feet, subject to the following conditions:

1. That all landscape materials shall be maintained in a neat and healthy manner, with dead or dying materials replaced with similar size and type species on an annual basis;
2. That the Landscape Plan (Exhibit B) be amended prior to Village Board approval to reflect salt tolerant trees along the right-of-way; the materials table be corrected to reflect the number and materials identified on the plan graphic, and plant type typographical errors be corrected;
3. That the parking stalls shall be striped in accordance with the Village's looped striping requirements;
4. That all rooftop equipment shall be completely screened from view from the north, west, and southern exposures with parapet wall;
5. That only channel letter wall signs as depicted on the elevations and renderings (Exhibits D and E) shall be permitted, to maintain a more attractive and unified appearance of the building façade;

6. That separate building permits are required for all trash enclosures and signs;
7. That the developer provides a contribution for the Gary Avenue Sidewalk/Path with the amount to be determined and provided at the time of building permit review;
8. Final engineering plans for the retaining wall and compensatory storage must be approved by the Village of Carol Stream Engineering Services Department at the time of permit review; and,
9. That the development of the site and buildings will comply with all state, county and Village Codes and requirements.

Commissioner Michaelsen asked what type of retaining wall is planned for the retention pond and was told it would be a keystone wall. In regard to this question regarding lighting it was stated that there would be adequate approved parking lot and building lighting. Commissioner Michaelsen asked Mr. Glees if the existing retail in the adjacent area is on a wider lot and he responded that it is not, and there is a single lane behind that building, but during the development of this new project it was required that a lane sufficient to allow two lanes of traffic be constructed behind the building.

Commissioner Spink asked who will be responsible for maintaining the parking lot and was told that this owner will be responsible for the intersection drive and the proposed lot and the other owner will be responsible for the other lots. It was determined that each tenant will be required to use channel lettering on the building and also that it is too early to determine just what the tenant mix will be.

Commissioner Hundhausen asked what the depth of the pond is at the bottom of the waterfall and was told that it would be 6 to 8 inches, and in response to the question of maintenance it was stated that the owners of the property would be responsible for all maintenance required.

Commissioner Michaelsen asked if there will be any illumination of the waterfall and was told there will be illumination of the bottom of the pond.

Commissioner Spink asked if they will maintain the monument that exists at the corner of Kehoe and Gary and she was told that if it is on their property they will be responsible for the maintenance.

Commissioner Sutenbach said that this was a complete and comprehensive presentation. It is a unique piece of property limited in size and definitely meets the criteria for Gary Avenue Corridor review and the waterfall is something unique that isn't usually seen in a strip mall area. It can only enhance Gary Avenue.

Commissioner Vora asked if there is a limit to the amount of stores for the building and it was said that the division of the stores will be dictated by the market.

Commissioner Michaelsen asked what the square footage of one unit be and was told that it would be 1,000 sq. ft., he then asked if a tenant could have 5,000 sq. ft and was told yes. Commissioner Michaelsen said that he is concerned about the front appearance since it does show that a unit would have a window and a door. What would happen in the event you get a restaurant in there, how would the front appearance change? It was stated that if there was a tenant that would want one continuous amount of space then the developer would come back to the Board to amend the plan.

Commissioner Spink moved and Commissioner Michaelsen made the second to recommend approval of a special use for a shopping plaza, approval of variances for parking and landscape front setbacks and a rear building setback, all in accordance with staff recommendations. The results of the roll call vote were:

Ayes:	5	Commissioners Vora, Spink, Michaelsen, Hundhausen and Sutenbach
Nays:	0	
Absent:	1	Commissioner Weiss

The petitioner was reminded that this matter will be heard by the Village Board at their meeting on March 6, 2006 and was advised to attend that meeting.

Commissioner Hundhausen moved and Commissioner Michaelsen made the second to approve the Gary Avenue Corridor review as presented. The results of the roll call vote were:

Ayes: 5 Commissioners Vora, Spink, Michaelsen, Hundhausen and Sutenbach
 Nays: 0
 Absent: 1 Commissioner Weiss

**#05060: Regency Centers, Heritage Plaza
 Preliminary Planned Unit Development Plan - Amendment
 Final Planned Unit Development Plan - Partial
 Plat of Subdivision - Preliminary
 Continued from 1/9/06 Meeting**

Gregory Dose and Tony Haslinger were sworn in as witnesses in this matter. Commissioner Sutenbach commented that the Board does not have a complete staff report, but there is enough to move this forward and hear the presentation. Mr. Dose gave the history of the attempts at developing this property originating in 1993. The area of concern for this part of the development is the south area of Heritage Plaza which was purchased by the Regency Centers. Mr. Haslinger said that they are proposing a plan to develop the land called the Phase III property at Heritage Plaza. The request is to amend the preliminary PUD plan for the Phase III land, approval of the final plat of Resubdivision and the Final PUD plan for Lot 4D. The results of the roll call vote were:

Ayes: 5 Commissioners Vora, Spink, Michaelsen, Hundhausen and Sutenbach
 Nays: 0
 Absent: 1 Commissioner Weiss

Mr. Haslinger displayed a site plan and noted that this site has been marketed for over 15 years and this is the first real plan that have been presented to be developed. The proposal will split the property into 5 lots for a combination of restaurant and retail users. He added that this is a conceptual plan and it has not been marketed and won't be until it has met Village approval. Specifically on Lot 4D, they propose to build a 10,200 sf building that will be additional shop space to the center. The types of tenants would be similar to what is there now, restaurants or other small shop retail users. A rendering of the proposed building was shown and it was noted that it will match the current façade of the rest of the center. There will be additional architectural features added to back of the proposed building to enhance the appearance. Mr. Haslinger said that upon approval they will begin building immediately on Lot 4D and begin marketing the out-parcels to potential end users. He added that this land has sat vacant for over 25 years and they are the first developer to bring forward a market-reality plan that can rock the value of this property, not only for the owner but also for the Village through the retail sales tax generated through the new users.

Mr. Dose noted that this is a Jewel Osco anchored center and as such, they have quite a bit to say about the design and future tenanting and they have a very strong lease. Part of the work over the last year has not only been with the Village staff but also with Jewel Osco to put together a site plan and tenanting conditions that they could live with as well.

Commissioner Sutenbach asked if there was anything else to be presented about the other lots and Mr. Dose replied that they are seeking preliminary approval of the entire development and final approval on Lot 4D. The balance of the property will come forward as each of the previous developments are approved.

There were no comments or questions from those in attendance at the call for public hearing.

Commissioner Michaelsen ascertained that the front of the building would be facing the access drive and that parking would be across the drive with the use of cross walks.

Mr. Haslinger said that the parking would be much like it is in front of the Ace Hardware where the customer crosses the drive aisle to access the store. Commissioner Michaelsen stated that this is more than a drive aisle and asked if a traffic study has been done on how many cars use that access drive and was told that a study has not been done yet. Mr. Haslinger said that they do realize that there is a lot of traffic in and out of the center, and added that there will be striping and signs indicating pedestrian parking on the other side. Commissioner Michaelsen said that drivers do not pay any attention to signs and since he is a regular user of the shopping center he is aware of the amount of traffic going through there. He said that he does not like the idea of having a customer cross that street to go to that shop. It was noted that the parking lot lighting and building lighting will mirror what exists currently.

Commissioner Spink asked if there be no banks in this development and it was noted that when the property was purchased there was a notation on the deed that prevent any financial institutions into the space and the outlots. It was determined that the new buildings will be the same height as the existing units and Jewel has approved the elevation drawings.

Commissioner Hundhausen stated that she has had to brake sharply after turning into this access drive due to a vehicle attempting to turn left into the existing bank. She commented that the plans call for another access to be on the left hand side as well, what is that going to do to traffic? Mr. Haslinger said that they have worked closely with staff to minimize the amount of curb cuts. There will be two additional places that cars can take a left or a right from what is out there existing today and it is felt that minimizes the amount of points that cross access internally that allows the flow of traffic to go through these lots. Commissioner Hundhausen asked if the proposed next left turn could be moved away from the existing bank curb cut. Mr. Haslinger said that moving the drive could be looked at, but they do not control the lot where the bank drive is and they are looking at how to minimize the amount of breaks in this road and those seem to be the most logical points to put them in. Commissioner Hundhausen said that pedestrian markings are good, but is not sure just how effective they will be.

Commissioner Sutenbach said that he would like to a lesser amount of free standing buildings, he would like to see the development of Lot 4D be pushed back away from the access drive so there can be parking in front of there. Mr. Haslinger said that there was a lot of time spent discussing just these issues and considering that there has been zero income from this property in 15 years, and the amount of restrictions that are placed on the site, it is shown that there is more sales tax generated from smaller restaurants and intense retail stores than from a junior anchor box. Commissioner Sutenbach noted that there does have to planning for traffic articulation and congestion which have not been fully addressed. He commented that the road is too narrow now and asked if there is any way to reconfigure or widen it. Mr. Haslinger commented that there seems to be a conflict of not wanting more traffic, but wanting more retail space. He said that they feel they have maxed out the site for the market realities going forward. Commissioner Sutenbach said that it is the traffic articulation that is the concern, and if the access on the drive can be better spaced from the intersection it would benefit everyone. In response to the question of setting the building on Lot 4D back from the access drive, Mr. Haslinger said that the market realities are that if you put the building farther back from the drive aisle you are putting this building at a competitive disadvantage from the standpoint of the competitors to the east.

Commissioner Spink said that it is a hassle to cross the street as it sits right now. Mr. Haslinger said that if speed is the concern and safety we can look at adding a couple of bumps in here even though they can cause snowplow issues. He added that there are some other tradable ways to slow traffic down if it's the speed of the traffic that is the concern.

Commissioner Sutenbach said that this is a drive aisle and once you get past this you are in the shopping plaza, and asked if the building can be put on the other side of the road. Mr. Haslinger said that this would get into issues with Jewel, and he does not believe there will be any change decisions coming forth in the near future. It was stated that Jewel has approval rights over any development in this PUD and they have approved this proposal.

Commissioner Sutenbach questioned why they should take the first plan that has been provided in 15 years and asked if there are other options or footprints that could be considered. Mr. Haslinger said that there have been approximately 10 different layouts, but this is market reality, and it is the best that can be done and be developed out within the next couple of years.

There is a safety concern; there is a traffic articulation concern as well as a tremendous reduction in floor space.

Commissioner Spink asked if Jewel will allow another drug store and was told they will not.

Mr. Glees said that the items that need to be completed have to do with;

Parking, the preliminary PUD Plan contains a parking table and it shows how the proposed plan would provide parking in conformance with the Zoning Code requirements. However, there is an issue with respect to the calculated number of parking spaces. Staff and the petitioner are having some dialog right now as to how many parking spaces are actually required by the Code and how many would be beneficial to provide. At this time we believe that the eventual parking number will turn out to be somewhere close to what the petitioner is showing, but we believe that the calculations right now are not accurate. Second; the proposed architecture for the remainder of this center has not really been addressed. Staff recognizes that several of the outlots may one day contain national tenants whose architecture is an element of their identity and therefore cannot be determined at this time, but staff would like to get something from the petitioner that addresses what the architecture may be, whether there will be any architectural guidelines in general for the overall Phase III. With respect to landscaping and greenspace the proposed landscaping exhibit for the preliminary PUD plan and the final PUD plan have not yet been finalized so there have not been any calculations done to determine if enough parking lot green space has been provided. Finally, with respect to some of the comments heard tonight, with respect to concerns about traffic conflicts, location of access points off the main drive, we would like to take some of those comments back to the engineering department for discussion and see if there are some tweaks that could be performed to the plan that would be acceptable to the petitioner or if there are any other ideas that can be generated, whether any aspects of the plan may provide beneficial safety aspects that haven't been pointed out. In the staff report, for instance, the engineering department at some times has suggested measures known as traffic calming measures and we know that having curves in the road can tend to slow traffic down. We're wondering, whether perhaps, just by its nature, the curves in the access road maybe a good feature that will provide a calming effect on the traffic and enhance safety in some way. Perhaps the locations of the access points off the drive could be addressed and maybe, if the engineering department believes that the plan can be made a little bit safer and can explain why to the Plan Commission we could get a memo from them that could be included in the packets for the next meeting.

Commissioner Sutenbach commented that there is very poor drainage on this access road around the curves after a good rain so that needs to be addressed. Commissioner Michaelsen said that he believes this is because that parcel sheet drains on to the road .

Commissioner Hundhausen moved and Commissioner Spink made the second to continue this matter to the meeting of March 13, 2006. The results of the roll call vote were:

Ayes: 5 Commissioners Vora, Spink, Michaelsen, Hundhausen and Sutenbach
Nays: 0
Absent: 1 Commissioner Weiss

**#05349: Dominic N. Signoretta / Fritz Duda Company, 500-520 E. North Avenue
Special Use - Planned Unit Development
Special Use - Shopping Center
Preliminary Planned Unit Development Plan
Variation - Fence
Variation - Sign
Zoning Changes - From I to B-2 and From B-3 to B-2
North Avenue Corridor Review**

Dominic Signoretta, Mike Harman, Carl Kronstead, and Mike Waggoner were sworn in as witnesses in this matter. Mr. Signoretta gave a PowerPoint presentation regarding the history of the property and its owners and a concept review of the proposed development of the property. He explained that requests are for a Special Use for a Planned Unit Development, a Special Use for a Shopping Center, approval of a preliminary Planned Unit Development Plan, Variations to the Fence Code and the Sign Code, Rezoning a part of the property from I to B-2 and a part of the property from B-3 to B-2 as well as a North Avenue Corridor Review.

There were no comments or questions from those in attendance at the call for public hearing.

Mr. Glees stated that Dominic Signoretta, on behalf of the Fritz Duda Company, the property owner, is requesting zoning approvals and building code variations that would allow for the redevelopment of the McKesson property, located at the southwest corner of North Avenue and Schmale Road. The 292,000 square foot McKesson building is located over 300 feet away from the adjacent roadways, and with the demolition of a vacant office building located along the North Avenue frontage in December of 2005, the properties along the North Avenue and Schmale Road frontages are vacant. Fritz Duda Company is proposing to construct a commercial shopping center on the vacant properties, consisting of 66,000 square feet of commercial floor space among five separate buildings. Four freestanding buildings would be located along North Avenue, two of which could either be retail or restaurant uses, and the fifth building would be a 30,000 square foot multi-tenant retail building located along Schmale Road. Tenants for the buildings have not yet been identified. To accommodate the proposed redevelopment, the applicant is requesting a Special Use for Planned Unit Development, approval of the Preliminary PUD Plan, a Special Use for a shopping center, rezoning of the commercial property to B-2 General Retail District, variations from the Sign Code and Fence Code, and North Avenue Corridor Review.

Special Use – Planned Unit Development

Fritz Duda Company is requesting that a Special Use for Planned Unit Development be approved for the property. From the developer's perspective, obtaining approval of a Planned Unit Development would allow for multiple buildings to be placed on the single commercial lot, as proposed, with an industrial lot set back behind the commercial buildings. In addition, the Village's planned unit development process allows the possibility for some flexibility in zoning standards, as will be discussed in detail later in this report.

Staff notes that the property is somewhat unique in terms of a commercial development in that it is currently occupied by a large industrial building, which would remain as a neighboring use to the proposed commercial property. Out of necessity, access to the two uses would be provided by means of common driveways. However, the applicant's proposed design was developed with the intention of separating traffic flows to the extent possible. To that end, a separate truck access drive was provided to the far south end of the property on Schmale Road, and the connection points between the two uses have been minimized.

In view of these factors, and due to the high profile nature of this property in Carol Stream, staff does not object to the developers' request for a Special Use for Planned Unit Development for this property. The other special use requests, and specific details of the plans, will be discussed in detail in the remaining sections of this report. In addition, the developer is requesting several deviations from Zoning Code standards as part of the Planned Unit Development process. The requested deviations will be discussed in detail later in the report.

The applicant is requesting a Special Use for a *Shopping Center*, which the Zoning Code defines as "a commercial development in excess of ten acres of land, improved with a structure

of at least 50,000 square feet and containing five or more distinct and separate retail businesses.” The proposed shopping center would contain a total of 66,000 square feet of space in five buildings, with two 12,000 square foot buildings that could either be commercial or restaurant uses, two 6,000 square foot commercial buildings, and a 30,000 square foot in-line multi-tenant building. Upon completion of this report, staff will analyze in detail the characteristics associated with access, parking, architecture, landscaping and land banked parking. At this time the staff recommendation is to complete the review of materials recently received from the petitioner, complete the detailed analysis of the report, check the feasibility of the engineering with respect to stormwater management and check for conformance with the various requirements of the Zoning Code and bring the final staff back to the Plan Commission. Staff is suggesting that the matter be continued to the February 27, 2006 agenda.

Commissioner Hundhausen commented that the proposal is very nice. The proposed buildings and landscaping should be very effective in hiding this large box.

Commissioner Michaelsen said that this proposal will be a great improvement and in response to the question on the height of the warehouse building it was noted that the warehouse building is 33 feet tall and the surrounding buildings will be 24 feet tall and therefore provide a screening for the larger building.

Commissioner Vora commented that this is a good plan.

Commissioner Sutenbach said that he would like to see more detail about the 30,000 sf building to see if it is too long and that there is some relief so that it would appear that they were separate. It was demonstrated on the elevation drawing of how it would be similar to the other proposed buildings. In response to the question as to why there will not be a long building on North Avenue similar to the one on Schmale Road, it was noted that the setbacks along Schmale Road differ from those on North Avenue. It was determined that there will be additional plans and drawings to show the four-sided architecture of the four buildings.

In regard to the question about generating foot traffic from the apartment complex on the other side of Schmale Road, it was noted that there will be additional sidewalks put on Schmale Road to the south of the project that will lead to the internal walkways of the development. In regard to additional signalization on Schmale Road, Mr. Glees said that he would check with engineering on that.

Commissioner Hundhausen asked if there will any other changes to the existing building beside the front entrance and was told no.

Commissioner Hundhausen moved and Commissioner Michaelsen made the second to continue this matter to the meeting of February 27, 2006. The results of the roll call vote were:

Ayes: 5 Commissioners Vora, Spink, Michaelsen, Hundhausen and Sutenbach
Nays: 0
Absent: 1 Commissioner Weiss

Commissioner Michaelsen moved and Commissioner Spink to close the public hearing. The results of the roll call vote were:

Ayes: 5 Commissioners Vora, Spink, Michaelsen, Hundhausen and Sutenbach
Nays: 0
Absent: 1 Commissioner Weiss

There was discussion regarding a letter received by the Plan Commissioners from Cardinal Fitness. Mr. Glees asked those members who would like to receive e-mail updates on future matters to provide their e-mail addresses.

At 9:55 p.m. Commissioner Spink moved and Commissioner Michaelsen made the second to adjourn. The motion passed by unanimous voice vote.

FOR THE COMBINED BOARD

REGULAR MEETING-PLAN COMMISSION/ZONING BOARD OF APPEALS
 Gregory J. Bielawski Municipal Center, Carol Stream, DuPage County, Illinois

February 27, 2006 At 7:30 P.M.

ALL MATTERS ON THE AGENDA MAY BE DISCUSSED, AMENDED AND ACTED UPON

Chairman Pro-Tem Donald Sutenbach called the Regular Meeting of the Combined Plan Commission / Zoning Board of Appeals to order at 7:30 p.m. and directed Recording Clerk Wynne Progar to call the roll.

Present: Commissioners Vora, Spink, Weiss, Michaelsen and Sutenbach
 Absent: Commissioner Hundhausen
 Also Present: Community Development Director Robert Grees, and Recording Secretary Progar

MINUTES:

Commissioner Spink moved and Commissioner Vora made the second to approve the Minutes of the Meeting of February 13, 2006 as presented. The results of the roll call vote were:

Ayes:	4	Commissioners Vora, Spink, Michaelsen and Sutenbach
Nays:	0	
Abstain:	1	Commissioner Weiss
Absent:	1	Commissioner Hundhausen

PUBLIC HEARING:

05348 : **Universal Health II, LLC, 505 E. North Ave.**
 Special Use - Medical and Rehabilitation Facility
 CONTINUED FROM 2/13/06 MEETING

Commissioner Spink moved and Commissioner Michaelsen made the second to continue this matter to the meeting on March 13, 2006 to allow the petitioner time to respond to commentary of their submittal. The results of the roll call vote were:

Ayes:	5	Commissioners Vora, Spink, Weiss, Michaelsen & Sutenbach
Nays:	0	
Absent:	1	Commissioner Hundhausen

#06003: ***Carol Stream Park District, 160 W. Elk Tr.***
 Special Use – Pre-School Learning Center
 Zoning Variation - Parking

Dan Byrd and Rick Hanetho of the Carol Stream Park District were sworn in as witnesses in this matter. Mr. Byrd explained to the Board that they were working on the final plans for landbanking parking spaces on the site and said that they are working

with staff to clarify all issues and will make a complete submittal as quickly as possible. Commissioner Spink moved and Commissioner Weiss made the second to continue this matter to the meeting of March 13, 2006. The results of the roll call vote were:

Ayes: 5 Commissioners Vora, Spink, Weiss, Michaelson & Sutenbach
Nays: 0
Absent: 1 Commissioner Hundhausen

**#06011: Carol Stream Park District, 849 W. Lies Rd.
Special Use - Amendment
Variation – Fence Code**

Adrian Mendez, Facilities Manager of the Carol Stream Park District was sworn in as a witness in this matter. He explained that the request is for a minor expansion of the Coral Cove Water Park to allow usable green space within the water park to allow additional recreational activities such as grass volleyball and/or sunbathing. The second request is for a variation from the fence code to allow eight-foot tall fence instead of five-foot tall for privacy for the adjacent home owners.

There were no comments or questions from those in attendance at the call for public hearing.

Mr. Glee said that the Carol Stream Park District has filed two requests regarding a proposed minor expansion of the Coral Cove Water Park located at the Simkus Recreation Center, at the northeast corner of County Farm and Lies Roads. The first request is for an amendment to the existing Special Use Permit, which was originally approved for this facility in 1988, amended in 1995 and most recently amended in 2001. The second request is for a variation from the Fence Code to allow an eight-foot tall fence as opposed to a five-foot tall fence as permitted by the Code.

The attached cover letter from Park District Facilities Manager Adrian Mendez summarizes the proposed changes to the Simkus Center. Generally, the nature of the changes can be best classified as an expansion of the usable green space within the water park to allow for additional recreational activity. For your reference, and to help delineate the proposed new fence location, Exhibit A is provided in your packet. The additional area would be used for such activities as sunbathing and grass volleyball. Because no additional pavement is being proposed, there would be no effect on the maximum lot coverage permitted for the facility.

With the current requests, staff has determined that the activity would not generate an additional parking demand, and so there would be no requirement for additional parking spaces.

With regard to the amendment to the Special Use Permit, staff has reviewed the request and we believe the proposed changes will allow the Park District to better serve the users of the Simkus Center. We do not anticipate a negative impact to the aesthetics of the facility. However, the Village's Chief Code Enforcement Officer has cautioned that the access requirements as contained in the Building Code and the Fire Code require that a minimum distance of seven feet be maintained between the fence and the nearby building wall so as to allow for safe and easy access to be maintained to and from the building doors located opposite the fenced area.

Variation – Fence Code:

The Park District is requesting a variation from the Fence Code to allow an extension of the existing eight-foot tall fence surrounding the pool and deck area at the Simkus Center. (Please see Exhibit A for the proposed fence location.) In 1989, a variation was granted to allow the fence at the Simkus Center to measure eight feet in height, and in 2001 a variation was granted

to allow the fence surrounding the Coral Cove Water Park to measure eight feet in height. Since the proposed fence would expand the existing fence, a variation is required. In the residential districts, five foot tall fences are generally permitted; however the Fence Code states that fence-type enclosures for athletic facilities shall be approved by the Plan Commission / Zoning Board of Appeals after review of a site plan of the proposed improvement and the surrounding area. The Park District cites the desire to improve the quality of recreational services as the primary reason for the expansion of the eight-foot fence, and staff can support this request.

Based upon the information discussed above, staff has determined that the Park District's requests for an amendment to their Special Use Permit and lot coverage Variation are reasonable and logical, based upon the particular circumstances and the minimal nature of the requests.

Staff recommends approval of the Amendment to the Special Use Permit and Fence Code Variation to allow the water park fenced area to be expanded, subject to the following conditions:

1. That a minimum distance of seven feet be maintained between the fence and the building so as to allow for safe and easy access; and
2. That the facility shall comply with all state, county and Village codes and requirements.

Commissioner Spink asked what would be put in the area and Mr. Mendez said that the grassy area could be used for sunbathing or it could be used for grass volleyball. If there was a need for grass volleyball a grass net would be set up with spikes as well as ropes, but these would not be permanent. In response to the question of the volleyball boundaries and the possibility of the volleyball getting into the pool area or pool it was shown that there is a natural barrier of plantings and pathways that would require inappropriate actions to have the ball get near the pool area. Commissioner Spink noted that her concern is for the safety anyone having to get onto slippery pavement to retrieve a ball. Mr. Mendez said that if there were inappropriate behavior the participants would be required to leave. He also noted that this area will be used for various uses including activities for day camp attendees, but it would be for one purpose at a time, not intermingles uses.

Commissioner Weiss asked if day camper activities are segregated from the general public and was told that they are and that this area could be used an additional area for day campers. In response to the question regarding non-resident use of Coral Cove Mr. Mendez said that they do co-operative trades with other park district day camp activities as well as scout camp groups. There was discussion regarding monitoring of the different areas and the use of roving guards that patrol gates and entrances. Commissioner Weiss asked if there were age limitations and/or capacity regulations and was told that there are capacity amounts for the park and each individual area. Mr. Mendez noted that the demand for a place to hang out, sunbathe, or play volleyball was the impetus for this amendment. In response to Commissioner Weiss, Mr. Mendez concurred that this maximizes the space at Coral Cove.

Commissioner Sutenbach asked if they would remove and reinstall the same fence and was told that is what would be done as well as adding a gate for the use of mowers and delivery trucks. It was also noted that there is just one entrance to this grassy area beside the gate in the fence. Commissioner Spink inquired if there would be an impact on Coral Cove due to the closing of Collins Pool and Mr. Mendez said that there would be a certain amount of impact, but that he is not in the position of determining just what it would be.

Commissioner Vora asked if there would be an increase in fees, or an additional fee for volleyball use and it was determined that this is just an additional feature that would not be charged for. Mr. Mendez also stated that this area will not increase the capacity of the park and said that once attendance reaches capacity, the park is closed and any additional entry is allowed only as one out/ one in.

Commissioner Spink moved and Commissioner Michaelsen made the second to recommend approval of an amendment to a special use permit for a minor expansion and to approve a variation to the fence code to allow eight-foot fencing. The results of the roll call vote were:

Ayes: 5 Commissioners Vora, Spink, Weiss, Michaelsen & Sutenbach
Nays: 0
Absent: 1 Commissioner Hundhausen

The petitioner was reminded that the matter of the special use amendment will be heard by the Village Board at their meeting on March 6, 2006 and was advised to attend that meeting.

**#05228: North Shore Holdings, Ltd. / Chris Manousselis, 570 N. Schmale Rd.
Special Use - Shopping Plaza
Special Use – Outdoor Seating Area**

Kevin Lebovic and Randy Pruyn were sworn in as witnesses in this matter. Mr. Lebovic explained that the request is for a Special Use for a Shopping Plaza and a Special Use for an outdoor seating area. The proposed shopping plaza will be along Schmale Road north of Fullerton and will be a 7,950 sf multi-tenant building that would have five units. Mr. Lebovic stated that they have presented a plan that will not have a drive-thru, that will align the drive aisles to match Walgreen's and have added a 7-foot fence to screen the development from the residence to the north.

At the call for public hearing Marian Downer, 3N070 Schmale Road said that she lives next door to the north of the project and that her concern was to have a fence on the property line. She commented that Walgreen's said that they would have a fence but they never did and she picks up a lot of garbage and plastic bags that wind up on the south side of her property so she would appreciate having a fence. Mrs. Downer commented that it seems to be a lot of black top and surface water, but there is a holding pond out in back and she hopes that drainage will be lined up with that. She asked if the proposal says anything about where the water will go? Mr. Glees stated that staff has looked at the stormwater management and the drainage and that adequate drainage will be provided and all of the requirements of the DuPage County Stormwater management ordinance will be met and the site will drain to the stormwater management facilities. Commissioner Sutenbach said the Mrs. Downer that a developer cannot make any property worse than it was, they cannot flood anyone else. There were no other comments or questions.

Mr. Glees said that Kenneth Lebovic and Chris Manousselis of North Shore Holdings are requesting approval for the development of a shopping plaza on the vacant 1.03-acre site along Schmale Road north of Fullerton Avenue. They are proposing a 7,950 square foot multi-tenant building that would consist of five units. No tenants have been secured at this time. North Shore is requesting the approval of special uses for a shopping plaza and an outdoor seating area.

Special Use – Shopping Plaza in B-2 General Business District

The applicant is requesting a Special Use for a Shopping Plaza, which the Zoning Code defines as "a commercial development in excess of one acre of land, improved with a structure containing three or more distinct and separate retail businesses, also sharing common parking areas and access drives." The proposed plaza would contain 7,950 square feet of space in an in-line multi-tenant building, and would be located within the B-2 General Business District, adjacent to existing business development. Staff believes this use would not conflict with the

industrial uses adjacent to the site. In addition, the Village of Glendale Heights was contacted regarding this use and had no objections to the proposed uses relative to the residential area on the east side of Schmale Road.

Access and Parking:

As the site plan depicts, access would be achieved through the Walgreen's site via the ingress and egress easement. To facilitate and simplify the traffic flow on both of the sites, the proposed parking aisles would be aligned with the existing aisles on Walgreen's, and directional pavement markings and stop signs would be required as depicted on the plans. However, staff recommends, as a condition of approval, that additional striping be included within the Walgreen's site to differentiate the drive-through lanes from the balance of the traffic. This step will further improve traffic flow and safety where the three proposed parking aisles lead onto the main drive of the site.

As proposed, the shopping plaza would include 60 parking spaces. Based on the parking requirements for shopping plazas, this building needs a minimum of 32 spaces. In addition, the site plan identifies 2,600 square feet for a restaurant use. This would require 11 additional parking spaces for a total of 43 spaces. Approximately forty percent of the spaces would be located to the rear of the plaza. It is anticipated that these spaces would service the restaurant patrons; however, a sidewalk would be provided on the south side of the building to allow access to the balance of the businesses from the parking area in the rear.

Landscaped islands are proposed along the southern end of the parking lot. These islands are located outside the property lines of the development within the ingress egress easement on the Walgreen's site. Staff recommends, as a conditional of approval, that a maintenance agreement be drafted and executed between the North Shore property and the Walgreen's property. This would avoid any future conflict over the care and maintenance of the proposed landscape features.

Building Design:

The proposed center would have glass store fronts, brick veneer columns, cultured stone trim, and EIFS as the backdrop for signage. The signage would be internally lit individual letters. Wall sconces installed on the columns would provide additional decorative lighting around the entire building. Offering some visual variety along the façade, the designated restaurant area would extend sixteen feet out toward Schmale Road and would be the width of two storefronts, highlighting the northern end of the plaza. The rear restaurant door would be glass and the rear façade of the building would have additional foundation landscaping to enhance the area for the patrons that may park in the rear.

Special Use – Outdoor Seating

The applicant is requesting a Special Use to allow an outdoor seating area in conjunction with the proposed restaurant. The seating area would be located in the rear of the restaurant and not visible from Schmale Road. Patron access would be provided both through the restaurant and directly from the parking lot located in the rear of the plaza. The seating area itself would be 776 square feet with a landscaped bed along the north edge.

From a use standpoint, staff does not object the outdoor seating area, as it would not have a negative impact on any surrounding properties. The property is adjacent to industrial uses, and this use would not be in conflict with the neighborhood in general. However, it should be noted that while the property to the north is zoned and is used for industrial purposes, it does include a single-family residence located near Schmale Road. Therefore, the applicant has proposed a 7-

foot high fence along the north property line to mitigate any potential incompatibilities. In our evaluation of this project, we find that the criteria for the Special Uses for a shopping plaza and outdoor seating area are met, subject to conditions.

Staff recommends approval of the Special Use for a shopping plaza and outdoor seating, subject to the following conditions:

1. That pavement markings be provided to the satisfaction of the Village Engineer, to delineate the main drive from the drive-through aisle within the Walgreen's parking lot;
2. That a construction easement and a maintenance agreement be drafted and approved by staff prior to Village Board approval;
3. That all landscape materials shall be maintained in a neat and healthy manner, with dead or dying materials replaced with similar size and type species on an annual basis;
4. That the parking stalls shall be striped in accordance with the Village's looped striping requirements as depicted on the plans;
5. That separate building permits are required for all trash enclosures and signs; and
6. That the development of the site and buildings will comply with all state, county and Village Codes and requirements.

Commissioner Weiss asked how property maintenance, such as blowing papers, etc. will be addressed for the shopping plaza and it was stated that there will be a maintenance company hired and that there will be several trash cans around the area. In response to the questions, it was determined that the developer agrees to the loop striping required for parking spaces to be aligned with Walgreen's parking spaces that an agreement is being negotiated for landscape maintenance. Commissioner Weiss asked if the patio seating area will be marked off from the parking area and if entrance will be available directly from the restaurant. Mr. Lebovic said that there will be two entrances so that customers will use the back parking area and not just the front. There will be a landscaped area and if there is any zoning requirement for a fence they will comply. Commissioner Weiss said that he is assuming that this restaurant will not be liquor licensed type business, but does the future tenant need to have that area blocked off in some way, or does it not make any difference. Mr. Lebovic said that he does not know for sure and there are no leases signed right now. With no potential users, they are assuming that it will be set up for a fast, casual type of restaurant. In response to the question it was stated that there will not be any changes to the existing Schmale Road access and that they have not had any interest in leasing since that generally doesn't happen until the walls go up. They are anticipating that there could be a dry cleaners, a salon, or cell phone store and a restaurant. It was noted that Walgreen's restrictions include no liquor stores, no arcades or other uses negative to their image.

Commissioner Michaelsen asked what fence material would be used and it was determined that the plans call for a board on board cedar fence. It was also noted that all rooftop mechanicals will be screened by a parapet wall and that they should not be seen from any road. Commissioner Michaelsen asked if there would be any parking lot lighting and it was stated that the initial plan was to have just building lighting. Mr.

Glees stated that the project is required to meet the Village's standards for parking lot lighting and that this will be evaluated during final engineering. Commissioner Michaelsen said that he would like have some accent brick on just the corners of the building such as some stones or medallions and the petitioner agreed that this can be done. In regard to the signage, it was stated that there will be self-illuminated letters and they will comply with the Village's sign code.

Commissioner Sutenbach asked why there is more landscaping in the back than in the front and it was explained that was stated that the building is being placed at the front of the lot so that it isn't buried behind the Walgreen's building and to encourage the use of the parking at the rear of the building the plan is to have landscape boxes surrounding the outside seating area as well as through out the parking area. In response to the question as to whether all of the tenants will have a rear entrance it was stated that the proposed restaurant is slated to have a secondary entrances but it would be up to the user of the tenant spaces, but there will be a sidewalk around the building. The leases will require that all employees must park in the rear and that is where all of the deliveries will be made. Commissioner Sutenbach asked what restaurant would be going in and the petitioner stated they have an interested party, but that party is waiting to sign the lease until the proposed plan has been approved. It was said that it is a "fast, casual restaurant" that intends to move forward when this process is completed. Commissioner Sutenbach asked if their reluctance to sign is contingent on an outdoor seating area and was told that it is. Commissioner Sutenbach then stated that generally when there is a request of this nature the Board will discuss hours of operation, if these will be outdoor music. The petitioner responded that the Village's ordinance will be complied with and to their understanding the hours of operation would likely be to close at 9 p.m. and that the intention that they have been told is that it will be a "chicken, salad, sandwich type of fast casual restaurant". In response to the question of serving liquor, the petitioner said that they are not intending to and they would have to have an approval process if that is what they wanted. Commissioner Sutenbach asked if this is a fenced-in patio area and was told that the 30X30 patio would just sectioned off by planters from the rear parking area. The petitioners said that in anticipation of the need for an outdoor patio, they are seeking approval to have such an area without having any finalized plans for it.

Commissioner Weiss asked how much seating would be available on the patio and the petitioner responded that he does not have that information.

Commissioner Sutenbach asked Mr. Glees how this compares with the approval given to the petitioner for the restaurant across from Town Center and that outdoor seating area and Mr. Glees replied that the main difference between the two is that at the Town Center outdoor seating area it was intended that that restaurant be one that serves liquor and has outdoor music. This application proposed neither at this time, they are not proposing liquor sales, and they are not proposing a dinner crowd with outdoor music. If this Board has some concerns there are conditions that you might wish to add that may be appropriate. In response to the question as to whether this matter would come back when a specific tenant is leased Mr. Glees replied that it would not come back because a restaurant is not a special use, it would only return if the request was to have a restaurant with a bar area.

Commissioner Sutenbach said that he would like to it before him before he votes on it. He said that the Commission could put additional restrictions on the staff recommendations, such as no liquor, no music, no noise, or it could be continued, or vote down.

Commissioner Michaelsen said that with Walgreen's being next door, can this

restaurant eventually sell liquor or can they limit liquor? The petitioner said that that use for liquor sales is prohibited on the deed.

Commissioner Weiss suggested since the concerns are only about the outdoor seating area, that additional conditions be added for that and then approve the rest of the proposed development. The conditions would give guidance to the Board in regard to the not serving of liquor or having music in the outdoor seating area.

Commissioner Vora asked if there will be lighting in the outdoor seating area and was told that they will provide whatever the Code calls for.

Commissioner Sutenbach not that condition # 5 should have a fence permit required as well as the sign permit and trash enclosure permit.

Commissioner Michaelsen asked what the trash enclosure is constructed of and was told that the materials will match the building in material and colors. At this point a color rendering of the building elevation was shown.

Commissioner Weiss moved and Commissioner Michaelsen made the second to recommend approval for a special use for a shopping plaza and a special use for an outdoor seating area in accordance with the staff recommendations and including the following; Condition #5 be amended to include the fence on the property requiring a separate building permit.

Dress up the corners of the building with medallions and/or additional detailing.

Signage be channel letter only, not box signs

Restaurant not serve liquor,

There be no outdoor music

Trash enclosure be constructed of materials to match the building.

Screening of all roof top mechanicals.

All landscape materials on Schmale Road be salt tolerant added to Condition #3.

The results of the roll call vote were:

Ayes: 5 Commissioners Vora, Spink, Weiss, Michaelsen & Sutenbach

Nays: 0

Absent: 1 Commissioner Hundhausen

The petitioner was reminded that this matter will be heard by the Village Board at their meeting on March 6, 2006 and was advised to attend that meeting.

**#05349: Dominic N. Signoretta / Fritz Duda Company, 500-520 E. North Ave.
Special Use – Planned Unit Development
Special Use – Shopping Center
Preliminary Planned Unit Development Plan
Variation – Fence Code
Variation – Sign Code
Zoning Changes – From I to B-2 and From B-3 to B-2
North Avenue Corridor Review
CONTINUED FROM 2/13/06 MEETING**

Dominic Signoretta, Mike Harman, Carl Kronstead, and Mike Waggoner were sworn in as witnesses in this matter. Mr. Signoretta gave a PowerPoint review of the proposed development of the property. He explained that requests are for a Special Use for a Planned

Unit Development, a Special Use for a Shopping Center, approval of a preliminary Planned Unit Development Plan, Variations to the Fence Code and the Sign Code, Rezoning a part of the property from I to B-2 and a part of the property from B-3 to B-2 as well as a North Avenue Corridor Review, and under an individual request, a final plat of subdivision.

There were no comments or questions from those in attendance at the call for public hearing.

Mr. Glees said that as discussed previously, staff does not object to the developers' request for a Special Use for Planned Unit Development for this property. The other special use requests, and specific details of the plans, will be discussed in detail in the remaining sections of this report addendum. In addition, the developer is requesting several deviations from Zoning Code standards as part of the Planned Unit Development process. The requested deviations will be discussed in detail later herein.

Special Use – Shopping Center

The applicant is requesting a Special Use for a *Shopping Center*, which the Zoning Code defines as “a commercial development in excess of ten acres of land, improved with a structure of at least 50,000 square feet and containing five or more distinct and separate retail businesses.” The proposed shopping center would occupy 10.5 acres, and would contain a total of 66,000 square feet of space in five buildings, with two 12,000 square foot buildings that could either be commercial or restaurant uses, two 6,000 square foot commercial buildings, and a 30,000 square foot in-line multi-tenant building.

Access and Parking:

As seen on the Preliminary PUD Plan (Exhibit A), access to the site would take place through several drives along North Avenue and Schmale Road, including: a full access point on North Avenue where there is a center median break in the highway, a possible right-in-right-out off of North Avenue depending on IDOT approval, two right-in-right-out accesses on Schmale Road and two full accesses on Schmale Road. The most southerly access on Schmale Road would be the main entrance for the McKesson facility. Although the PUD Plan allows for traffic to flow between the commercial and industrial properties, the plan was developed with the idea of separating the traffic for the two uses as much as possible. Employee and visitor traffic for the industrial property would be free to use any of the access points on North Avenue and Schmale Road; however, truck traffic for the industrial building would use the designated access farthest to the south on Schmale Road.

Regarding parking, the proposed Preliminary PUD Plan would provide 428 spaces for the 66,000 square foot shopping center and 158 spaces for the 292,000 square foot warehouse distribution building. The parking requirement for the shopping center has been calculated using two different approaches: the first being the determination for *shopping center* as specified in the Zoning Code, and the second by summing the requirements for the individual buildings, as a check. The parking requirement for the industrial building has been determined per the Zoning Code requirement; however, the applicant is requesting that a significant portion of the parking requirement be met by allocating landbanked parking spaces.

As shown on Table 1 below, the number of spaces provided by the Preliminary PUD Plan would accommodate food service uses in Building A and Building D, as well as an additional 18,800 square feet of food service uses in the center. However, since the proposed commercial development would not be laid out as a conventional center with one or more anchors and a central parking area, staff and the petitioner have also analyzed the parking based on the requirements for the individual buildings. This worst-case analysis, shown in Table 2, assumes both Building A and Building D are developed as 7,500 square foot restaurants. However, this estimate also assumes no food service uses in the remaining three buildings. As shown in Table 2, the resulting requirement would be 468 spaces. Please also note that if either Building A or Building D were to develop as a 12,000 square foot commercial building, the parking

requirement would fall below the figure of 428 spaces provided. Based on the Shopping Center parking requirements as specified in § 16-13-3, the Zoning Code requirement is easily met by the proposed plan. In addition, the worst-case analysis shows that even if the buildings were considered individually, sufficient parking could be provided, depending on the amount of food service uses in the center. Therefore, staff is comfortable that the parking requirements of the Village Code are met for the proposed commercial development.

As noted above, the proposed Preliminary PUD Plan would provide 158 parking spaces for the 292,000 square foot warehouse distribution building. However, as shown in Table 3 below, the 158 parking spaces is just 49% of, and 165 spaces fewer than, the number required by the Zoning Code. The applicant is requesting a **deviation** from Village standards to reduce the required parking for the proposed industrial development. As seen in the attached letter dated December 7, 2005, from McKesson, there are up to 100 employees at the facility at any given time, and they anticipate no increase in employees over the next four years. Even allowing for visitors, McKesson believes 158 spaces should be more than sufficient for their needs. In spite of this justification, the Village rarely approves development with less than the number of parking spaces required by the Code. Typically, the necessary parking spaces are landbanked, so as to allow for the possibility of the parking demands changing in the future. In this case, the applicant has allocated the necessary 165 parking spaces in landbanked parking areas as designated on the PUD Plan. In an additional note, the parking spaces for the industrial property have been designed at a width of nine feet, as allowed by the Zoning Code with the approval of the Community Development Director. Staff has reviewed the proposed parking design and landbanking layout for the industrial property and we find it feasible; therefore staff has no objection to the approval of landbanked parking.

The applicant is also requesting several **deviations** related to required setbacks for the shopping plaza. **First**, the North Avenue Corridor (NAC) standards require a 100-foot front setback from the North Avenue property line, while the four buildings along North Avenue are shown to be set back 60 to 90 feet from the front property line. **Second**, the buildings are required to be set back 40 feet from the rear lot line, while Building B and Building C are shown to be 33 feet from the property line. **Third**, the NAC Regulations require a 30-foot pavement setback along North Avenue, while the pavement setback along an approximate 700-foot length varies to as near as 15 feet. **Fourth**, the Zoning Code requires a 20-foot parking setback along Schmale Road, while the plan shows four parking stalls along Schmale Road that encroach within the 20 foot parking setback. At the nearest point, a parking stall is set back only 17 feet from the property line. As indicated in the letter from Dominic Signoretta dated February 2, 2006, the reasons for the reduced setbacks have to do with the challenges of developing commercial buildings within the frontages along North Avenue and Schmale Road in the space available between the roadways and the industrial building. Although the above deviations from the Code's setback requirements are present on the proposed Preliminary PUD Plan, they are limited to the few locations where the adjacent roadways are at their nearest to the industrial building, and available development space is at a minimum.

In summary, the applicant is requesting approval of special uses for a shopping center and a planned unit development, with a Preliminary PUD Plan which deviates from Village standards in the following areas:

Landbanked parking of 165 parking spaces on the industrial property

Building setback less than 100 feet along North Avenue, varying from 60 to 90 feet

Pavement setback less than 30 feet along North Avenue, being 15 feet at its nearest point

Parking setback being less than 20 feet for four spaces along Schmale Road

Staff believes the development of quality commercial space at this prominent location on North Avenue is a sufficient trade-off for the few minor deviations from standard found on the plan.

Preliminary PUD Plan

The applicant is requesting approval of the Preliminary PUD Plan (Exhibit A). Many aspects of the Preliminary PUD Plan have already been discussed in this report, such as the size of the

buildings, setbacks, access, and parking. One issue raised at the public hearing on February 13, 2006, was whether traffic signals would be provided at the full access on Schmale Road, across from the commercial facilities to the east. According to the Engineering Services Department, the installation of traffic signals is subject to the approval of DuPage County, would need to meet the legal warrants for traffic signals, and would need to be funded by the adjacent property owners or the municipality.

The remaining detailed review of the project will be discussed in the North Avenue Corridor section of this report. At this time, staff can generally support the Preliminary PUD Plan, subject to the suggested conditions of approval included in the Recommendation section of this report.

North Avenue Corridor Review

Because the proposed development is located within the North Avenue Corridor (NAC), the Plan Commission must review and approve comprehensive development plans for the property to ensure that the proposal is in conformance with the Corridor Regulations. The Plan Commission has the authority to make the final determination of conformance with the NAC Regulations and Village Board consideration is not required. The sections of the NAC Regulations that apply to this proposal include site design, architectural design and parking/landscape design.

Site Design:

Many aspects of the site design have already been discussed in this report; as such, the comments regarding site design in this section will only relate to specific NAC standards. The NAC site design standards require service areas to be out of sight from North Avenue. The service areas of utmost concern for this project are the trash dumpster locations. In this regard, we note that the six proposed trash enclosures are shown to be placed in the least visible locations on the site. The enclosures will be constructed using masonry material that will match the buildings. A detail of the enclosures is provided in Exhibit D, which staff finds acceptable. Also with respect to site design, the NAC regulations require that pedestrian facilities should be considered within the site. Generally, we find the proposed pedestrian walkways to be acceptable. Internal sidewalk would be provided to connect the five buildings, and new sidewalk would be provide along the Schmale Road frontage. Aside from the deviations from standard discussed earlier in this report, the Preliminary PUD Plan complies with all other applicable standards of the Zoning Code. Staff can support the overall site design.

Color building elevations have been provided for Buildings B and C (Exhibit E), and are intended to serve as examples for the overall development. Of course, if a national tenant were to locate in one of the freestanding buildings (Buildings A and D), they would wish to follow their own design guidelines. Development of any of the buildings would require approval of a Final PUD Plan, and so final architecture would be reviewed at that time. The applicant describes the architectural style as “a clean, timeless lifestyle building design.” The front elevation, facing North Avenue, would be primarily glass and stucco, with split stone masonry columns at the corners to enhance the building appearance. Canopies would be provided along the front of the building to comply with the NAC requirement for a pedestrian arcade or canopy. At the February 13th public hearing, the applicant was asked to bring in additional details regarding the proposed architecture, as well as elevations for Building E. This material, including a color perspective of Building A or D, a color perspective of Building E, and architectural elevations for Building E, are included with this report addendum. Staff encourages the Plan Commission to comment on the building architecture.

Landscape Design:

The NAC standards require a landscape setback in the area between the buildings and the North Avenue property line; with 16,186 points required and over 21,300 points proposed, the code requirement is exceeded.

The NAC regulations also require a minimum of 10% of the area within all parking lot areas to be greenspace. These landscaped areas are to be in the form of landscape islands, and landscape material is required within these landscape islands. The parking lot measures 181,793 square feet, and so the 10% greenspace area standard requires 18,179 square feet of parking lot greenspace. The landscape islands depicted on the landscape plan measure about 32,770 square feet in area, which equals 18.0% greenspace, which far exceeds the required amount. The landscape islands are required to have 16,385 points of landscape material, and based upon the landscape plan, the islands will have 23,655 points of material, which exceeds the required point value. On a minor note, staff observes that, as a result of a revision to the location of the parking lot islands, some trees are shown on the Landscape Plan in the wrong locations, in pavement rather than in islands. Staff will recommend a condition of approval that the plan be corrected before bringing the case the Village Board for Final approval.

Finally, the NAC landscape standards require a landscape screen within the first five feet immediately adjacent to the parking spaces along North Avenue, resulting in a landscape screen with a minimum of 2,975 points of landscape material. The applicant is requesting a **deviation** from the landscape screen requirement in order to provide a more flowing landscape design in the area between the pavement and the property line, such that the screen would be provided but it would meander in and out of the five-foot strip along the parking lot. In order to

evaluate the adequacy of the proposed plan, staff determined the required point value of the overall area between the parking lot and the property line, which is 2,975 points for the landscape screen and 15,728 points for the landscaped setback area for a total of 18,703 points required. The applicant's proposed plan would provide 31,579 points, which is far in excess of the combined overall requirement for the area between the parking lot and the property line. Staff believes the proposed design would provide adequate screening for the most part; however, we observe that no screening is shown along the west side of the lot west of Building A, and also we expect the plants in the vicinity of the proposed sign in front of Building B would be very low so as to not block the sign, and would not be very effective in terms of screening. It may be possible to address this latter concern by means of elevating the grade in the vicinity of the sign so as to allow it to rise above the surrounding plants. In view of the above analysis, staff is comfortable supporting the requested deviation from standard to allow the required landscape screen to be located outside of the five-foot area, subject to the conditions that screening be provided at the west end of the lot and that the final grading design ensure that the signs along North Avenue will not be obstructed by the plants.

Overall, staff finds the landscape plan to meet or exceed the NAC standards, with the exception of the one requested deviation vary the location of the landscape screen, which staff can support, and subject to the conditions noted above. The only other comment that staff has regarding the landscape plan is that in any location where landscape materials are used to screen ground-mounted mechanical equipment, the Code requires that the screening must be equally effective in winter as it is in summer.

Preliminary/Final Plat of Subdivision:

The proposed development includes five separate properties. In order to create parcels to accommodate the separate commercial and industrial uses, the applicant has prepared a plat of subdivision, "Duda's First Resubdivision," for the property. The commercial development, Lot 1, would consist of 10.5 acres and would be zoned B-2 General Retail District, while the industrial property, Lot 2, would consist of 16.8 acres and would include the existing McKesson facilities. Staff has reviewed the plat and provided comments to the applicant; however, work to address staff's comments and complete the plat is still in progress. In addition, although the Engineering Services department has determined that the engineering design for the project is feasible, they have not given approval of the final engineering design, and such approval is a necessary condition of final plat approval. Therefore, staff recommends that the request for approval of the Final Plat of Subdivision be continued to the March 27, 2006, agenda.

Rezoning:

The applicant is requesting that the Village rezone that portion of the commercial property, Lot 1, from I Industrial District to B-2 General Retail District. The Future Land Use Plan (FLUP), updated in 2000, recommends an industrial use for the subject property; however, it is doubtful that a commercial development was considered probable at that time. Staff believes the intersection of North Avenue and Schmale Road has potential as a retail node, and we support commercial development at this location. Therefore, staff supports the rezoning request. The rezoning of the Germania property from B-3 to B-2 has been absorbed in the rezoning request.

Fence Code Variation:

Section 6-12-8(A) of the Fence Code states that "no structural fence shall be allowed on any part of a required front yard or side yard adjoining a street." As illustrated on the Preliminary PUD Plan (Exhibit A), the applicant is proposing to install an aluminum security fence with masonry columns, six feet in height, to enclose the McKesson property. Although the property is of an odd shape, and it has no real "front" to it, it is reasonable to represent the sides of the

building facing North Avenue and Schmale Road as the “front” and the “side yard adjoining a street.” Because the existing building is approximately 300 feet from the adjacent roadways, staff believes the effect of the proposed fence being located within the front and corner side yards would be minimal. In addition, the proposed commercial buildings would screen most of the fence from view. Finally, the fence that the applicant is proposing is of a decorative nature, with black metal posts and masonry columns. (See Exhibit D.) The applicant has stated that the fence is necessary in order to provide security to the property.

Sign Code Variation:

The applicant’s signage plan includes no pole signs, but rather a series of ground signs along North Avenue and Schmale Road. The Sign Code allows the following ground signage for the subject property:

Commercial –

One ground directory sign per street frontage, set back a minimum of five feet from any property line, a maximum of 120 square feet in area, and a maximum of 10 feet in height along North Avenue, six feet along Schmale Road.

Industrial –

One ground directory sign per street frontage, set back a minimum of five feet from any property line, a maximum of 160 square feet in area, and a maximum of 10 feet in height.

The applicant is proposing two commercial ground signs along North Avenue, one of which would replace the existing McKesson sign, and three commercial ground signs along Schmale Road. In addition, one ground sign would be provided for McKesson at the most southerly drive on Schmale Road. No variation is being requested for the McKesson sign at this time; the intention is to provide signage in compliance with the Sign Code. However, the two ground signs on North Avenue and three on Schmale Road would exceed the Sign Code limit of one per frontage. The applicant has indicated that he prefers low ground signs, constructed of quality materials and located near the entrances to the center, rather than pole signs. He believes that the signs should not be so tall as to obstruct the view of the commercial properties in the center, and that attractive signage at eye level is much more effective at drawing patrons to the center than taller signs. To this end, the applicant is proposing ground signs constructed of materials similar to those of the center's buildings, with decorative landscaping. Trees and other tall plants are set back from the signs so as to keep the view of the signs clear from the roadways.

The specific variations being requested are as follows:

Variation for more than one ground sign per street frontage (two on North Avenue and three on Schmale Road)

Variation for sign height in excess of the maximum six feet (6'-6" along Schmale Road)

In evaluating the applicant's request for variation for variations, staff took into account the physical nature of the proposed center, that being an unusual, L-shaped property at an intersection of a limited-access state highway. Because of the property's location at a promising retail node, staff is sympathetic to the applicant's efforts to design signage that would be effective at drawing patrons to the property. In addition, staff evaluated the total area that would be provided by the signs, being 43.3 square feet for the two signs along North Avenue and 64.9 square feet for the three signs along Schmale Road, as compared with the maximum allowable area of 120 square feet per frontage. In addition, the center would also be allowed to have a pole sign of up to 160 square feet on each frontage, which is not being requested at this time. For the above reasons, and also because the proposed combined sign areas are much less than the allowable maximum per frontage and the height variation of six inches along Schmale Road is minor, staff has no objection to the request for variations.

Summary:

In our evaluation of this project, we find that the criteria for the Special Uses for Planned Unit Development and a Shopping Center, as well as Variations from the Fence Code and the Sign Code, are met. We further find the proposed rezoning to be proper, and the Preliminary PUD Plan to be acceptable subject to the conditions noted in this report and the Recommendation section. Regarding the North Avenue Corridor Review, provided that staff's recommendations are followed, we can recommend approval of the submitted plans. Regarding the Final Plat of Subdivision, we note that the plat is not ready for approval at this time, and would need to be brought back at a later date.

RECOMMENDATIONS

Staff recommend that the Final Plat of Subdivision be continued to the March 27, 2006, agenda.

Staff recommends approval of the following:

Special Use for Planned Unit Development,

Special Use for Shopping Center,

Preliminary Planned Unit Development Plan,

North Avenue Corridor Review,

Rezoning of the proposed Lot 1, with the exception of the former Germania property, from I Industrial District to B-2 General Retail District,

Rezoning of the former Germania property from B-3 Service District to B-2 General Retail District,

Variation from the Fence Code for fencing to be located in the front and corner side yards of proposed Lot 2,

Variation from the Sign Code for two ground signs along North Avenue and three along Schmale Road rather than one per street frontage,

Variation from the Sign Code for sign height of six-feet-six-inches rather than six feet along Schmale Road,

For the property at 500-520 E. North Avenue, subject to the following conditions:

1. That the Preliminary PUD Plan be corrected to show the parking requirements as specified in § 16-13-3 of the Zoning Code prior to the plan being brought to the Village Board for approval;

2. That the Landscape Plan be revised as follows prior to the plan being brought to the Village Board for approval;

Trees in the parking areas shall be located in islands,

Landscape screen shall be provided for the parking area west of Building A,

The grading plan shall be designed such that the landscape screen will not interfere with the sign in front of Building B,

Species proposed along North Avenue and Schmale Road shall be salt-tolerant;

3. That access to North Avenue shall be subject to the approval of the Illinois Department of Transportation;

4. That access to Schmale Road shall be subject to the approval of the DuPage County Division of Transportation;

5. That the Covenants, Conditions and Restrictions for the property shall identify access rights, and shall be recorded against the property and run with the land;

6. That separate building permits are required for all trash enclosures and signs;

7. That all rooftop equipment on both buildings be completely screened from view in all directions;

8. That only channel letter signs, and not box signs be permitted for the wall signage for all buildings;

9. That all ground mounted mechanical equipment shall be screened from view from surrounding public streets;

10. That this development shall be subject to approval of a storm water management plan by the Engineering Services Department;

11. That all landscape materials shall be maintained in a neat and healthy manner, with dead or dying materials replaced with similar size and type species on an annual basis;
12. That the parking stalls shall be striped in accordance with the Village's looped striping requirements; and
13. That the development of the site and buildings will comply with all state, county and Village Codes and requirements.

There were no comments or questions from those in attendance at the call for public hearing. Commissioner Sutenbach asked if the petitioner was in agreement with the conditions in the staff report and was told that they were.

Commissioner Michaelsen commented that the rendering provided for the Schmale Road elevation was very nice. In response to his questions, it was determined that the canopy materials would be black canvas with aluminum frames, the roof materials would be standing seam of a charcoal gray color and that the ice guard to prevent ice sheeting off of the building was built into the original roofing materials, it would not be an add on. Commissioner Michaelsen said that this is a nice plan on all sides.

Commissioner Spink commented that she likes the projected use since this is one of the focal points at the entry of the Village. She voiced concern about semis parking on the shoulders of the road to cross over to have a meal and she asked if there would be a parking area for such trucks at the restaurant locations. The petitioner said that there would not be, especially since they do not wish to have this development become a truck stop. Commissioner Spink said that in the event that a traffic signal would become warranted in the future, she would like to have this petitioner to agree to fund half of the cost and asked if there was some type of mechanism to add this to the approval of the project. The petitioner said that they would be willing to pay 50% and the developer of the opposite property would pay the balance.

Commissioner Spink asked Mr. Glees who determines when and if landbanked parking has to be developed and he responded that observation of parking problems and/or complaints to the Village staff. In response to the question regarding the petitioner coming back for a changeable copy sign, the petitioner responded that he was not aware that Code would support such a sign on this property and typically their centers only allow single letter channel illuminated signs. They restrict any type of electronic signs in their centers.

Commissioner Weiss asked if the dumpster enclosure close to Schmale Road was the only one for the entire retail lot #1 and it was explained that there are two enclosures, one for Building D and one for Building E and that there are a total of six enclosures for the development. Commissioner Weiss asked if there were any prospective tenants for the restaurants or the general retail and the petitioner said that they have not begun to market either though they will be targeting upscale users for the entire project. It was noted that Phase I will be the Industrial improvements and stormwater management issues such as aerators and small fountains. Commissioner Weiss suggested that they consider some lighting for the aerators and fountains in Phase II.

Commissioner Sutenbach commented that these are nice looking buildings and the landscaping and parking issues have been addressed successfully. It was determined that the buildings will have two or four sided architecture so that all elevations will be enhanced by features and/or landscaping.

Commissioner Michaelsen suggested that the additional condition of salt tolerant landscaping be provided for the North Avenue and Schmale Road adjacent parkways.

Mr. Glees reminded the Commissioners that staff is asking that approval of the Final Plat of Subdivision be continued to the next meeting. The petitioner agreed with the continuance and requested that Condition #10, that states that this development be subject to the approval of stormwater management plan and final engineering design by Engineering Services Department be amended. The petitioner said that their intent is to do the complete, final

engineering for the warehouse parcel and actually construct that as part of Phase I. Phase II the engineers will satisfy the Village Engineer on preliminary engineering and everything for all the retail site development. Obviously they cannot get into the final site development until they get into the Final PUD plan and make sure that the buildings that they intend to build are going to exactly to this. They are representing that this plan will be the maximum impervious area, so they will be doing the final engineering for the warehouse parcel and seek approval for that under a plat, but at the same time they will satisfy the Village Engineer for the preliminary engineering for the retail parcel for the stormwater management plan.

Mr. Glees stated that the Village Engineer has typically not recommended approval of a final plat of subdivision unless the engineering has been approved. So it appears that the petitioner will not have final site plans for the commercial facilities until they come back for final PUD plan approval. The petitioner said that they have not gone into the final engineering of the retail site showing all of the actual final plans. The approval being sought for a final engineering document would be the improvements that will be done for Phase I, which is the improvements for the warehouse. The stormwater management approval includes the commercial piece at a preliminary design level. Mr. Glees suggested that the words "and final engineering design" be stricken from condition # 10.

Commissioner Spink said that she would like to add condition #14, that a letter of commitment be provided that the petitioner will provide for 50% of the cost of a traffic signal on Schmale Road at such time as traffic warrants such traffic signal.

Commissioner Michaelsen moved and Commissioner Weiss made the second to continue the matter of the Final Plat of Subdivision to the March 27, 2006 meeting. The results of the roll call vote were:

Ayes: 5 Commissioners Vora, Spink, Weiss, Michaelsen & Sutenbach
Nays: 0
Absent: 1 Commissioner Hundhausen

Commissioner Michaelsen moved and Commissioner Weiss made the second to approve the North Avenue Corridor review for this proposed project. The results of the roll call vote were:

Ayes: 5 Commissioners Vora, Spink, Weiss, Michaelsen & Sutenbach
Nays: 0
Absent: 1 Commissioner Hundhausen

Commissioner Michaelsen moved and Commissioner Weiss made the second to recommend approval of a Special Use for a Planned Unit Development, a Special Use for a Shopping Center, a Preliminary Planned Unit Development Plan, Rezoning from I to B-2 and B-3 to B-2, a Variation to the Fence Code and a Variation to the Sign Code in accordance with the staff recommendations as amended. The results of the roll call vote were:

Ayes: 5 Commissioners Vora, Spink, Weiss, Michaelsen & Sutenbach
Nays: 0
Absent: 1 Commissioner Hundhausen

The petitioner was reminded that this matter will be heard by the Village Board at their meeting on March 6, 2006 and was advised to attend that meeting.

At 10:28 p.m. Commissioner Weiss moved and Commissioner Spink made the second to close the public hearing. The results of the roll call vote were:

Ayes: 5 Commissioners Vora, Spink, Weiss, Michaelsen & Sutenbach
Nays: 0

Absent: 1 Commissioner Hundhausen

There was discussion regarding the progress of e-mailing brief summaries of upcoming cases and those who received them found that they are helpful.

At 10:45 p.m. Commissioner Weiss moved and Commissioner Michaelsen made the second to adjourn. The motion passed by unanimous voice vote.

FOR THE COMBINED BOARD

Village of Carol Stream

Interdepartmental Memo

TO: Joseph E. Breinig, Village Manager

FROM: Robert J. Glees, Community Development Director

DATE: March 1, 2006

RE: **Agenda Item for the Village Board meeting of 3/6/06**
PC/ZBA Case 06011, Carol Stream Park District, 849 W. Lies Road
Special Use -- Amendment
Variation -- Fence Code

The Carol Stream Park District has filed two requests regarding a proposed minor expansion of the Coral Cove Water Park located at the Simkus Recreation Center, at the northeast corner of County Farm and Lies Roads. The first request is for an amendment to the existing Special Use Permit, which was originally approved for this facility in 1988, amended in 1995 and most recently amended in 2001. The second request is for a variation from the Fence Code to allow an eight-foot tall fence as opposed to a five-foot tall fence as permitted by the Village Code.

The Park District wishes to expand the usable green space within the water park to allow for additional recreational activity, such as sunbathing and grass volleyball. Because no additional pavement is being proposed, there would be no effect on the maximum lot coverage permitted for the facility. Previous expansions to the Simkus Recreation Center have required amendments to the original Special Use Permit, and the Village staff has carefully reviewed each proposed expansion to determine the impacts of the request on traffic and lot coverage. With the current requests, staff has determined that the expansion is minor, and the activity would not generate an additional parking demand nor affect lot coverage.

The staff report with supporting documentation was transmitted to the Village Board with the Plan Commission/Zoning Board of Appeals packet on 2/24/06. At their 2/27/06 meeting, the PC/ZBA voted 5-0 to recommend approval of the amendment to the special use permit for 849 W. Lies Road, subject to the conditions contained within the staff report. Please note that the PC/ZBA action regarding the Fence Code variation serves as the final decision on that matter.

If the Village Board concurs with the PC/ZBA recommendation, they should approve the requested Amendment to the Special Use for a minor expansion of Coral Cove Water Park, subject to the conditions contained within the Ordinance, and adopt the necessary Ordinance.

RJG:bg

c: Adrian Mendez, via fax, (630) 784-6198

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Village of Carol Stream
Interdepartmental Memo

TO: Joseph E. Breinig, Village Manager
FROM: Robert J. Glees, Community Development Director *RJG*
DATE: March 1, 2006
RE: **Agenda Item for the Village Board meeting of 3/6/06**
PC/ZBA Case 05228, North Shore Holdings, 570 N. Schmale
Special Use – Shopping Plaza
Special Use – Outdoor Seating Area

Kenneth Lebovic and Chris Manousselis of North Shore Holdings are requesting approval of special uses for a shopping plaza and an outdoor seating area for the development of a shopping plaza on the vacant 1.03-acre site along Schmale Road north of Fullerton Avenue. They are proposing a 7,950 square foot multi-tenant building that would consist of five units. No tenants have been secured at this time.

The staff report with supporting documentation was transmitted to the Village Board with the Plan Commission/Zoning Board of Appeals packet on 2/24/06. At their 2/27/06 meeting, the PC/ZBA voted 5-0 to recommend approval of the special uses for a shopping plaza and an outdoor seating area, subject to the conditions contained within the staff report.

If the Village Board concurs with the PC/ZBA recommendation, they should approve the requested Special Use for Shopping Plaza and the Special Use for Outdoor Seating Area, subject to the conditions contained within the Ordinance, and adopt the necessary Ordinance.

RJG:bg

c: Kenneth Lebovic, via fax, (847) 871-9909
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Village of Carol Stream
Interdepartmental Memo

TO: Joseph E. Breinig, Village Manager

FROM: Robert J. Glees, Community Development Director

DATE: March 1, 2006

RE: **Agenda Item for the Village Board meeting of 3/6/06**
PC/ZBA Case 05349, Fritz Duda Company, 500-520 E. North Avenue
Special Use – Planned Unit Development
Special Use – Shopping Center
Preliminary Planned Unit Development Plan
Variation – Fence Code
Variation – Sign Code
Final Plat of Subdivision
Rezoning – I to B-2 and B-3 to B-2
North Avenue Corridor Review

Dominic Signoretta, on behalf of the Fritz Duda Company, the property owner, is requesting zoning approvals and building code variations that would allow for the redevelopment of the McKesson property, located at the southwest corner of North Avenue and Schmale Road. The 292,000 square foot McKesson building is located over 300 feet away from the adjacent roadways, and with the demolition of a vacant office building located along the North Avenue frontage in December of 2005, the properties along the North Avenue and Schmale Road frontages are now vacant. Fritz Duda Company is proposing to construct a commercial shopping center on the vacant properties, consisting of 66,000 square feet of commercial floor space among five separate buildings. Four free-standing buildings would be located along North Avenue, two of which could either be retail or restaurant uses, and the fifth building would be a 30,000 square foot multi-tenant retail building located along Schmale Road. Tenants for the buildings have not yet been identified. To accommodate the proposed redevelopment, the applicant is requesting approvals of a Special Use for Planned Unit Development, a Preliminary PUD Plan, a Special Use for a shopping center, a final plat of subdivision to resubdivide the five existing lots into two lots – one industrial and one commercial, rezoning of the commercial property (proposed Lot 1 and the Germania parcel) to B-2 General Retail District, variations from the Sign Code and Fence Code, and North Avenue Corridor Review.

The staff report with supporting documentation was transmitted to the Village Board with the Plan Commission/Zoning Board of Appeals packet on 2/10/06 and 2/24/06. At their 2/27/06 meeting, the PC/ZBA voted 5-0 to recommend approval of the special uses, the Preliminary PUD Plan and the rezoning, subject to the conditions contained within the staff report. The PC/ZBA also voted 5-0 to approve the requested Fence Code variation, Sign Code Variation and North Avenue Corridor Review. Because the Final Plat of Subdivision is not yet complete, the PC/ZBA voted 5-0 to continue that matter to the 3/27/06 meeting. Finally, The PC/ZBA added a

condition of approval, which was acceptable to the petitioner, regarding the participation in the cost of future traffic signals on Schmale Road, if warranted. Attached is a letter from Dominic Signoretta containing this commitment.

Please note that the Village Board has ultimate approval authority regarding the rezoning and special use requests. However, the PC/ZBA action regarding the Fence Code variation and the North Avenue Corridor Review serves as the final decision on those matters. In addition, the PC/ZBA has the authority to approve Sign Code variation requests; however, the Sign Code grants the Village Board the opportunity to affirm or reverse the decision of the PC/ZBA within 21 days of the date that the request first appears before the Village Board. If the Village Board chooses to take action on the Sign Code Variation request, their decision is final. If the Board chooses not to take action within the 21-day period set forth in the Sign Code, the decision of the PC/ZBA is final.

If the Village Board concurs with the PC/ZBA recommendation, they should approve the requested Special Use for Planned Unit Development (PUD), the Special Use for Shopping Center, the Rezoning of proposed Lot 1 from I Industrial District to B-2 General Retail District and the Germania property from B-3 Service District the B-2 General Retail District, and the Preliminary PUD Plan, subject to the conditions contained within the Ordinance, and adopt the necessary Ordinance.

RJG:bg

c: Dominic Signoretta, via fax, (972) 991-5184

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Real Estate Investment Builders • Developers

March 2, 2006

Mr. Robert J. Glees, PE, AICP
Community Development Director
Village of Carol Stream
500 N. Gary Avenue
Carol Stream, IL 60118

Re: 500-520 North Avenue
Case # 05349
Schmale Road Traffic Signals

Dear Mr. Glees:

Pursuant to the Village of Carol Stream's Planning Commission and Zoning Board of Appeals recommendation for approval on the above referenced case granted February 27, 2006; please accept this letter as the property owner's commitment to fund fifty percent (50%) of a traffic signal, if warranted, at the intersection labeled D on the attached Exhibit A. This commitment will be incorporated into the subject property's Covenants, Conditions and Restrictions (CCR's) for the property. The CCR's will be recorded with the Final Plat so that this commitment will run with the land.

Please feel free to contact me at (972) 934-5112 if we need to submit any additional information or if I can be of any further assistance.

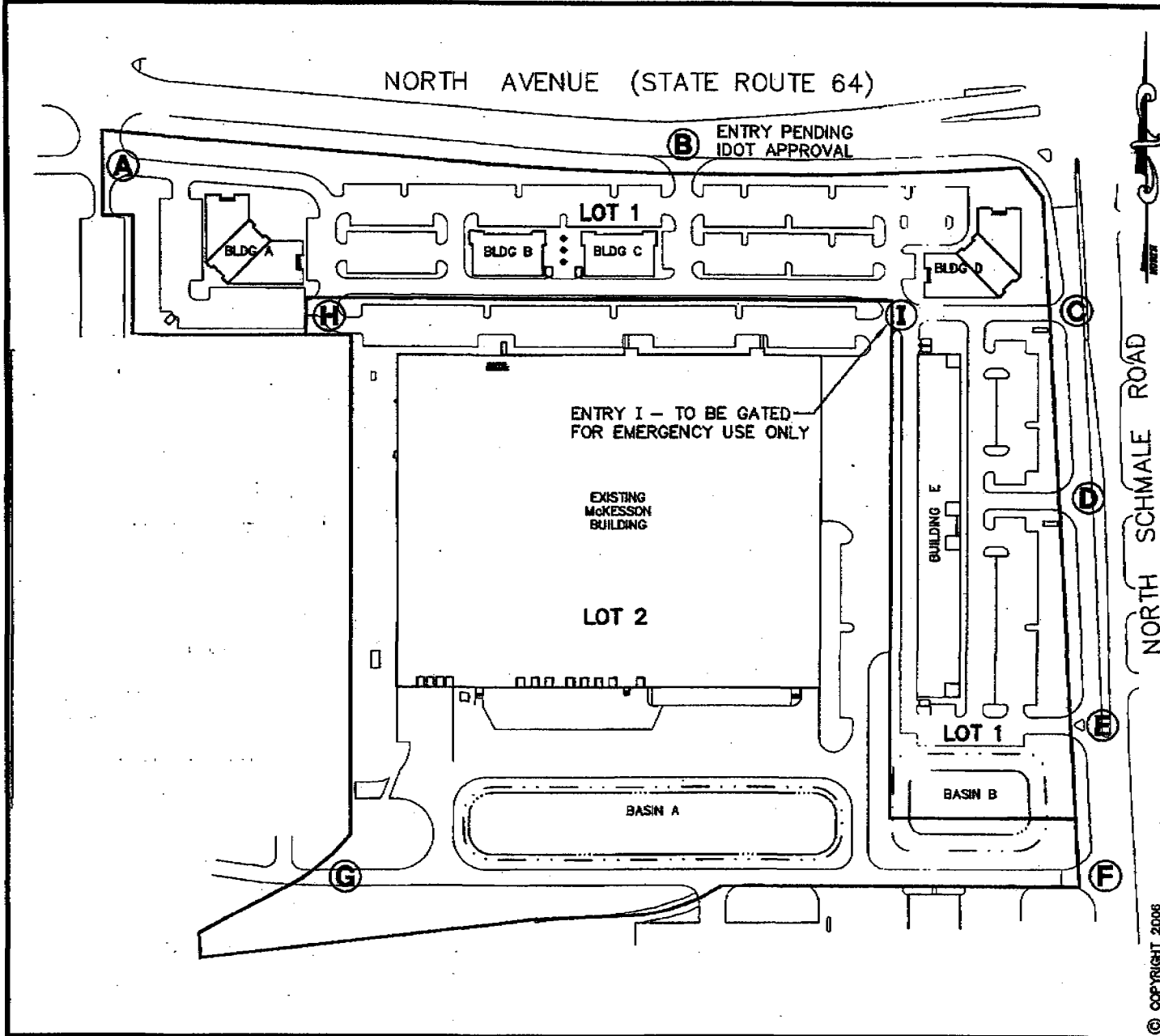
Sincerely;
CAROL STREAM PARTNERS,
an Illinois general partnership

GERMANIA PLACE, LLC,
an Illinois limited liability company

by;
FRITZ DUDA COMPANY

Dominic N. Signoretta
Vice President

Exhibit A



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NASC, ILLINOIS 60143 CHICAGO, ILLINOIS 60610
(630) 250-8585 (312) 755-8595

CONSULTING ENGINEERS & LAND SURVEYORS
NATURAL RESOURCES

CAROL STREAM PARTNERS REDEVELOPMENT

SITE ACCESS PLAN

January 23, 2008 4:51:19 p.m. AcadVer:16.1s (LMS Tech)
Drawing: P:\CADD\3401.00\312\PRELIM\3401SITE_EXH.DWG (230)

PROJECT NO. 3401.00
DATE 01/23/08
SCALE 1"=200'
DRAWN BY: CCC
CHECKED BY: MHW

Village of Carol Stream
Interdepartmental Memo

TO: Joseph E. Breinig, Village Manager

FROM: Robert J. Glees, Community Development Director *RJG*

DATE: March 1, 2006

RE: **Agenda Item for the Village Board meeting of 3/6/06**
PC/ZBA Case 05312, Dearborn Realty and Construction, Northeast Corner of
Gary Avenue and Kehoe Boulevard
Special Use – Shopping Plaza
Variation – Parking Setback
Variation – Required Rear Yard

Chuck Luchese and Leo Lenaghan of Dearborn Realty and Construction are requesting zoning approvals for the development of a shopping plaza on the 2.18-acre site located along the east side of Gary Avenue between Thunderbird Trail and Kehoe Boulevard, adjacent to the existing shopping plaza at that location. Dearborn is proposing a 16,160 square foot multi-tenant building that would consist of sixteen units. No tenants have been secured at this time. Dearborn is requesting the approvals of a special use for a shopping plaza, a variation for a front yard parking setback of 12 feet rather than the standard of 20 feet in the B-2 Zoning District, and a variation for a rear yard setback of 28 feet rather than the standard of 40 feet in the B-2 Zoning District. The applicants are also requesting Gary Avenue Corridor Review (GACR), with a variation for a 12-foot pavement setback rather than the standard of 30 feet in the Gary Avenue Corridor.

The staff report with supporting documentation was transmitted to the Village Board with the Plan Commission/Zoning Board of Appeals packet on 2/10/06. At their 2/13/06 meeting, the PC/ZBA voted 5-0 to recommend approval of the special use for a shopping plaza and the variations of the required parking setback and rear yard setback, subject to the conditions contained within the staff report. The PC/ZBA also voted 5-0 to approve the requested Gary Avenue Corridor Review, including the GACR variation of the required pavement setback. Please note that the Village Board has ultimate approval authority regarding the Special Use and the two Variation requests for required parking setback and rear yard setback. However, the PC/ZBA vote regarding the Gary Avenue Corridor Review and GACR Variation serves as the final decision on this matter.

If the Village Board concurs with the PC/ZBA recommendation, they should approve the requested Special Use for Shopping Plaza, the variation for a front yard parking setback of 12 feet rather than the standard of 20 feet in the B-2 Zoning District, and the variation for a rear yard setback of 28 feet rather than the standard of 40 feet in the B-2 Zoning District, subject to the conditions contained within the Ordinance, and adopt the necessary Ordinance.

RJG:bg

c: Chuck Luchese, via fax, (630) 351-3734

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ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING EXECUTION OF
THE FIRST AMENDMENT TO A PRE-ANNEXATION AGREEMENT
(DUPAGE AUTO BATH)**

WHEREAS, Vivian Sisson, Trustee of the Edward H. Sisson Trust, is the record owner of the 1.92-acre parcel of land located at the address commonly known as 27W230 North Avenue (hereinafter referred to as the "Property"); and

WHEREAS, the Village of Carol Stream and Edward Sisson, Trustee of the Edward H. Sisson Trust, entered into a Pre-Annexation Agreement dated December 4, 1995, for the Property, being legally described in the Pre-Annexation Agreement; and

WHEREAS, the parties desire to amend the Pre-Annexation Agreement with respect to certain particulars; and

WHEREAS, the Village Board of Trustees, pursuant to proper legal notices, have held public hearings regarding this property.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: That the Mayor and Village Clerk are hereby authorized to execute this First Amendment to the Pre-Annexation Agreement to extend the deadline by which DuPage Auto Bath must discontinue use of their existing onsite well.

SECTION 2: That Paragraph 18, Section 18.1(a), of the Pre-Annexation Agreement is hereby deleted and replaced with the following:

"The use of the water from such well shall be discontinued upon the first to occur of the fifteenth (15th) anniversary of the execution of this Pre-Annexation Agreement or the annexation of the Property, and shall be limited to the washing or cleaning of motor vehicles and shall not be used as potable water for drinking or sanitary purposes".

SECTION 3: All the other terms of the Pre-Annexation Agreement not inconsistent with the provisions of this Amendment shall remain in full force and effect.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 6TH DAY OF MARCH 2006.

AYES:

NAYS:

ABSENT:

Ross Ferraro, Mayor

ATTEST:

Janice Koester, Village Clerk

Village of Carol Stream
Interdepartmental Memo

TO: Joseph Breinig, Village Manager

FROM: William N. Cleveland, Assistant Village Engineer

DATE: February 28, 2006

RE: Award of Consultant Contract – Phase III Construction Services for Lies Road LAPP

Engineering Services has received a proposal from TranSystems Corporation to provide construction management services for the referenced project. The construction costs of the resurfacing project are being funded by Surface Transportation Program monies, therefore special procedures and documentation is required beyond the expertise of Village staff.

TranSystems Corporation has been involved with the project since it's inception, by helping the Village in obtaining the funding, and assisting in preparing preliminary and final engineering plans. The cost estimate for consultant services is \$17,582.07, which is only to train and help staff with federal inspection and documentation procedures. Full time construction administration for this project would be around \$100,000. It is also within the budget established for these services of \$56,000 (including testing now provided by IDOT).

Engineering staff therefore recommends that the Phase III Construction consultant contract be awarded to TranSystems Corporation for \$17,582.07. If you have any questions, please call me.

Cc: James T. Knudsen, Director of Engineering Services
Stan Helgerson, Finance Director
Jim Ludman, Engineering Inspector

Village of Carol Stream

INTER-DEPARTMENTAL MEMO

TO: Joseph Breinig, Village Manager
FROM: Robert Mellor, Assistant Village Manager *RM*
DATE: February 23, 2006
RE: Award of Contract - Landscape Maintenance

Included in the proposed Fiscal Year 2006-07 budget are funds to maintain the landscape along the Gary Avenue and North Avenue corridors. These properties include the Town Center on Lies Road, the Municipal Center, Daylily Park on St. Charles Road and the North Avenue, Schmale Road, Gary Avenue, County Farm Road and Army Trail Road median and right of ways. Carol Stream is reimbursed for the cost of maintaining County and State of Illinois right of ways by DuPage County. The specifications for maintenance of these properties is at a very high level consistent with previously established Village Board guidelines and meet or exceed maintenance levels specified by IDOT for North Avenue and by DuPage County for Gary Avenue, County Farm Road and Army Trail Road. The 2005 bid specification requested a three year cost proposal with the initial term of the agreement being from May 1, 2005 through April 30, 2006 with possible renewal for an additional two years, in one-year increments. The lowest qualified bid for the three-year period was received from Classic Landscaping, Inc. Their bid for all three years of the contract were as follows:

Landscape Maintenance ¹

Landscape Contractor:	Town Center	Mun. Center	Daylily Park	North Ave.	Gary Ave.	County Farm Rd.	Army Trail Rd.	Schmale Rd.	Total All Property
Classic Landscape, Ltd. West Chicago	\$11,020	\$4,000	\$4,340	\$33,750	\$3,400	\$4300	\$1,250	\$3,850	\$65,910.00

¹ Includes mowing, edging/trimming, Spring/Fall clean up, general clean up, fertilization and herbicide treatment of lawn areas and includes pruning/trimming and mulching of North Avenue.


Consistent with last year it is recommended that the Village Board approve the landscape maintenance contract prior to May 1st so that the selected contractor can gear-up for spring clean-up activities and have our facilities ready for events that will be scheduled for the Town Center. Landscape contractors are also preparing their schedules and priorities for the coming year and usually give preference to clients who notify them early that they will be awarded the contract.

Classic Landscaping, Inc. has proven to be a competent and knowledgeable landscape contractor and successfully met all contract obligations during the first and second years of the contract. Based on their past job performance with the Village, it is recommended that the contract for landscape maintenance services for the properties listed above be awarded to Classic Landscaping, Inc. at the unit costs specified in their proposal dated March 10, 2005 (approximately \$65,910/year), for the period May 1, 2006 through April 30, 2007. There are sufficient funds budgeted in the proposed Fiscal Year 2006-07 budget to pay for these expenditures. Final approval of this contract is subject to funds being included in the Fiscal Year 2007 Budget.

Village of Carol Stream

Interdepartmental Memo

TO: Joe Breinig, Village Manager

FROM: John A. Turner, Director of Public Works 

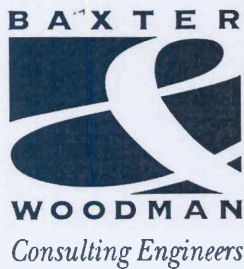
DATE: February 22, 2006

RE: Charger Court Lift Station Change Order and Final Project Acceptance

The reconstruction of the Charger Court Lift Station is complete and the station is operational. To finalize the project, the contractor has submitted Change Order #1, a final pay request with accompanying final lien waivers. The change order reduces the original contract amount by \$3,472.14 as a result of unused financial allowances provided in the original contract for the provision of electrical and natural gas services. The change order also revises the final completion date from July 27, 2005 to January 26, 2006. The completion of the project was extended as a result of a delay in vendors providing the electrical standby generator.

Inasmuch as the contractor has successfully completed all phases of the construction of this project and has submitted all of the necessary final lien waivers, along with their final pay request, it is recommended that the Village accept the new Charger Court Sanitary Lift Station and approve the final pay request in the amount of \$74,092.80.

JAT:lm
att.



February 16, 2006

Mr. J. Al Turner
Director of Public Works
Village of Carol Stream
124 Gerzevske Lane
Carol Stream, Illinois 60188

RECOMMENDATION FOR FINAL PAYMENT

Subject: Village of Carol Stream – Charger Court Lift Station Replacement

Dear Mr. Turner:

The following documents submitted by Bolder Contractors, Inc., contractor, requesting final payment for work performed and material and equipment for the Project are enclosed:

1. Contractor Invoice No. 3 in the amount of \$74,092.80
2. Contractor Sworn Statement, with attached Supplement, dated December 22, 2005, [Estimate No. 3 (Final)].

Contractor 3-year materials and workmanship guarantee ending January 26, 2009. (This Guarantee is for all work except that equipment separately guaranteed as called for under section 01640 general equipment requirements).

4. Three-year Maintenance Bond (Number 08661250) in the amount of \$21,626.39.

5. Final Waivers of Lien:

Bolder Contractors, Inc.*	\$74,092.80
American Industrial Fencing Corporation*	6,253.00
Metropolitan Industries, Inc. (Partial)	59,895.00
Metropolitan Industries, Inc.	26,720.00
Okeh Electric Company*	18,800.00
U.S. Paving	9,955.00

* Contractor Affidavit included.

8678 Ridgfield Road

Crystal Lake, IL 60012

815.459.1260

Fax 815.455.0450

info@baxterwoodman.com



Mr. J. Al Turner
Village of Carol Stream

February 16, 2006
040831.60 • Page 2



Baxter & Woodman, Inc. Notice of Acceptability of Work.

The following is our opinion of the final amount now due and payable to Bolder Contractors, Inc. in accordance with the terms of the Construction Contract Documents for the Project:

Original Contract amount	\$ 436,000.00
Deduction (Change Order No. 1 Final)	(3,472.14)
Final Contract amount	\$ 432,527.86
Previous payments	(358,435.06)
Final payment amount due	\$ 74,092.80


The final amount due Bolder Contractors, Inc. is \$74,092.80.



We appreciate the opportunity to be of service and look forward to a continuing relationship.


Very truly yours,

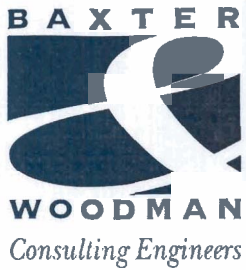
BAXTER & WOODMAN, INC.
CONSULTING ENGINEERS


Darrel R. Gavle, P.E. *MAS*

DRG/MAS:mh

Enc.

C/enc.: Mr. J. Al Turner, Director of Public Works
 Bolder Contractors, Inc. (Enc. 6 only)



February 16, 2006

Mr. J. Al Turner
Director of Public Works
Village of Carol Stream
124 Gerzevske Lane
Carol Stream, Illinois 60188

CHANGE ORDER

Subject: Village of Carol Stream – Charger Court Lift Station Replacement

Dear Mr. Turner:

Four copies of Change Order No. 1 (Final), which establishes the final Contract Price and Time, which amends the Project Agreement and is accepted by the Contractor, are enclosed for Village approval.

Please have the Village Manager sign all copies.

Retain two copies with attached referenced items for Village files.

Return two copies to us.

Also, a copy of the Change Order Certificate is attached for Village Records.

Very truly yours,

BAXTER & WOODMAN, INC.
CONSULTING ENGINEERS


Melissa A. Serio

MAS:mh

Enc.

C: Mr. Darrel R. Gavle, P.E.

H:\PROJ\CRSTV\040831.60\Chg Odr Sub To Client.doc

8678 Ridgefield Road

Crystal Lake, IL 60012

815.459.1260

Fax 815.455.0450

info@baxterwoodman.com

CHANGE ORDER NO. 1 (FINAL)

PROJECT: Charger Court Lift Station Replacement

DATE OF ISSUANCE: February 9, 2006

OWNER: Village of Carol Stream

ENGINEER: Baxter & Woodman, Inc.

CONTRACTOR: Bolder Contractors, Inc.

ENGINEER's Project No. 040831.60/04831.60

You are directed to make the following changes in the Contract Documents:

Description: Establishes final Contract Amount due to unused cash allowances and final Contract Time.

Purpose of Change Order: Change in Contract Price and Time.

Attachments: Bolder Contractors, Inc., letter dated January 26, 2006.

CHANGE IN CONTRACT PRICE:

Original Contract Price; \$436,000.00

Previous Change Orders:
No. - to No. - \$0.00

Current Contract Price: \$436,000.00

Net decrease of this Change Order:
(\$3,472.14)

Contract Price with this Change Order: \$432,527.86

CHANGE IN CONTRACT TIME:

Original Contract Time:
Completion: July 27, 2005

Change from previous Change Orders: None

Current Contract Time:
Completion: July 27, 2005

Net increase of this Change Order:
183 Calendar Days

Contract Time with this Change Order:
Completion: January 26, 2006

Pursuant to 720 ILCS 5/33E-9, (1) the circumstances said to necessitate the change in performance were not reasonably foreseeable at the time the contract was signed, (2) the change is germane to the original contract as signed, and (3) the change order is in the best interest of the Village of Carol Stream, Illinois.

PREPARED BY:

BAXTER & WOODMAN, INC.

By Melissa A. Serio
Melissa A. Serio
Construction Project Manager

APPROVED:

VILLAGE OF CAROL STREAM,
ILLINOIS

By Joe Breinig
Joe Breinig
Village Manager

ACCEPTED:


BOLDER CONTRACTORS, INC.

By Robert Gwiasda
Robert Gwiasda
President

RECOMMENDED BY:

By Daniel R. Gavle
Daniel R. Gavle, P.E.
Client Manager

Village of Carol Stream
Interdepartmental Memo

TO: Joe Breinig, Village Manager
FROM: John A. Turner, Director of Public Works 
DATE: February 22, 2006
RE: Budget Transfers

Attached for your consideration and Village Board approval are two budget transfers. The first transfer is in the Water & Sewer Fund, as a result of increased Commonwealth Edison charges. Fortunately, funds are available in the Maintenance and Repair Account to provide for the increased electrical operating cost demands. The second change order includes two MFT accounts: one for the purchase of roadway materials and the other for additional concrete work. In both cases, funds are available in the MFT gravel account to provide for the transfer of funds to the Material and Concrete accounts respectively.

JAT:lm
att.

Budget Transfer Request

FISCAL YEAR: 2006

DEPARTMENT/DIVISION: PUBLIC WORKS- Water

FUND: W&S

FROM ACCOUNT	TO ACCOUNT	AMOUNT
4410244 MAINTENANCE & REPAIR	4410248 ELECTRICITY	\$4,000.00

REASON: Increased power cost

4420244 WATER & WELL MAINT	4420248 ELECTRICITY	\$27,000.00
----------------------------	---------------------	-------------

REASON: Increased electric rates

DEPARTMENT HEAD:

John A. Treavor

DATE:

2/13/2006

VILLAGE MANAGER:

DATE:

VILLAGE BOARD CONCURRENCE DATE:

FINANCE DIRECTOR:

DATE:

Budget Transfer Request

FISCAL YEAR: 2006

DEPARTMENT/DIVISION: PUBLIC WORKS- Strs

FUND: MFT

FROM ACCOUNT	TO ACCOUNT	AMOUNT
6432347 GRAVEL (CA-6)	6432340 MATERIALS	\$3,900.00

REASON: Increased use of roadway repair materials

6432347 GRAVEL (CA-6)	6432338 CONCRETE	\$1,800.00
-----------------------	------------------	------------

REASON: Expanded sidewalk repairs required.

DEPARTMENT HEAD: John A. Treanor

DATE: 2/15/2006

VILLAGE MANAGER: _____

DATE: _____

VILLAGE BOARD CONCURRENCE DATE: _____

FINANCE DIRECTOR: _____

DATE: _____

Village of Carol Stream
INTER-DEPARTMENTAL MEMO

TO: Mayor and Trustees
FROM: Robert Mellor, Assistant Village Manager *RM*
DATE: February 23, 2006
RE: Authorization to Bid – Telecommunications System

Included in the proposed 2006-07 budget are funds to replace the Village's 10-year old Executone phone system with a more reliable system. The current phone system has provided many years of excellent service and included many technologically advanced features. Unfortunately, Executone phones are no longer manufactured and replacement parts are becoming harder to find.

In September you awarded the contract for telephone consulting services to Wilson and Associates to perform the following services:

1. Conduct an audit of the Village's current communications system components (completed).
2. Conduct a thorough telecommunications needs assessment (completed).
3. Recommend the best system design for the Village based on the criteria established during the needs assessment (completed).
4. Formulate bid specifications for the proposed system components (completed).
5. Assist in the selection of a vendor after analyzing bids.
6. Manage the installation of the new system.

Staff would like to present an award of bid recommendation to the Village Board at your Board meeting in May so that the Village Board could award a contract to the successful bidder and the new phone system be installed shortly thereafter. In order to do this staff requests authorization to go out for bid. This will allow us to determine the actual cost of a new telecommunications system prior to final budget approval.

Cc: Joseph E. Brienig, Village Manager

Village of Carol Stream G-6 3-6-06
Interdepartmental Memo

DATE: March 3, 2006
TO: Joseph E. breinig, Village Manager
FROM: Christopher M. Oakley, Asst. to the Village Manager *CMO*
RE: Town Center Festival Tent/Historic Farmhouse Rental Program

At their February 6th meeting, the Village Board instructed staff to make revisions to the proposed Town Center/Historic Farmhouse Rental program to promote its increased use for a fee by Village residents and the general public (non-residents) alike. To this end, I have revised the Use Permit Form, the formal Rental Use Contract & Rental Use Policy documents, developed protocols for permitting licensed caterers, established a rental use fee schedule in addition to draft for further review by Legal Counsel an code amendment creating a Class 'O' Liquor License and companion license application.

I have also enclosed a formal quote for Host Liquor Liability Insurance from HUB International, a 3rd party insurance broker referred by IRMA. Host Liquor Liability Insurance would provide needed coverage to the Village for Town Center and Historic Farmhouse events that it permits but does not in the truest sense of the word host. While the Village will detail an attendant for each permitted event, he or she will be limited as to their ability supervise the behavior of the renter, their guests and contracted caterer.

Please include this matter on the upcoming March 6th Village Board agenda for their careful review and consideration. Should you have any questions or concerns regarding this matter, please contact me at your earliest convenience.

Attachments:

- 1) Proposed 2006 Facility Rental Use Rates
- 2) Catering Pre-Qualification Guidelines
- 3) Prequalification Guidelines for Single Event Caterers
- 4) Catering Firm Directory
- 5) Equipment Rental & Party Supply Vendor List
- 6) Special Event Host Liquor Liability Insurance Quote – HUB International
- 7) DRAFT – Proposed Class 'O' Liquor License Classification, Fee & Application
- 8) Revised Town Center Use Permit Application
- 9) Historic Farmhouse Use- Marketing Flyer

Village of Carol Stream
Town Center & Historic Farmhouse
2006 Facility Rental Fees

(4-Hour Minimum)	Resident	Non-Resident
Fee	\$250	\$350
Security Deposit	\$150	\$150
Additional Hours	\$75	\$100
Amplification Permit	\$25	\$25

Village of Carol Stream

Catering Prequalification Guidelines

Inclusion on Approved Caterer List

1. Applicant must agree to and sign off on all following insurance requirements, policies, and procedures.
2. Applicant must successfully cater two events at the Town Center Festival Tent and/or Historic Farmhouse before approval will be considered.
3. To be listed in the Village's rental brochures and on the Village web site, an approved caterer must reciprocate in appropriate promotional materials.
4. After approval, the Village requires a minimum of two customer referrals.
5. The Village reserves the right to refuse or revoke inclusion on the Approved Caterer List.
6. No portion of the yearly license fee will be refunded after revocation due to lack of adherence to the following policies and procedures.

Annual Insurance Requirements

- Commercial general liability \$2 Million
- Automobile liability \$1 Million
- Workers compensation \$ 500,000
- Liquor liability (Dram Shop) \$1 Million
- Insurance certificate must name the Village of Carol Stream as an additional insured.
- The Village of Carol Stream must be notified 30 days in advance of cancellation of insurance.

Other Requirements

- County Health Department permit
- County Food service inspection report
- Village of Carol Stream Liquor license
- B.A.S.S.E.T Training Completion Certificates for Schedule Bartenders

Policies and Procedures

1. The caterer will be responsible for training their staff to ensure proper care of Village furnishings and equipment.
2. Tables and chairs in the Farmhouse living room may be rearranged, but may not be removed from the room and must be returned to original setup.
3. The Village is not responsible for lost, stolen, or damaged items left on the premises.
4. The caterer is responsible for cleaning the premises at the end of each event, including the removal of garbage and food debris that has fallen on the floor as well as sweeping and mopping of the floors in the Farmhouse kitchen. A Village representative will make a final inspection with the caterer before the end of the event. For your convenience, a trash dumpster with lid is located behind both Farmhouse and Festival Tent.
5. Caterers must adhere to contracted hours for setup and cleanup of the facility.
6. Caterers are responsible for supplying garbage bags, plastic wrap and containers for leftovers.
7. If a caterer contracts with a subsequent vendor (rent rental, etc.), all original contractual obligations will apply to the sub-vendor. The caterer will be responsible for

coordinating the setup and takedown of all sub-vendor equipment. Early setup cannot be assumed, but will be considered if arrangements are discussed in advance with the Village rental agent. No sub-vendor equipment may be left on the grounds/premises after contracted hours.

8. All facilities must be left in the condition they were found. All items brought in, including sub-vendor equipment, must be taken out immediately following the event, during contracted hours.
9. Damages, as determined by a Village attendant staff representative, caused by the caterer and/or their staff and other sub-contracted vendors, will be the financial responsibility of the caterer.
10. Alcohol may be served by a licensed caterer under contract by the renter and consumed by those 21 years of age and older who have presented a valid picture identification verifying their age. The caterer must apply for and be issued a Class 'O' Liquor License in order to be allowed to serve beer and wine. The caterer must present evidence of dram shop insurance as well as B.A.S.S.E.T training for their scheduled bartenders.
11. Smoking is prohibited in all facilities.
12. Decorations must be freestanding. Nothing may be affixed to walls, windows, tables, cabinets, or light fixtures with adhesives of any kinds or tapes, tacks, screws or wire.
13. Candles are permissible in all facilities, but must be under a glass container.
14. Caterers may cook meals on site in a designated area on the grounds of the Historic Farmhouse and at a safe distance outside of the Town Center festival tent. Warmers and sternos may be utilized under the festival tent and within the Historic Farmhouse only in the summer kitchen area.
15. No utensils, linens, or other supplies will be provided by the Village.
16. Other areas of the buildings and grounds may be in use during any event.
17. A Village event attendant will handle temperature control and opening of windows only.
18. All vehicle access to the Farmhouse or Tent grounds, including parking, loading, and unloading of vehicles, must be arranged in advance with the Village's event attendant.

I have read and do agree to adhere to the above policies and procedures, should I be approved as a Village of Carol Stream caterer. By affixing my signature below, I do hereby apply for inclusion on the Village's Approved Caterer List:

Owner: _____ Date: _____

Name of Firm _____

Address _____

Phone (Work) _____ (Cell) _____

E-Mail _____

Website _____

Approved:

By: _____
Village Manager

_____ Date:

Village of Carol Stream

Catering Guidelines For Single Event Caterers

Insurance Requirements:

- Commercial general liability insurance 2 million
- Motor Vehicle liability insurance 1 million
- Workers compensation \$500,000
- Liquor Liability Insurance (Dram Shop) 1 million
- Current County Health Department Permit
- Food Service inspection report not over 6 months old
- Liquor Licenses (State and Village)
- Certificate of Insurance naming the Village of Carol Stream as an additional insured.

Policies and Procedures for Caterers not on the Approved Caterer's List

A catering permit will be issued after all of the insurance requirements have been met and a refundable \$250 security deposit is posted with the Village (made payable to the: Village of Carol Stream).

The caterer will be financially responsible for damages to Village facilities or grounds.

Only licensed and B.A.S.S.E.T. certified bartenders must be on staff to serve alcohol. Self-serve bars are not allowed nor is beer service from a keg.

The caterer is responsible for picking up and removing trash from food service area and surrounding grounds. The garbage must be removed to the dumpster at the end of the event. Recycle containers are available for bottles, cans, and cardboard. Caterers are responsible for providing trash receptacles during the event, and for making provisions for the leftover food and beverages.

A Village representative will make a final inspection with the contracting party before the end of the event.

Local Caterers

Augustino's

246 S. Schmale Road
Carol Stream, IL 60188
(630) 665-5585

Brian's Char House

27W371 North Avenue
West Chicago, IL 60185
(630) 876-2000

Alberto's (Holiday Inn)

150 S. Gary Avenue
Carol Stream, IL 60188
(630) 665-3000

Carol's Garden

515 Schmale Road
Carol Stream, IL 60188
(630) 260-0303

Manhattan Club

300 S. Schmale Road
Carol Stream, IL 60188
(630) 871-2991

Mario's The Tradition Continues

465 Thornhill Drive
Carol Stream, IL 60188
(630) 668-3000

Sporty's Catering

442 W. Army Trail Road
Bloomington, IL 60108
(630) 980-6619

True Cuisine

2031 W. Gary Avenue
Wheaton, IL 60187
(630) 690-3201

Village Tavern & Grill

291 S. Schmale Road
Carol Stream, IL 60188
(630) 668-1101

Tasty Catering

1900 Touhy Ave.
Elk Grove Village
(847) 593-2000

Buona Catering

305 E. Army Trail Road
Glendale Heights, IL. 60139
(630) 539-2333

Portillos Catering

235 E North Ave.
Glendale Heights, IL. 60139
(630) 690.9380

Equipment & Rental Supply Vendors

Chicago Party Rental

(773) 775-5000

M & M Party Rental

493 Mission

Carol Stream, IL 60188

(630) 871-9999

Party Central

66 Stratford Drive

Bloomington, IL

(630) 893-4120

Party-Time Productions

Addison, IL

(630) 261-1900

A-1 Tent Masters

Wheaton, IL 60187

(630) 682-8949



8 Nelson Street West
6th Floor
Brampton, ON L6X 4J2
Phone: 1 905-866-5200
Fax: 1 905-459-7905
www.hubinternational.com

55 East Jackson Boulevard
Chicago, IL 60604
Phone: 1 877-402-6601
Fax: 1 877-402-6606
email: info@hubinternational.com

Corporate Profile

Who We Are ---

Hub International Limited is one of the largest insurance brokerages in North America, providing a broad array of property and casualty, life and health, employee benefits and risk management products and services. We focus on both commercial and personal accounts in the United States and Canada, which we serve through our approximately 3,300 employees in nearly 200 offices, using a variety of retail and wholesale distribution channels.

Since our company was formed in 1998 through the merger of 11 Canadian insurance brokerages, we have acquired an additional 116 brokerages and have established a strong presence in the northeastern, midwestern and western United States and in the Canadian provinces of Ontario, Quebec, and British Columbia.

Our Products and Services ---

We offer commercial and specialized insurance products and services to our risk management clients, middle market clients and to our small business clients. We offer personal insurance products and services to individuals, and program products and services to affinity groups and associations, as well as providing wholesale and reinsurance services.

Our Advantages ---

Decentralized hub approach: Our company is organized with a corporate office and currently eleven larger regional offices that we call "hubs". These hubs manage and acquire smaller brokerages (fold-ins) that expand their geographic reach and market share. Our decentralized "hubs" allow us to respond quickly to regional market variations and client needs, while still centrally managing the growth and profitability of our business.

Broad array of products and services through multiple distribution channels: We provide a diverse line of products and services and are able to offer them through a variety of distribution channels.

Benefits of scale: Our size provides insurers greater incentives to work with us, which typically results in both mutual cost savings and a multitude of operational and service benefits for our customers and us.

Committed and experienced management: Most of the senior managers of our brokerages have over 20 years experience in the industry. We foster a culture of partnership within our organization where everyone benefits from the combined experience and talent of the team.

Exchanges

Chris Oakley

From: Kelly, Thomas [Thomas.Kelly@hubinternational.com]
Sent: Wednesday, February 15, 2006 5:25 PM
To: Chris Oakley
Cc: Pucheu, Rienna
Subject: RE: Carol Stream Liquor Liability

Chris,

We contacted the IRMA Liquor Liability insurance facility and they advised they would provide a Liquor Policy for an annual premium of \$650. This reflects a "banquet hall/facility" that holds under 500 people and also contemplates that Carol Stream has no alcohol sales themselves and that the caterers used are licensed and have dram shop liquor liability.

We are following up for application of this coverage for when your users bring in their own liquor.

We should have that answer shortly.

Sincerely,

Tom

From: Kelly, Thomas
Sent: Wednesday, February 08, 2006 7:34 PM
To: 'coakley@carolstream.org'
Cc: Pucheu, Rienna
Subject: Carol Stream Liquor Liability

Chris,

I just wanted to drop you a line that we are still working on this issue. We should have an answer to you in a couple of days.

Tom Kelly
Vice President

HUB International Illinois
Phone: 312-279-4630
Fax: 312-279-4730
Email: thomas.kelly@hubinternational.com

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2/27/2006

DRAFT

ORDINANCE NO _____

AN ORDINANCE AMENDING CHAPTER 11 (INTOXICATING LIQUOR) OF THE VILLAGE CODE TO CREATE A CLASS 'O' LIQUOR LICENSE

WHEREAS, pursuant to Section 5/4-1 of Chapter 235 of the Illinois Compiled Statutes 1996, the Village of Carol Stream has the statutory authority by general ordinance to determine these kinds and classifications of liquor licenses to be issued for the sale of alcoholic liquor at retail in the Village as well as the number of permitted licenses within each classification; and

WHEREAS, the current ordinances do not permit the retail sale of alcoholic liquor at the Village Town Center and Historic Farmhouse (301 W. Lies Rd.) by a person whose has been issued a single-event contract for a private party/event for which a licensed caterer has been contracted for both food and liquor service; and

WHEREAS, the Village, in an effort to encourage the private use of both the Town Center Festival Tent as well as the Historic Farmhouse wishes to offer the option of allowing liquor service in conjunction with food service by a privately contracted caterer; and

WHEREAS, the Corporate Authorities of the Village of Carol Stream, in a concerted effort to market the private use of the Town Center Festival Tent and the Historic Farmhouse deem it appropriate and desirable to amend the Intoxicating Liquor Code of the Village in order to create a new single- event liquor license classification to govern the service of alcohol by a privately contracted catering business;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION ONE: Chapter 11 of Title 2, Section 3 of the Carol Stream Village Code (Intoxicating Liquor- Term of License) shall be amended so the existing subsection (A) and (B) shall become subsection (B) and (C) and a new subsection (A) shall be inserted as follows:

- (A) This section applies to all applications for all license classifications under this Chapter other than a special event liquor license and a Class 'O' Liquor License.

SECTION TWO: Chapter 11 of Title 2, Section 4(B) of the Carol Stream Village Code (Intoxicating Liquor- Application) shall be amended as follows:

- (B) Except those for a Class 'O' License,** all ~~such~~ **other** applications shall be accompanied by a non-refundable fee in the amount of \$500 to cover application handling and the costs to conduct a background investigation of the individual or the duly authorized agent. An additional fee of \$150 shall be paid for each additional individual or authorized agent for which an investigation must be conducted. Application fees are in addition to the yearly license fee.

SECTION THREE: Chapter 11 of Title 2, Section 7 of the Carol Stream Village Code (Intoxicating Liquor- Classification of Licenses; Number Issued; Fees) shall be amended to include a new subsection (M) as follows:

- (M) **Class O:** Class O license shall authorize the service of beer and wine within

grounds at events approved by the Village Manager where the licensee is acting as a caterer, in conjunction with a single-event party or event where the licensee has also contracted with that same caterer for food service. In addition to other requirements of this chapter, a Class O license shall only be issued to persons who can demonstrate that are operating a bona fide catering business. The holder of the license may begin serving beer and wine no earlier than the contracted start time of the event and must conclude service no later than 30 minutes prior to the contracted end time. The holder of such license shall post signs at the entrances to both facilities that clearly state: "No Beer and Wine May Be Removed From the Premises. No more than 15 Class 'O' Licenses may be issued in a calendar year. The fee for such a license is \$25 for a contracted Carol Stream caterer and \$50 for all other contracted caterers.

SECTION FOUR: Chapter 11 of Title 2, Section 11 of the Carol Stream Village Code (Intoxicating Liquor- License Renewal) shall be amended as follows:

- (A) Each licensee, **except a Class 'O'** shall make application for renewal of his or her license to the Liquor Control Commissioner not less than one month prior to the end of the licensing period. The annual fee for the license must accompany this renewal application. If the Liquor Control Commissioner determines that the renewal application contains information that is in any way changed from the original application for license, in which case a new investigation of the license is necessary, a fee of \$375 shall be charged to the licensee to cover the costs of such investigation, in addition to the yearly license fee.

SECTION 5: Chapter 11 of Title 2, Section 36 (B) of the Carol Stream Village Code (Intoxicating Liquor- B.A.S.S.E.T) shall be amended as follows:

(B) Each employee of a Class A, B, C, F, G, I ~~or~~ N, ~~or~~ O License, who will be engaged in selling, mixing, preparing, serving or delivering alcoholic beverages to customers, guests or patrons, for consumption on or off of the premises, shall successfully complete a Beverage Alcohol Sellers and Servers Education and Training program conducted by an agency licensed by the Illinois Liquor Control Commission. Such training shall be completed not more than 60 days after the employee begins employment with the licensee. A copy of the employee's certificate of completion of training shall be filed with the Liquor Commissioner. (Ord. 2002-03-07, passed 3-4-02; Am. Ord. 2004-06-38, passed 6-21-04)

SECTION 6: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 6TH DAY OF MARCH 2006.

AYES:

NAYS:

ABSENT:

Ross Ferraro, Mayor

ATTEST:

Janice Koester, Village Clerk

DRAFT
APPLICATION FOR TOWN CENTER CATERING
BEER AND WINE ONLY LIQUOR LICENSE

The undersigned hereby makes application for the issuance of a Class _____
license for the catering of beer and wine at Town Center on _____
And hereby certifies to the following facts:

1. Applicant for Town Center Event Catering:

(Full name of Business)

(Exact Address)

(Telephone)

DRAFT

2. Applicant's Corporate Name: _____
(if applicable)

Contact person:

(Name)

(Address)

(Telephone)

3. Is applicant licensed as a food dispenser in State of Illinois? _____

If so, give State License Number: _____

4. Does applicant have a State Liquor License now? _____

If so, give number _____

5. Does applicant have a Local Liquor License (s) in any other community (s)?

(Municipality)

(Name of Business in Municipality)

6. Name of B.A.S.S.E.T.T. certified agent that will be at the event:

(Last) (Middle) (First)

Residence Address: _____
(Number) (Street)

(City) (State)

Date of Birth: _____

Social Security No. _____

Driver's License No. _____ State: _____

Copy of Bassett Certificate: _____
Yes NO

(permit will be delayed until copy of certificate is received)

Authority conferred upon above named agent by the corporation/liquor license holder with relation to the management of the event for which this permit is sought.

(Liquor License Holder signature)

The undersigned swear that the business/corporation in whose name this application is made will not violate any of the ordinances of the Village of Carol Stream or the laws of the State of Illinois or of the United States of America, in the conduct of the Town Center Event as applied for, and that the statements contained in this application are true and correct to the best of our knowledge and belief; further, I release the Carol Stream Police Department from any liability or damage of whatever nature in investigating the information herein contained.

Applicant: _____
(Print Name)

(Signed)

Notary

(seal)



Village of Carol Stream

Town Center/Farmhouse Facility Use Request Form 500 North Gary Avenue - Carol Stream, Illinois 60188 - (630) 871-6250

Permit #:

Name: _____ Resident: _____ Non-Resident: _____

Name of Person Making Request: _____
Last First

Address: _____
Street City State Zip

Telephone Numbers: _____
Home/Cell Work

Facility Requested:

- | | | | |
|--------------|--------------------------|-----------------------|--------------------------|
| 1. Fountain: | <input type="checkbox"/> | 4. Festival Tent: | <input type="checkbox"/> |
| 2. Gazebo: | <input type="checkbox"/> | 5. Farmhouse: | <input type="checkbox"/> |
| 3. Bridge: | <input type="checkbox"/> | 6. Farmhouse Grounds: | <input type="checkbox"/> |

Date(s) Requested: _____ Alternate Date(s) Requested: _____

Type of Event: _____

Special Request(s): _____

Time of Activity: _____ Number of Guests Anticipated: _____
Start Time End Time

Use Terms:

- Only public forums, events or activities which conform with all of the following requirements may be considered for issuance of a permit: (1) must be sponsored or hosted by a local not-for-profit group or organization based within the Village or local taxing body or quasi-governmental entity; (2) residents and non-residents alike, as well as outside businesses, organizations and nonprofits who enter into a rental contract; and; (3) must not be a religious assembly for purposes of prayer or worship, except that wedding ceremonies shall be permitted; and (4) shall not be a partisan political rally, assembly or meeting.
- ~~Cleaning/Damage Reservation~~ Town Center Security Deposit: \$150 per each 50-guest increment—refundable upon approval by Village.
- Village may require a permit applicant to provide a certificate of insurance in an amount approved by the Village naming the Village of Carol Stream as an additional insured.
- Each permit is issued on a per event basis and is valid for the use of one facility.
- ~~Residents and local organizations are limited to two use permits a year.~~
- Only lawn chairs may be brought in and used by the permittee in designated lawn areas. Folding or portable chairs and tables may be brought in and used in designated areas under the tent.
- ~~Food must be brought to the facility already prepared to eat.~~ The cooking and/or grilling of food may be allowed ~~under special circumstances~~ by a licensed caterer and be specifically requested in the special request line of this permit application. ~~alcohol use~~, The throwing of bird seed, rice, confetti as well as the drinking of beverages from glass bottles is prohibited.
- Alcohol is prohibited and may only be served by a Village licensed catering firm who has been issued a valid Class "O" Liquor license.
- Electrical power is available for use.
- ~~Please use~~ The onsite receptacles for disposal of trash and recyclables must be used.
- Your event should not detract from the enjoyment of others who may be using adjoining facilities.
- A copy of this application must accompany organizations or individuals using facility.

- Reservations are made on first come first served basis and must be made in person at the Carol Stream Village Hall. Applications should be received in the Manager's Office at least 90 45 calendar days prior to event.
- Permit holder is financially responsible for damages occurring as a result of the use of these facilities for the permitted event.
- You must be 18 years of age to apply for a Facility Use Permit .

I understand that use of this facility is at my own risk and agree to hold the Village of Carol Stream harmless from any and all claims, which may arise as a result of its use. I have read and agree to the conditions specified in this request form:

Signature

The Carol Stream Town Center is located at the southwest corner of Lies Road and Gary Avenue.

The Historic Farmhouse is located at 301 Lies Road on the north side of Lies Road between Gary Ave. & Kuhn Road.

The scheduling of Village sponsored events may preclude the issuance of permits during certain times of the year.

The Village reserves the right to cancel any permit for use of its facilities at any time.

Carol Stream residents and organizations are given scheduling and use preference.

For Village Use Only

Permit No. _____

Deposit Paid: \$ _____

Date: _____

Check No. _____

Condition of Grounds: Clean _____

Date Deposit Returned: _____

Condition of Grounds: Not Clean _____

Date Deposit Cashed: _____

Comments: _____

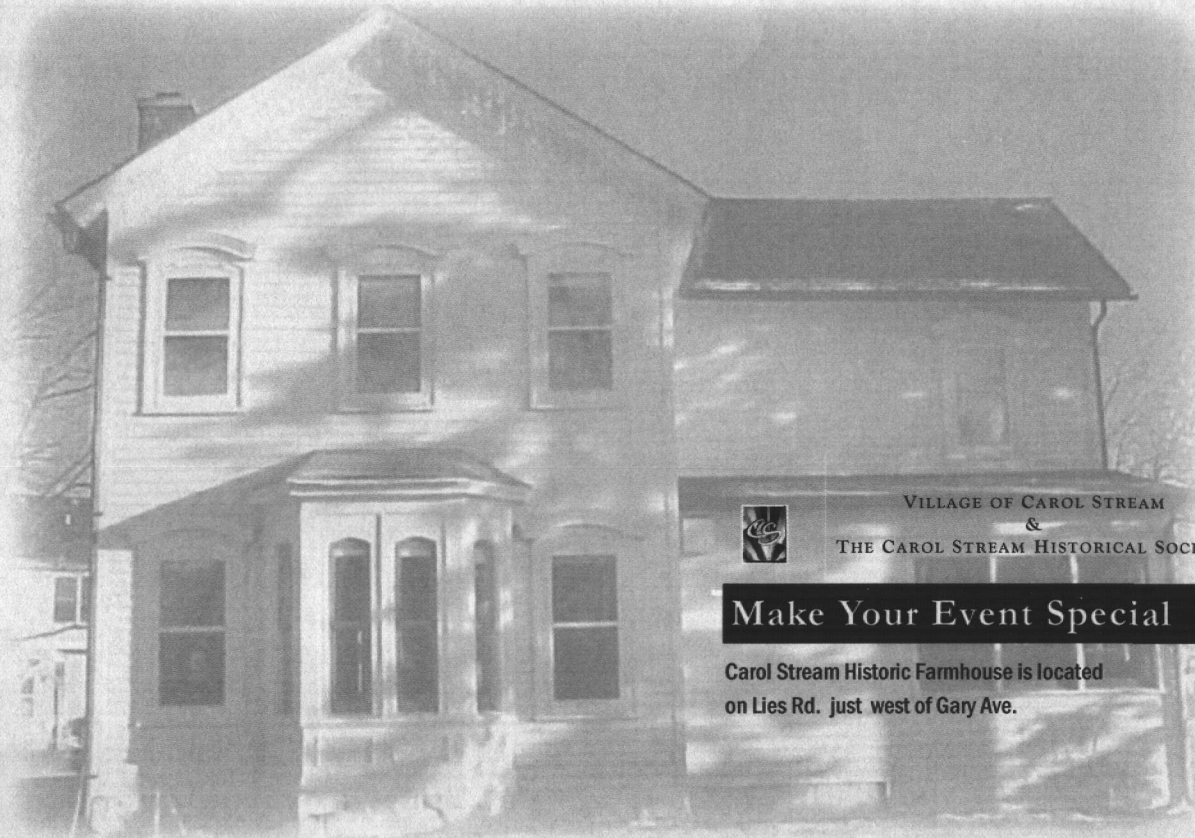
Approved: _____

(Village Manager's Office)

Revised: March 2, 2006

Carol Stream Historic Farmhouse

Century old charm with all the amenities of the 21st century
await your gathering in this unique setting. Located in the heart
of Carol Stream, the Historic Farmhouse is conveniently located
for both residents, non-residents as well as local businesses.



VILLAGE OF CAROL STREAM
&
THE CAROL STREAM HISTORICAL SOCIETY

Make Your Event Special

Carol Stream Historic Farmhouse is located
on Lies Rd. just west of Gary Ave.

Make Your Event Special

**CAROL STREAM
HISTORIC
FARMHOUSE**

*Where the past
and present meet*



Carol Stream Historic Farmhouse is
located at 301 W. Lies Rd. just west of

**To Inquire or make a reservation
Phone 630.871.6250
Web Page www.carolstream.org**

Carol Stream Historic Farmhouse

Are you looking for a unique setting for your next event? Tired of cookie cutter banquet halls and impersonal conference rooms? Step back in time and hold your next event at the Carol Stream Historic Farmhouse. Surrounded by gracious old trees and vintage landscaping, this gracious Italianate home is waiting to welcome you.

The historic farmhouse has been completely renovated...adding the improvements of the 21st century, while retaining the charm of the 19th century.

Plan for the future in a setting rooted in the past. Business planning and training sessions which require access to the latest technology will be right at home here.



Nineteenth century charm right next door.

Host a recital in a gracious sitting-room from another era. Hold a bridal/baby shower in a restored private parlor. Recite your wedding vows in the quaint outdoor gazebo.

THE HOUSE

Located on Lies Road adjacent to Hampe Park, just west of Gary Avenue, the Historic Farmhouse was built around 1873. It is handicapped accessible and features a large

sitting room with a wood burning fireplace. The private parlor, perfect for intimate gatherings, has been restored with vintage wallpaper and furnishings. A 50's style kitchen has been left in tact. The Historic Farmhouse is the perfect setting for groups of 50 or less.



Step back in time.

THE GROUNDS



Welcome!

A vine-covered arbor greets you and your guests. The classic white gazebo, nestled among stately trees, is the focal point of the large old-fashioned yard. Olden days down on the farm are recalled by the historic Elgin Wonder windmill "singing" softly in the breeze. Inside the picket fence, a fifty year old magnolia tree thrives amid a collection of heirloom flowers. Imagine your wedding, shower, meeting, recital, or family gathering in these gentile surroundings.

The Historic Farmhouse features several reception rooms, full access to technology, a caterer's service area, and all the charm of a by-gone era.

Schedule Your...

Shower
Wedding
Recital
Lecture
High tea
Garden party
Holiday events
Special gathering
Business meeting



Imagine your wedding here.

Rates (as of May 1, 2006)

	<u>Resident</u>	<u>Non -Resident</u>
Farmhouse: (4-Hr. Min.)	\$ 250	\$ 350
Extra Hour(s)	\$ 75/hr.	\$ 100/hr.
Reservation Security	\$ 150	\$ 150
Event Insurance(*)	\$ 175	\$ 175
Amplification	\$ 25	\$ 25

Rental Terms:

Group Size: 100 guests outdoors, 43 guests indoors.

The house has a 64 person occupancy rate.

Hours: Mon. - Thu. : 9 am - 9 pm ,
Fri. - Sat.: 9 am - 10 pm, Sunday : 12 - 8 pm.

Rental Space: Rental includes use of the entire first floor only. For security and safety reasons, guests may not enter the 2nd floor living , basement, or any roped off areas.



Restrooms: There are 3 restrooms on the 1st Floor, that our staff will clean & stock before your event.

Amplified Music: A \$25 amplification permit is required for those looking to play music outdoors. Village code prohibits amplified music outdoors after 10 p.m. and before 10 a.m. on all days. All music must conclude 1/2-hour prior to the end of your scheduled event.

Parking: Guest parking is available in the Hampe Park parking lot (just east of Farmhouse) with additional parking allowed on adjacent streets.

Smoking: Smoking in the house and on the grounds is strictly prohibited. If a guest should activate a fire alarm, the renter will be charged a \$75 emergency response fee.

Equipment: The Farmhouse has tables, chairs, a projection screen, coffee station, a refrigerator, ice service, a catering kitchen, refuse containers and temporary supplies storage.

Fire Safety: Candle flames must be glass enclosed.

Event Insurance (*) - the Village offers event insurance through its insurance carrier for a fee or the renter may obtain insurance through their homeowners policy.

Reservation Security - must be paid when submitting the rental contract and will be refunded 4 weeks after your event, unless additional charges are incurred as a result of your rental (i.e., overtime, extra cleaning, building and equipment damages, etc.). The reservation security is forfeited if you cancel your event. You may reschedule your event provided your new date is within 2 months of the original date and you notify us in writing at least 30 days before your rescheduled event.

ORDINANCE NO. _____

**AN ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT
FOR A MINOR EXPANSION TO CORAL COVE WATER PARK
(CAROL STREAM PARK DISTRICT, 849 W. LIES ROAD)**

WHEREAS, Arnie Biondo, Director of the Carol Stream Park District, has requested an amendment to a special use (Ordinance 2001-08-40) in accordance with Section 16-8-1(C)(2) and 16-8-3(C) of the Carol Stream Zoning Code to allow an amendment to the approved site plan for the Coral Cove Water Park at Simkus Recreation Center; and

WHEREAS, the Combined Plan Commission and Zoning Board of Appeals, pursuant to proper notice, held a public hearing on February 27, 2006 concerning this request and has recommended that this special use be granted; and

WHEREAS, the Corporate Authorities find that granting the amendment to the special use would not be inconsistent with surrounding uses, nor would it be contrary to the intent of the Zoning Code of the Village of Carol Stream provided certain conditions are met.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: That the property legally described in Section 1 of this Ordinance, commonly known as 849 W. Lies Road, be granted an amendment to the special use permit to allow for a minor expansion of the Coral Cove Water in accordance with the attached site plan prepared by Williams Architects, 210 North Hale Street, Wheaton, IL, provided the following conditions are met:

1. That a minimum distance of seven feet be maintained between the fence and the building so as to allow for safe and easy access.
2. That the facility shall comply with all state, county and Village codes and requirements.

LEGAL DESCRIPTION:

Outlot A in Cambridge Pointe Unit 3, being a subdivision in the east ½ of the southeast quarter of Section 24, Township 40 North, Range 9 East of the Third Principal Meridian, according to the plat thereof, recorded as Document No. R88-564560, in DuPage County, Illinois.

SECTION 2: This Ordinance shall be in full force and effect from and after the passage, approval and publication in pamphlet form as provided by law, provided, however, that this Ordinance is executed by the owners of the subject property or such other party in interest, consenting to and agreeing to be bound by the terms and conditions contained within this Ordinance. Such execution and delivery to the Village shall take place within sixty (60) days after the passage and approval of this Ordinance, or within such extension of time as may be granted by the corporate authorities by motion.

SECTION 3: That failure of the owner or other party in interest, or a subsequent owner or other party in interest, to comply with the terms of this Ordinance, after execution of said Ordinance, shall subject the owner or party in interest to the penalties set forth in Section 16-17-7, A and B of the Village of Carol Stream Zoning Code, and/or termination of the special use after notice and public hearing in accordance with the procedures required by statute and the Carol Stream Zoning Code.

PASSED AND APPROVED THIS 6th DAY OF MARCH 2006.

AYES:

NAYS:

ABSTAIN:

Ross Ferraro, Mayor

ATTEST:

Janice Koester, Village Clerk

I, _____, being the owner or other party of interest of the
(please print)
property legally described within this Ordinance, having read a copy of the Ordinance,
do hereby accept, concur and agree to develop and use the subject property in
accordance with the terms of this Ordinance.

(Date)

(signature)

ORDINANCE NO. _____**APPROVING SPECIAL USE FOR SHOPPING PLAZA AND OUTDOOR SEATING
(570 N. SCHMALE ROAD)**

WHEREAS, Kenneth Lebovic and Christopher Manousselis, of North Shore Holdings, Ltd., have requested approval of a Special Use for a shopping plaza in accordance with Section 16-9-3(C)(15) of the Carol Stream Zoning Code, and a Special Use for outdoor seating in accordance with Section 16-9-3(C)(18) of the Carol Stream Zoning Code; and

WHEREAS, pursuant to proper legal notice, on February 27, 2006, the Combined Plan Commission/Zoning Board of Appeals considered the request for these special uses and have determined that they would not pose a negative effect on property values in the area nor would they be unreasonably detrimental to the public health, safety or general welfare; and

WHEREAS, the corporate authorities find that the granting of these special uses for a Shopping Plaza and Outdoor Seating would not be inconsistent with surrounding uses nor be contrary to the intent of the Zoning Code of the Village, provided certain conditions are met.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: That the property legally described in Section 1 of this Ordinance, commonly known as 570 N. Schmale Road, be granted approval of the Special Uses for a shopping plaza and an outdoor seating area as shown on the attached Proposed Site Plan (Exhibit A, dated February 21, 2006), Proposed Floor Plan (Exhibit B, dated January 12, 2006), Proposed Elevations (Exhibits C and D, dated February 9, 2006),

drawn by Randy B. Pruyn, ALA, 407 S. Edison Avenue, Lombard, IL, subject to the following conditions:

1. That pavement markings be provided to the satisfaction of the Village Engineer, to delineate the main drive from the drive-through aisle within the Walgreen's parking lot.
2. That a construction easement and a maintenance agreement be drafted and approved by staff prior to approval.
3. That all landscape materials shall be maintained in a neat and healthy manner, with dead or dying materials replaced with similar size and type species on an annual basis, and that plant species proposed along Schmale Road be salt-tolerant.
4. That the parking stalls shall be striped in accordance with the Village's looped striping requirements as depicted on the plans.
5. That separate building permits are required for the trash enclosure, along the north property line, for the fence and for all signs.
6. That the building façade be improved at the corner of the building through the use of medallion or additional detailing.
7. That only channel letter signs, and not box signs, be permitted for the wall signage for all buildings.
8. That the restaurant shall not be permitted to serve liquor without first obtaining approval of an amendment to the special use for outdoor seating.
9. That no outdoor music shall be permitted.
10. That the trash enclosure shall be constructed of masonry materials to match the building.
11. That all rooftop equipment shall be completely screened from view from all directions.
12. That the development of the site and buildings will comply with all state, county and Village Code and requirements.

LEGAL DESCRIPTION:

Lot 2 in the Barnes Development, being a subdivision of the southwest quarter of Section 28, Township 40 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded March 23, 1998 as Document Number R98-051700, in DuPage County, Illinois.

SECTION 2: This Ordinance shall be in full force and effect from and after the passage, approval and publication in pamphlet form as provided by law, provided, however, that this Ordinance is executed by the owners of the subject property or such other party in interest, consenting to and agreeing to be bound by the terms and conditions contained within this Ordinance. Such execution and delivery to the Village shall take place within sixty (60) days after the passage and approval of this Ordinance, or within such extension of time as may be granted by the corporate authorities by motion.

SECTION 3: That failure of the owner or other party in interest, or a subsequent owner or other party in interest, to comply with the terms of this Ordinance, after execution of said Ordinance, shall subject the owner or party in interest to the penalties set forth in Section 16-17-7, A and B of the Village of Carol Stream Zoning Code, and/or termination of the special use after notice and public hearing in accordance with the procedures required by statute and the Carol Stream Zoning Code.

PASSED AND APPROVED THIS 6TH DAY OF MARCH 2006.

AYES:

NAYS:

ABSENT:

Ross Ferraro, Mayor

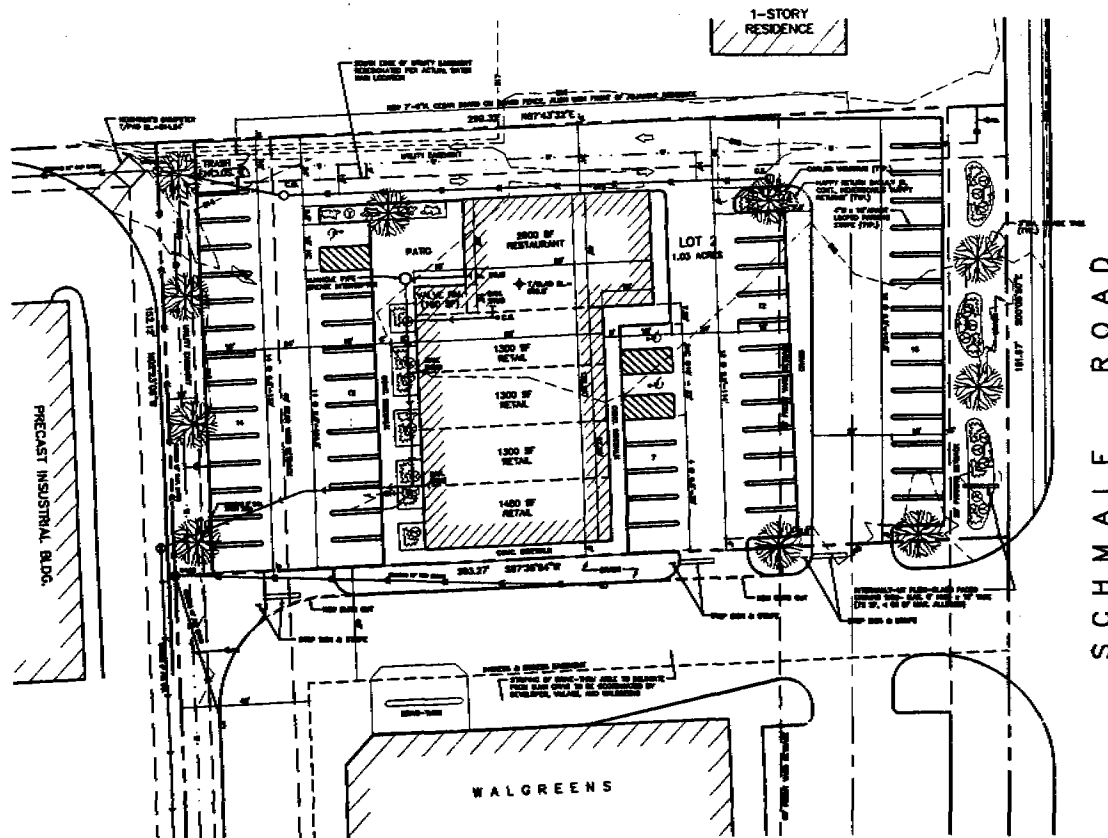
ATTEST:

Janice Koester, Village Clerk

I, _____, being the owner or other party of interest of the
(please print)
property legally described within this Ordinance, having read a copy of the Ordinance,
do hereby accept, concur and agree to develop and use the subject property in
accordance with the terms of this Ordinance.

(Date)

(signature)



SITE PLAN
SCALE 1" = 30'-0"

QUANTITY AND FINAL LOCATIONS OF CATCH BASINS AND STORM SEWER PIPING TO DETERMINE UPON FINAL CIVIL ENGINEERING OF THE SITE PRIOR TO SUBMISSION FOR BUILDING PERMIT.

SYMBOL KEY:

- STORM SEWER PIPING
- SANITARY SEWER PIPING
- W— WATER MAIN PIPING
- - - - - EXISTING TOPOGRAPHY

GREEN SPACE TABULATIONS:

EAST PARKING ISLAND	1,043 SF
PLANTING AREAS WEST SIDE OF BUILDING	834 SF
TOTAL GREEN SPACE	1,877 SF

TOTAL BUILDING AREA W/VALVE ROOM	8,130 SF
TOTAL LEASABLE BUILDING AREA	7,950 SF

PARKING CALCULATIONS:

RETAIL/RESTAURANT UNDER 10K TOTAL SF	7,950 SF / 250 SF/SPACE =	31.8 SPACES
RESTAURANT (EXCEEDING 10K TOTAL SF)	7,950 SF / (10K - 7K) SF ALLOWED	
2,000 SF - 7K SF = 1,800 SF OVER 10K	1,800 SF / 6 SPACES/1,000 SF OVER 10K = 10.8 SPACES	
TOTAL PARKING REQUIRED		42.6 => 43 SPACES
HANDICAP PARKING REQUIRED:	51-75 SPACES	MIN. 3 SPACES REQ'D
TOTAL PROVIDED ON-SITE		60 SPACES

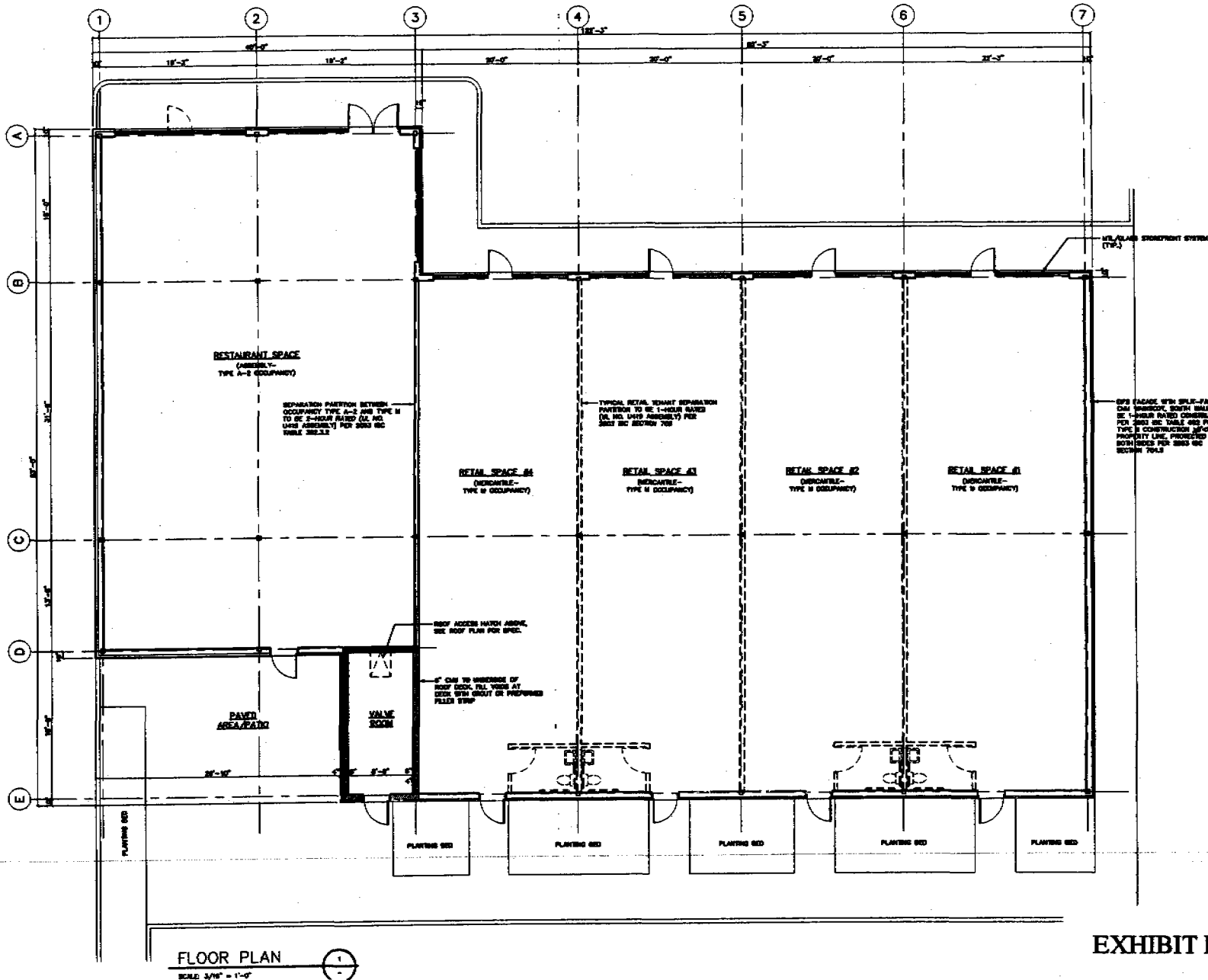
NORTH SHORE HOLDINGS, LTD.
 1000 W. WINDY HILL ROAD
 SUITE 100
 WASHINGTON, DC 20007
 (202) 462-1000

PROPOSED SITE PLAN

NO. OF SPACES	60
NO. OF HANDICAP SPACES	3
NO. OF VISITOR SPACES	0
NO. OF BICYCLE SPACES	0
NO. OF MOTORCYCLE SPACES	0
NO. OF TRUCK SPACES	0
NO. OF BUS SPACES	0
NO. OF TRAILER SPACES	0
NO. OF OTHER SPACES	0
TOTAL SPACES	60

EXHIBIT A
A-1

RANDY B. PRUYN, ALA.
 LICENSED PROFESSIONAL ARCHITECT
 1000 W. WINDY HILL ROAD
 SUITE 100
 WASHINGTON, DC 20007
 (202) 462-1000



FLOOR PLAN
SCALE 3/16" = 1'-0"

EXHIBIT B

RANDY B. PRUYN, AIA
REGISTERED ARCHITECT - ARCHITECTURE OF LUMBER INDUSTRIES
1000 UNIVERSITY BLVD., SUITE 1000
ANN ARBOR, MI 48106
TEL: 734.769.1234
FAX: 734.769.1235
WWW.RANDYBPRUYN.COM

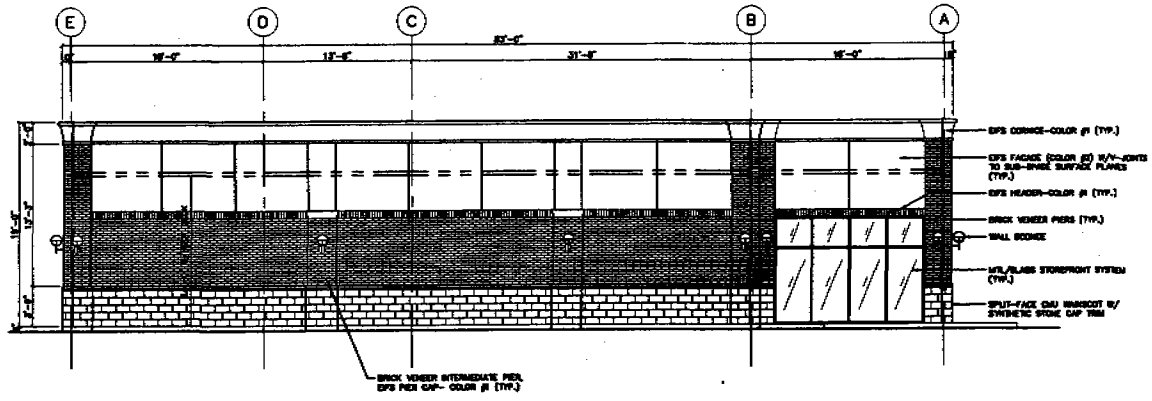
NORTH SHORE HOLDINGS, LTD.
GENERAL DEVELOPER
1000 UNIVERSITY BLVD., SUITE 1000
ANN ARBOR, MI 48106
TEL: 734.769.1234
FAX: 734.769.1235
WWW.NORTHSHOREHOLDINGS.COM

PROPOSED FLOOR PLAN

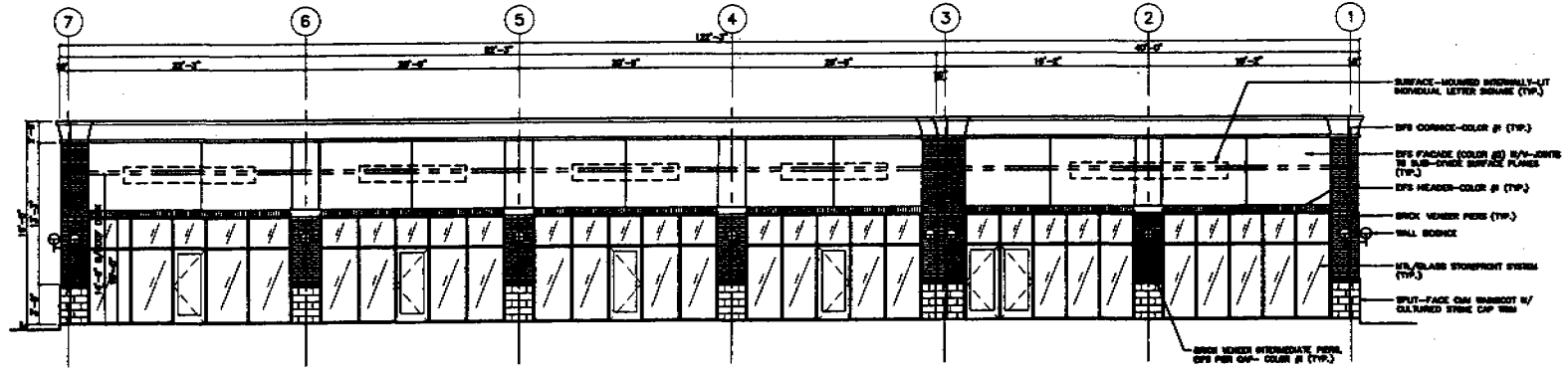
NO.	REVISION	DATE
1	ISSUED FOR PERMITS	11-12-08
2	REVISED FOR WALLS PERMITS	12-15-08
3	REVISED FOR WALLS PERMITS	01-15-09
4	REVISED FOR WALLS PERMITS	02-18-09
5	REVISED FOR PERMITS	03-18-09
6	REVISED FOR PERMITS	04-15-09
7	REVISED FOR PERMITS	05-15-09

DATE: 05/22/09
SCALE: 3/16" = 1'-0"

0522
A-2



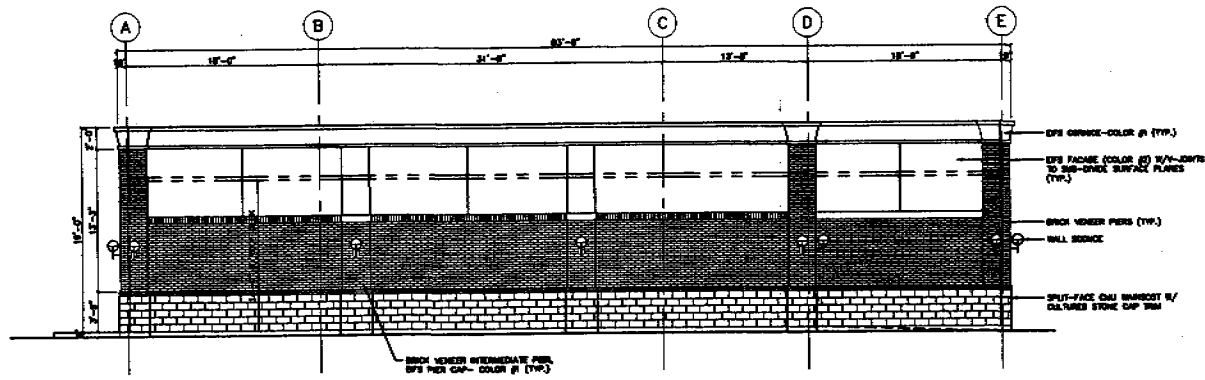
ELEVATION- SOUTH
SCALE 3/8" = 1'-0"



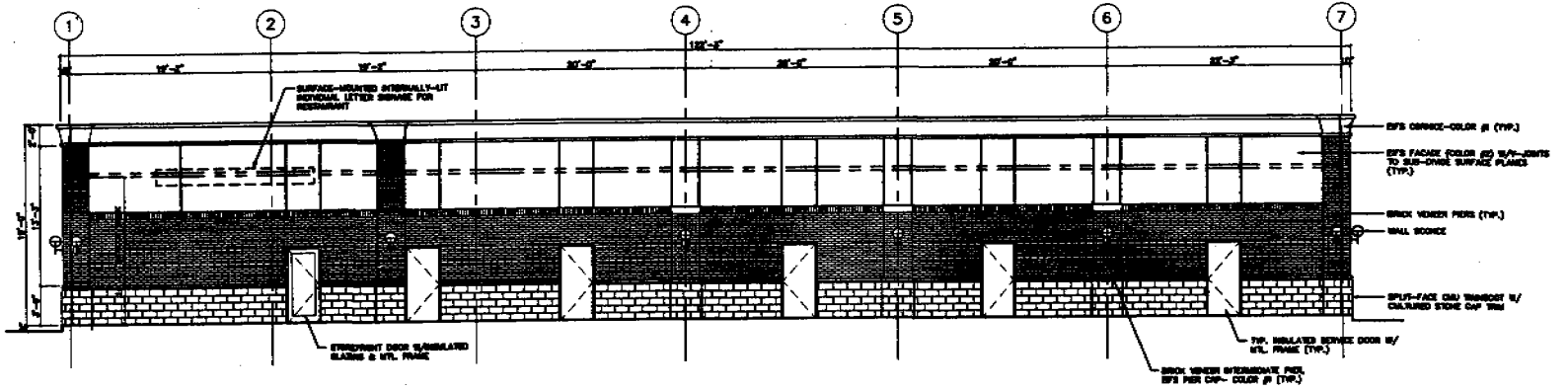
ELEVATION- EAST
SCALE 3/8" = 1'-0"

RANDY B. PRUYN, AIA ARCHITECT 1000 UNIVERSITY BLVD., SUITE 100 HOUSTON, TEXAS 77001 TEL: 713/865-1111 FAX: 713/865-1112	
1-13-03 10-18-03 8-18-03 8-18-03	2-4-03 1-13-03 10-18-03 8-18-03
NORTH SHORE HOLDINGS, LTD. 1000 UNIVERSITY BLVD., SUITE 100 HOUSTON, TEXAS 77001 TEL: 713/865-1111 FAX: 713/865-1112	
PROPOSED ELEVATIONS	
0522	A-3.1

EXHIBIT C



ELEVATION - NORTH
SCALE 3/16" = 1'-0"



ELEVATION - WEST
SCALE 3/16" = 1'-0"

RANDY B. PRUYN, AIA ARCHITECT 1000 W. UNIVERSITY BLVD., SUITE 100 HOUSTON, TEXAS 77005 TEL: 713/865-1111 FAX: 713/865-1112 WWW: WWW.RANDYP.ORG	
PROJECT NO. 0522 SHEET NO. A-3.2 DATE 08/20/2014	CLIENT NORTH SHORE HOLDINGS, LTD. 1000 W. UNIVERSITY BLVD., SUITE 100 HOUSTON, TEXAS 77005 TEL: 713/865-1111 FAX: 713/865-1112 WWW: WWW.NORTHSHOREHOLDINGS.COM
DESIGNER RANDY B. PRUYN, AIA	ARCHITECT RANDY B. PRUYN, AIA
DATE 08/20/2014	SCALE AS SHOWN
PROJECT DESCRIPTION PROPOSED ELEVATIONS	SHEET NO. A-3.2
PROJECT NO. 0522	SHEET NO. A-3.2

EXHIBIT D

A-3.2

ORDINANCE NO. _____

APPROVING SPECIAL USES FOR A PLANNED UNIT DEVELOPMENT (PUD) AND SHOPPING CENTER, REZONING TO B-2 GENERAL RETAIL DISTRICT AND PRELIMINARY PUD PLAN APPROVAL (500-520 EAST NORTH AVENUE)

WHEREAS, Dominic Signoretta, Vice President of Fritz Duda Company, has requested approvals of a Special Use for Planned Unit Development in accordance with Sections 16-9-2(C)(1) and 16-9-3(C)(1) of the Carol Stream Zoning Code, a Special Use for a shopping center in accordance with Section 16-9-3(C)(16) of the Carol Stream Zoning Code, Rezoning of proposed Lot 1 from I Industrial District to B-2 General Retail District and the existing Germania property from B-3 Service District to B-2 General Retail District in accordance with Section 16-15-7 of the Carol Stream Zoning Code, and a Preliminary Planned Unit Development Plan; and

WHEREAS, pursuant to proper legal notice, on February 13, 2006 and continued to February 27, 2006, the Combined Plan Commission/Zoning Board of Appeals considered the request for these special uses and have determined that they would not pose a negative effect on property values in the area nor would they be unreasonably detrimental to the public health, safety or general welfare; and

WHEREAS, the corporate authorities find that the granting of these special uses for a Planned Unit Development and a Shopping Center would not be inconsistent with surrounding uses nor be contrary to the intent of the Zoning Code of the Village, provided certain conditions are met.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: That the property legally described in Section 1 of this Ordinance, commonly known as 500-520 E. North Avenue, be granted approval of the Special Uses for a Planned Unit Development and a shopping center, Rezoning of proposed Lot 1 from I Industrial District to B-2 General Retail District, Rezoning of the Germania Property from B-3 Service District to B-2 General Retail District and a Preliminary Planned Unit Development Plan, as shown on the attached Preliminary PUD Plan (Exhibit A, dated March 1, 2006), Landscape Plan (Exhibit B, dated March 1, 2006), and Building Elevations (Exhibit C, dated January 31, 2006), subject to the following conditions:

1. That the grading plan shall be designed such that the landscape screen will not interfere with the sign in front of Building B.
2. That landscape plantings proposed along North Avenue and Schmale Road shall be salt-tolerant.
3. That access to North Avenue shall be subject to the approval of the Illinois Department of Transportation.
4. That access to Schmale Road shall be subject to the approval of the DuPage County Division of Transportation.
5. That the Covenants, Conditions and Restrictions for the property shall identify access rights, and shall be recorded against the property and run with the land.
6. That separate building permits are required for all trash enclosures, fences and signs.
7. That all rooftop equipment be completely screened from view in all directions.
8. That only channel letter signs, and not box signs be permitted for the wall signage for all buildings.
9. That all ground mounted mechanical equipment shall be screened from view from surrounding public streets.
10. That this development shall be subject to approval of a storm water management plan by the Engineering Services Department.
11. That all landscape materials shall be maintained in a neat and healthy manner, with dead or dying materials replaced with similar size and type species on an annual basis.

12. That the parking stalls shall be striped in accordance with the Village's looped striping requirements.
13. That the Petitioner shall provide to the Village a letter of commitment, subject to the approval of the Village Attorney, in which the property owner agrees to bear 50% of the cost of the installation of traffic signals when warranted at the Schmale Road full access.
14. That the development of the site and buildings will comply with all state, county and Village Codes and requirements.

LEGAL DESCRIPTION:

Proposed Lot One

Lot 1 in Duda Subdivision, being a subdivision of part of the southwest quarter of Section 33, Township 40 North, Range 10, East of the Third Principal Meridian, and part of the northwest quarter of Section 4, Township 39 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded October 13, 1987 as Document R87-149772, together with Lot 2 in said Duda Subdivision except that part lying southerly of the following described line: beginning at a point on the south line of said Lot 2 that is 66.19 feet, measured along said south line, east of the southwest corner thereof; thence north 00°00'00" east, 54.34 feet; thence north 90°00'00" east, 832.23 feet; thence south 00°00'18" west, 32.12 feet to the terminus of the herein described line; also together with that part of Lot 3 in Duda Subdivision, aforesaid, described as follows: beginning at the northeast corner of said Lot 3; thence south 00°01'02" west along the east line thereof, 293.28 feet to an angle point in said east line; thence north 89°58'36" west, along said easterly line, 21.39 feet; thence north 00°00'18" east, 293.27 feet to the north line of said Lot 3; thence north 89°59'20" east, along said north line, 21.45 feet to the point of beginning; also together with Lot 4 in said Duda Subdivision except that part lying south and west of the following described line: beginning at the intersection of the east line of said Lot 4 with a line drawn 100.00 feet, measured at right angles, north of and parallel with the south line of said Lot 4; thence south 89°59'11" west along said parallel line, 266.13 feet; thence north 00°00'18" east, 427.36 feet to an intersection with a portion of the westerly line of said Lot 4 at a point 21.39 feet west of an angle point in said westerly line, said point being the terminus of the herein described line; also together with that part of the east half of the northwest quarter of Section 4, Township 39 North, Range 10, East of the Third Principal Meridian lying east of Lot 2 in Duda Subdivision, aforesaid, lying north of the north line of Lot 4 in said Duda Subdivision, lying southerly of the southerly right of way line of North Avenue (State Route 64) as shown on the Illinois Department of Transportation Plat of Highways Job No. R-91-008-91, and lying westerly of the westerly line of Schmale Road, all in DuPage County, Illinois, containing 10.506 acres of land, more or less; and

Germania Property

Part of the northwest quarter of Section 4, Township 39 North, Range 10, East of the Third Principal Meridian, and of the southwest quarter of Section 33, Township 40 North, Range 10, East of the Third Principal Meridian, described by beginning at the point of intersection of the center line of North Avenue (Route 64) with the east line of the northwest quarter of Section 4 and running southerly along said east line of the northwest quarter, 350 feet to a point; thence west at right angles to the east line of the northwest quarter, 350 feet to a point; thence north on a line parallel to the east line of the northwest quarter to the center line of North Avenue (Route 64); thence easterly on said center line of North Avenue (Route 64) to the place of beginning, (except the south 100 feet thereof) and excepting therefrom that part taken by Condemnation Case Number 93ED20 described as follows:

That part of the northwest $\frac{1}{4}$ of Section 4, Township 39 North, Range 10, East of the Third Principal Meridian and the southwest $\frac{1}{4}$ of Section 33, Township 40 North, Range 10, East of the Third Principal Meridian, described as follows; beginning at the point of intersection of the centerline of North Avenue (Route 64) with the east line of the northwest $\frac{1}{4}$ of Section 4; thence on an assumed bearing of south 0 degrees 23 minutes 39 seconds west along the east line of said northwest $\frac{1}{4}$, 249.90 feet (250.00 feet, record), to the grantor's south property line; thence north 89 degrees 36 minutes 01 seconds west along said south line, 91.88 feet to a point on the west line of Schmale Road; thence north 0 degrees 46 minutes 57 seconds east along said west line, 102.88; thence north 33 degrees 12 minutes 23 seconds west, 53.66 feet to a point on the southerly line of North Avenue, said point being on a 5309.00 foot radius curve, the center of circle of said curve bears north 00 degrees 01 minutes 52 seconds west from said point; thence westerly along said curve, 229.04 feet, central angle 2 degrees 28 minutes 19 seconds to the grantor's west property line; thence north 0 degrees 25 minutes 44 seconds east along said west line, 99.93 feet to the centerline of North Avenue (Route 64), said point being on a 5209.00 foot radius curve, the center of said curve bears north 2 degrees 28 minutes 46 seconds east from said point; thence easterly along said curve, 349.88 feet, central angle 3 degrees 50 minutes 54 seconds, to the point of beginning, in DuPage County, Illinois; and

Proposed Lot 2

That part of Lot 2, 3 and 4 in Duda Subdivision, being a subdivision of part of the southwest quarter of Section 33, Township 40 North, Range 10, East of the Third Principal Meridian, and part of the northwest quarter of Section 4, Township 39 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded October 13, 1987 as Document R87-149772, described as follows: beginning at a point on the south line of said Lot 2 that is 66.19 feet, measured along said south line, east of the southwest corner thereof; thence north 00°00'00" east, 54.34 feet; thence north 90°00'00" east, 832.23 feet; thence south 00°00'18" west, 752.75 feet to a line drawn 100.00 feet, measured at right angles, north of and parallel with the south line of Lot 4, aforesaid; thence north 89°59'11" east along said parallel line, 266.13 feet to the east line of said Lot 4; thence south 03°09'36" east along said east line, 100.15 feet to the southeast corner thereof; thence westerly along the south

line of said Lot 4 and Lot 3, aforesaid, for the following four (4) courses; (1) thence south 89°59'11" west, 512.05 feet to a point on a non-tangent curve; (2) thence westerly along a curved line concave to the north, having a radius of 302.94 feet for an arc distance of 120.46 feet (the chord thereof bearing south 69°37'32" west, 119.67 feet) to a point of non-tangency; (3) thence south 87°39'05" west; 157.90 feet (4) thence south 83°16'04" west, 475.59 feet to the southwest corner of Lot 3, aforesaid; thence northerly along the westerly line of said Lot 3 for the following four (4) courses; (1) thence north 03°40'46" west, 37.07 feet; (2) thence north 62°11'56" east, 142.62 feet to a point on a non-tangent curve; (3) thence northeasterly along a curved line concave to the northwest, having a radius of 290.44 feet for an arc distance of 118.79 feet (the chord thereof bearing north 50°20'32" east, 117.96 feet) to a point of non-tangency; (4) thence north 00°01'22" west, 723.81 feet to the northwest corner of Lot 3 and the south line of Lot 2, aforesaid; thence south 89°47'22" west along said south line, 63.81 feet to the point of beginning; all in DuPage County, Illinois, containing 16.762 acres of land, more or less.

SECTION 2: This Ordinance shall be in full force and effect from and after the passage, approval and publication in pamphlet form as provided by law, provided, however, that this Ordinance is executed by the owners of the subject property or such other party in interest, consenting to and agreeing to be bound by the terms and conditions contained within this Ordinance. Such execution and delivery to the Village shall take place within sixty (60) days after the passage and approval of this Ordinance, or within such extension of time as may be granted by the corporate authorities by motion.

SECTION 3: That failure of the owner or other party in interest, or a subsequent owner or other party in interest, to comply with the terms of this Ordinance, after execution of said Ordinance, shall subject the owner or party in interest to the penalties set forth in Section 16-17-7, A and B of the Village of Carol Stream Zoning Code, and/or termination of the special use after notice and public hearing in accordance with the procedures required by statute and the Carol Stream Zoning Code.

PASSED AND APPROVED THIS 6TH DAY OF MARCH 2006.

AYES:

NAYS:

ABSENT:

Ross Ferraro, Mayor

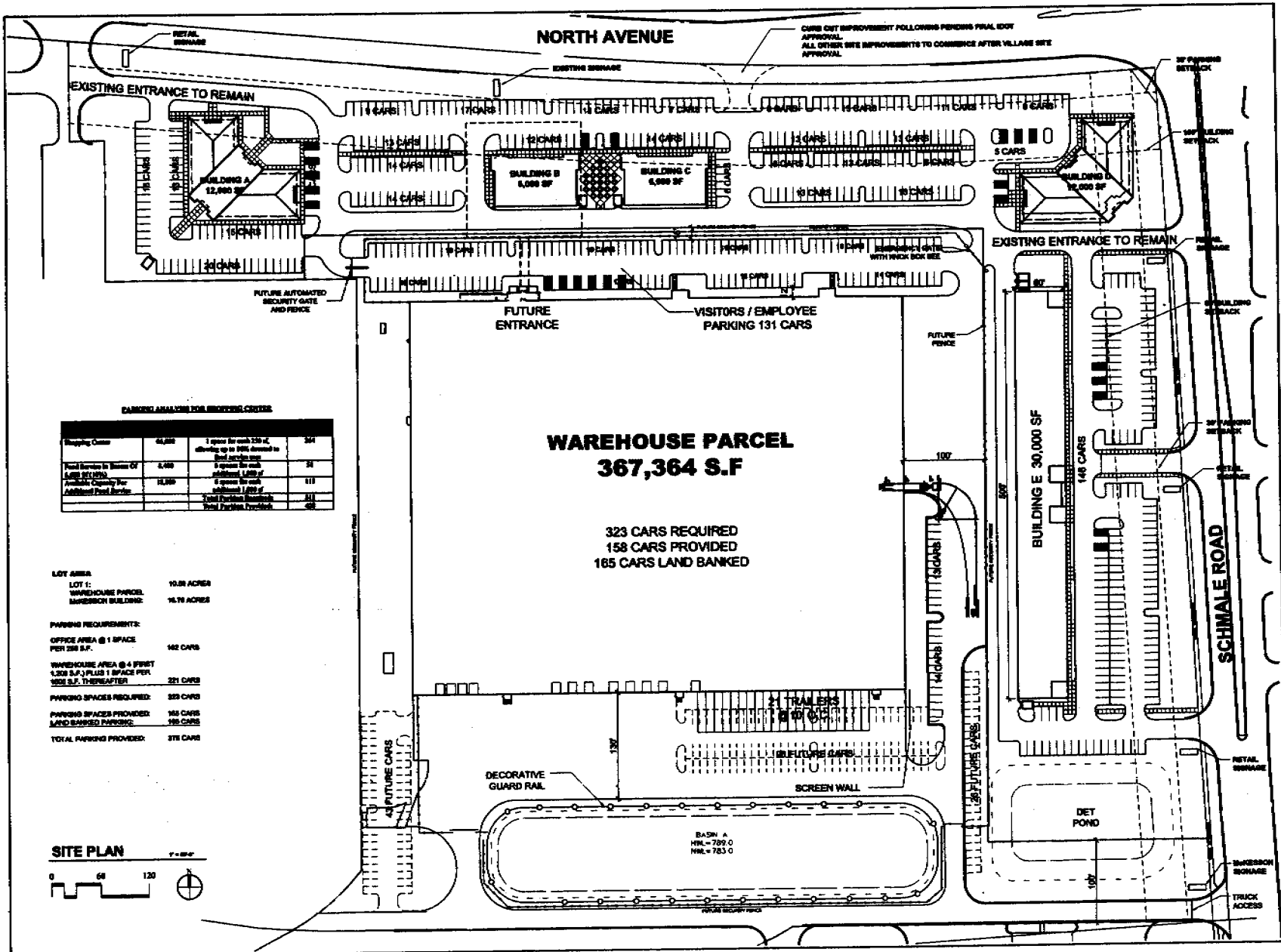
ATTEST:

Janice Koester, Village Clerk

I, _____, being the owner or other party of interest of the
(please print)
property legally described within this Ordinance, having read a copy of the Ordinance,
do hereby accept, concur and agree to develop and use the subject property in
accordance with the terms of this Ordinance.

(Date)

(signature)



HEITMAN ARCHITECTS INCORPORATED
 300 N. BROADWAY, SUITE 100
 STAMFORD, CT 06907
 TEL: 203.373.1561
 FAX: 203.373.2099

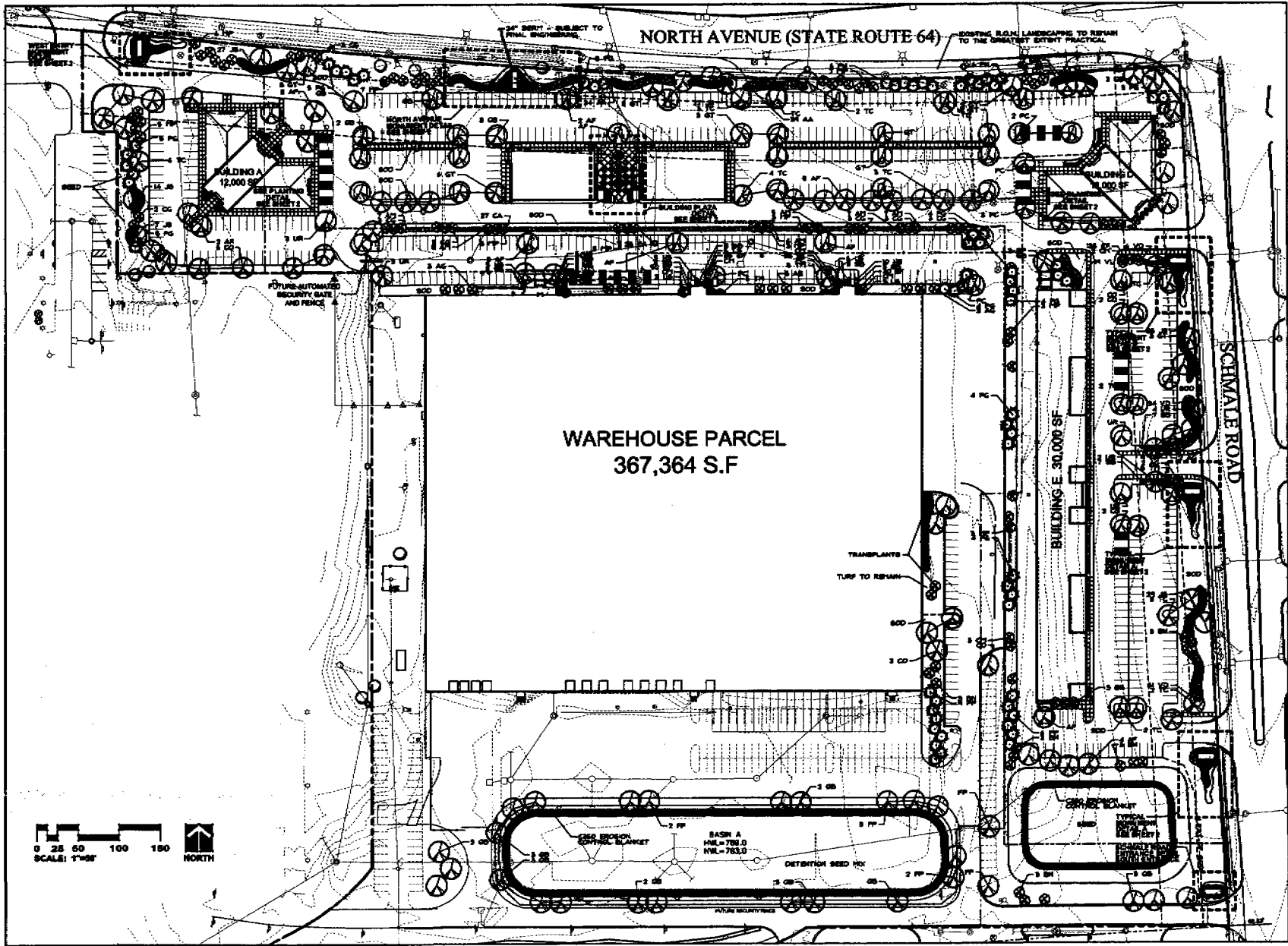
RETAIL DEVELOPMENT
 Card Stream, Minors

RETAIL DEVELOPMENT
 Card Stream, Minors



DATE: 02-15-05
 DRAWING NO.: 02-15-05-01
 SHEET NO.: 1 OF 1

EXHIBIT A
 P-1



HEITMAN
 ARCHITECTS
 INCORPORATED
 200 WEST 100th Street
 Chicago, Illinois 60640
 Tel: 312.773.2500
 Fax: 312.773.2501

PREPARED FOR: RETAIL DEVELOPMENT
 PROJECT NO.: 001-001
 SHEET NO.: 1 OF 4

RETAIL DEVELOPMENT
 Carol Stream, Illinois



CUSHMAN &
 WAKEFIELD

EXHIBIT B

1 OF 4



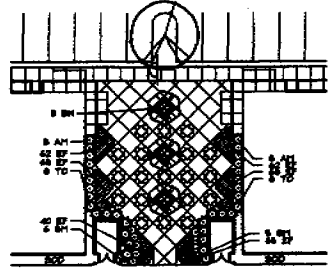
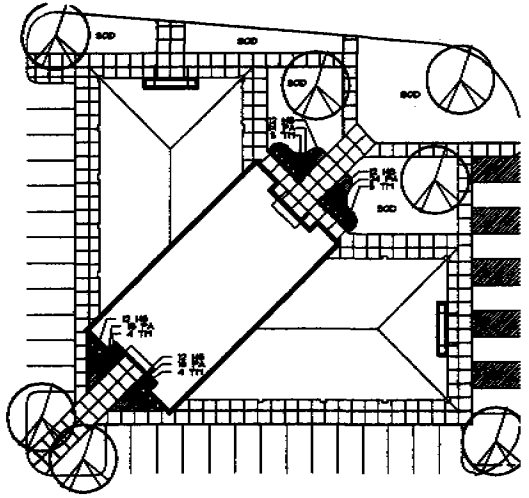
RETAIL DEVELOPMENT
 Carol Stream, Illinois



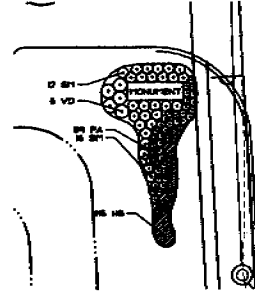
CUSHMAN & WAKEFIELD

DATE: 11/11/09
 SCALE: 1"=20'
 SHEET: 2 OF 4

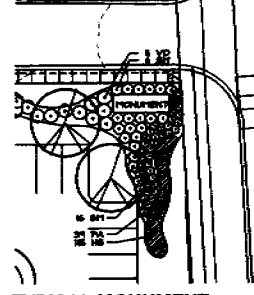
DATE: 11/11/09
 TITLE: LANDSCAPE PLAN



BUILDING PLAZA DETAIL
 SCALE: 1"=20'
 NORTH



TYPICAL MONUMENT PLANTING PLAN A
 SCALE: 1"=20'

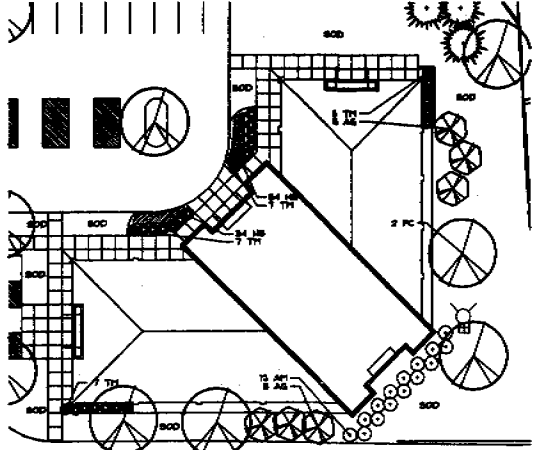


TYPICAL MONUMENT PLANTING PLAN B
 SCALE: 1"=20'

BUILDING A PLANTING DETAIL

SCALE: 1"=20'
 NORTH

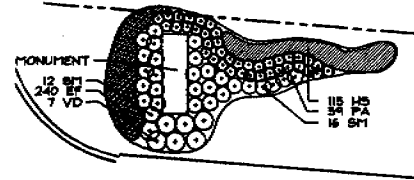
BUILDING LAYOUT AND LANDSCAPING SUBJECT TO CHANGE WITH CLIENT



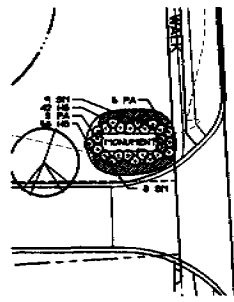
BUILDING D PLANTING DETAIL

SCALE: 1"=20'
 NORTH

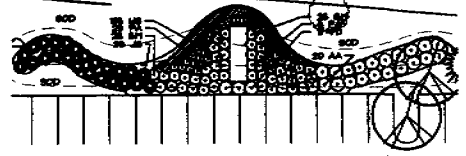
BUILDING LAYOUT AND LANDSCAPING SUBJECT TO CHANGE WITH CLIENT



WEST ENTRY MONUMENT PLANTING DETAIL
 SCALE: 1"=20'
 NORTH



SCHMALE ROAD ENTRANCE DETAIL - SOUTH ENTRANCE
 SCALE: 1"=20'



NORTH AVENUE PLANTING DETAIL
 SCALE: 1"=20'

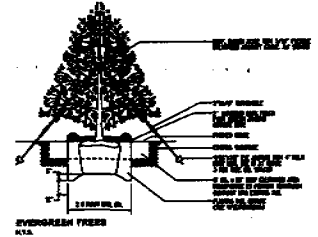
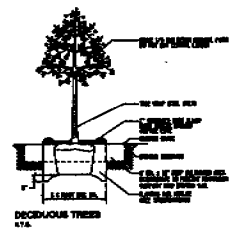
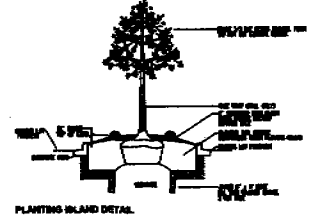
PLANT LIST

NO.	Quantity	Botanical/Common Name	Size	Remarks
01	1	ORANGE TREES		
02	2	ANY PLANTS	1 1/2" GAL.	
03	1	ORANGE TREES	1 1/2" GAL.	
04	1	ORANGE TREES	2 1/2" GAL.	
05	2	ORANGE TREES	2 1/2" GAL.	
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98	1	ORANGE TREES	2 1/2" GAL.	
99	1	ORANGE TREES	2 1/2" GAL.	
100	1	ORANGE TREES	2 1/2" GAL.	

GENERAL NOTES

- Contractor shall verify underground utility lines and is responsible for any damage.
- The contractor shall avoid all existing utilities underground and overhead where applicable. Where underground utilities exist, field adjustments must be approved by the landscape architect prior to installation.
- Contractor shall verify all existing conditions in the field prior to construction and shall notify landscape architect of any variances.
- Material quantities shown are for contractor convenience only. The Contractor must verify all material and supply sufficient materials to complete the job per plan.
- Work shall conform to American Standard for Nursery Stock, State of Illinois Horticultural Standards, and Local Municipal requirements.
- The landscape architect reserves the right to inspect trees and shrubs either at place of growth or at site before planting, for compliance with requirements of variety, size and quality.
- The landscape architect reserves the right to reject landscape material on site whether stock piled or installed in place.
- All plants shall be planted per the landscape plan and specifications. Plantings not found to be in compliance shall be replanted correctly at no additional expense to the owner.
- Final grade, fertilizer and soil/seed of disturbed areas within the construction limits as shown. All areas shall drain completely and shall not pond nor puddle.
- Where planting beds remain turf areas, the contractor shall provide a finished edge. Patch all shrub beds to the final color.
- For trees planted in turf areas, provide a 3'-0" dia. mulch ring (remove existing turf) at 2' width with a finished edge.
- An approved pre-emergent herbicide shall be applied in all planting beds at a rate specified by manufacturer for each plant variety.
- Contractor shall secure and pay for all permits, fees, and inspections necessary for the proper execution of this work and comply with all codes applicable to this work.
- Foundation plantings subject to adjustment according to the architectural plans.

PLANTING DETAILS



HEITMAN ARCHITECTS INCORPORATED
 80 WEST 500, SUITE 10
 CHICAGO, ILLINOIS 60606
 TEL: 312.775.2151
 FAX: 312.775.2151

CUSHMAN & WAKEFIELD
 REAL ESTATE SERVICES

RETAIL DEVELOPMENT
 Carol Stream, Illinois

CUSHMAN & WAKEFIELD

DATE: 05/11/00
 DRAWN BY: JMM
 CHECKED BY: JMM
 PROJECT NUMBER: 0000000000
 SHEET NUMBER: 3 OF 4

THIS DOCUMENT IS THE PROPERTY OF HEITMAN ARCHITECTS INCORPORATED. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF HEITMAN ARCHITECTS INCORPORATED.

RETAIL DEVELOPMENT
 Carol Stream, Illinois



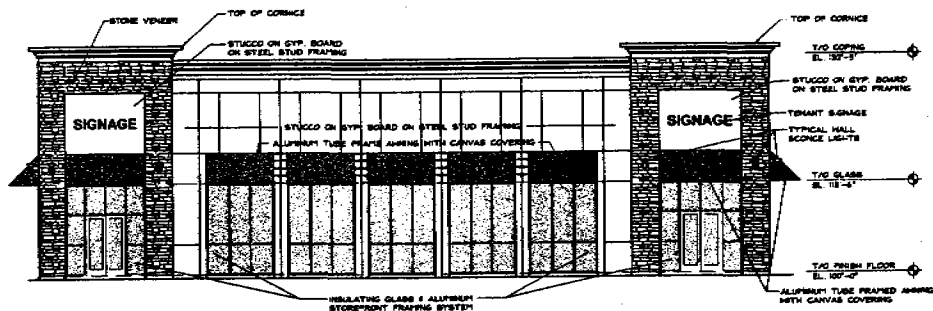
CUSHMAN & WAKEFIELD

SCALE: 1/2" = 1'-0"
 12-18-05 SCALE FOR PRELIMINARY REVIEW

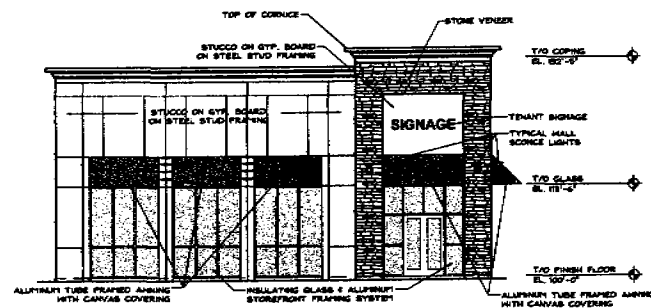
EXHIBIT C

SHEET TITLE
 ELEVATION

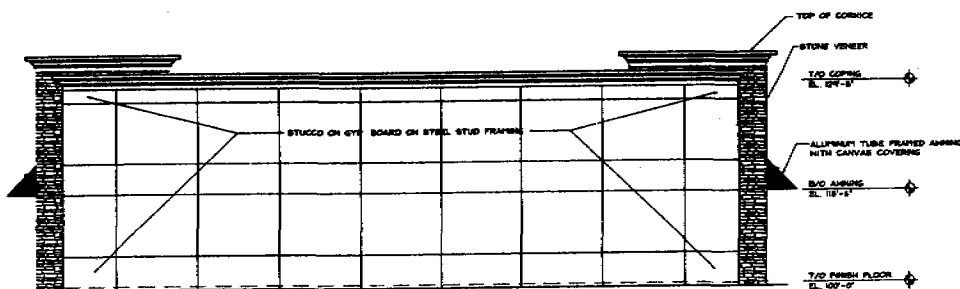
DATE:	SHEET NUMBER:
05/10/05	A5.0
PROJECT NUMBER:	
31001	



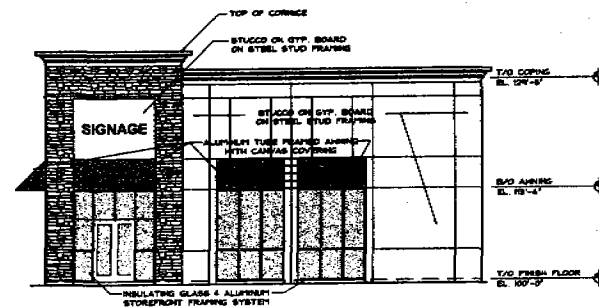
1 NORTH RETAIL ELEVATION
 A5.0 1/8" = 1'-0"



2 EAST RETAIL ELEVATION
 A5.0 1/8" = 1'-0"



3 SOUTH RETAIL ELEVATION
 A5.0 1/8" = 1'-0"



4 WEST RETAIL ELEVATION
 A5.0 1/8" = 1'-0"

14-14

ORDINANCE NO. _____

**APPROVING SPECIAL USE FOR SHOPPING PLAZA, A FRONT YARD PARKING
SETBACK VARIATION AND A REAR YARD SETBACK VARIATION
(NORTHEAST CORNER OF GARY AVENUE AND KEHOE BOULEVARD)**

WHEREAS, Chuck Luchese and Dan Lenaghan of Dearborn Realty and Construction Ltd, have requested approval of a Special Use for a shopping plaza on the 2.18 acre property located on the east side of Gary Avenue between Thunderbird Trail and Kehoe Boulevard, in accordance with Section 16-9-3(C)(15) of the Carol Stream Zoning Code, a variation of the required front yard parking setback in accordance with Section 16-9-1 (F) of the Carol Stream Zoning Code, and a variation of the required rear yard building setback in accordance with Section 16-9-3 (G)(3) of the Carol Stream Zoning Code.

WHEREAS, pursuant to proper legal notice, February 27, 2006, the Combined Plan Commission/Zoning Board of Appeals considered the request for these special uses and variances and have determined that they would not pose a negative effect on property values in the area nor would they be unreasonably detrimental to the public health, safety or general welfare; and

WHEREAS, the corporate authorities find that the granting of these special uses for a Shopping Plaza would not be inconsistent with surrounding uses nor be contrary to the intent of the Zoning Code of the Village, provided certain conditions are met.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: That the property legally described in Section 1 of this Ordinance, commonly known as the east side of Gary Avenue between Thunderbird Trail and Kehoe Boulevard, be granted approval of a Special Use for a shopping plaza as shown

on the attached Site Plan (Exhibit A, dated February 1, 2006), and Landscape Plan (Exhibit B, dated February 27, 2006), drawn by Marchris Engineering, LTD, 100 East State Parkway, Schaumburg, IL 60173, and Elevations (Exhibits C, D & E), drawn by Ernest E. Ternovits, Jr., 6N333 Roselle Road, Roselle, IL 60172, dated November 2, 2005; and

Variation of the required front yard parking setback from 20 feet to 12 feet, and a variation of the required rear building setback from 40 feet to 28 feet shall also be granted approval subject to the following conditions:

1. That all landscape materials shall be maintained in a neat and healthy manner, with dead or dying materials replaced with similar size and type species on an annual basis.
2. That the parking stalls shall be striped in accordance with the Village's looped striping requirements.
3. That all rooftop equipment shall be completely screened from view from the north, west and southern exposures with parapet wall.
4. That only channel letter wall signs as depicted on the elevations and renderings (Exhibits D and E) shall be permitted, to maintain a more attractive and unified appearance of the building façade.
5. That separate building permits are required for all trash enclosures and signs.
6. That the developer shall provide a contribution for the Gary Avenue Sidewalk/Path with the amount to be determined and provided at the time of building permit review.
7. That final engineering plans for the retaining wall and compensatory shortage must be approved by the Village of Carol Stream Engineering Services Department at the time of permit review.
8. That the development of the site and buildings will comply with all state, county and Village Codes and requirements.

LEGAL DESCRIPTION:

Lot 3 in Duke Realty Corporation in part of the northeast quarter of Section 32, Township 40 North, Range 10, East of the Third Principal Meridian, recorded July 22, 2003, as Document Number R2003-282773, in DuPage County, IL.

SECTION 2: This Ordinance shall be in full force and effect from and after the passage, approval and publication in pamphlet form as provided by law, provided, however, that this Ordinance is executed by the owners of the subject property or such other party in interest, consenting to and agreeing to be bound by the terms and conditions contained within this Ordinance. Such execution and delivery to the Village shall take place within sixty (60) days after the passage and approval of this Ordinance, or within such extension of time as may be granted by the corporate authorities by motion.

SECTION 3: That failure of the owner or other party in interest, or a subsequent owner or other party in interest, to comply with the terms of this Ordinance, after execution of said Ordinance, shall subject the owner or party in interest to the penalties set forth in Section 16-17-7, A and B of the Village of Carol Stream Zoning Code, and/or termination of the special use after notice and public hearing in accordance with the procedures required by statute and the Carol Stream Zoning Code.

PASSED AND APPROVED THIS 6TH DAY OF MARCH 2006.

AYES:

NAYS:

ABSENT:

Ross Ferraro, Mayor

ATTEST:

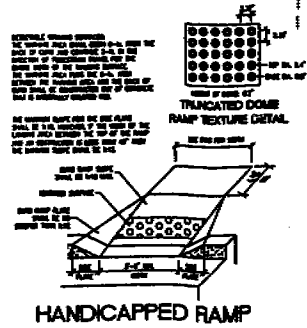
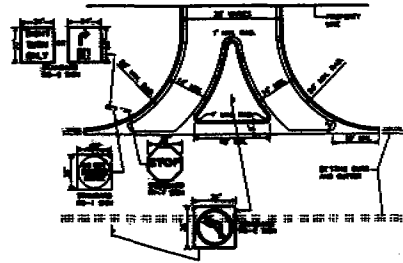
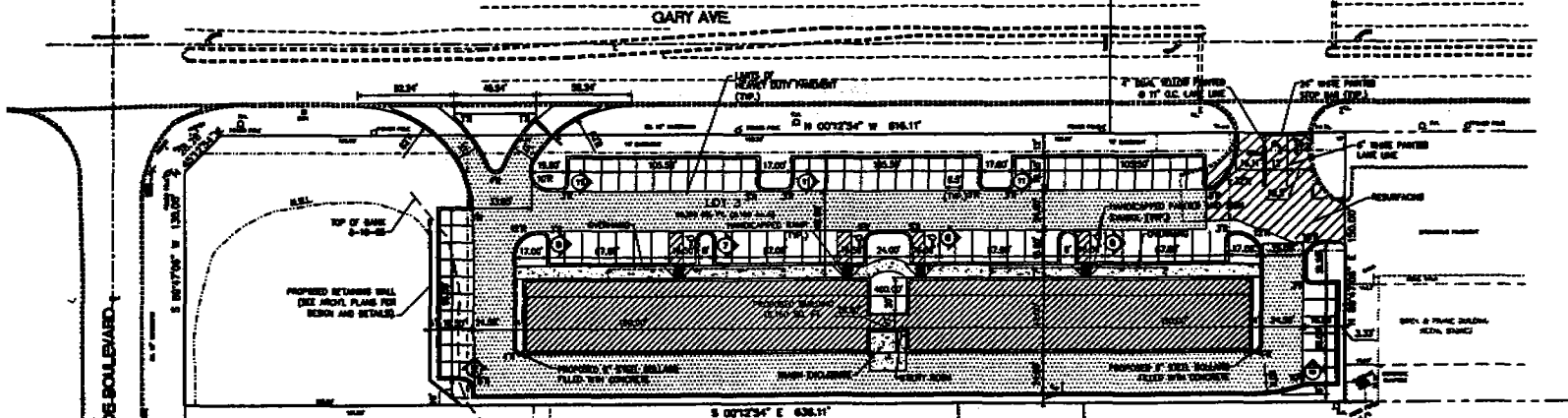
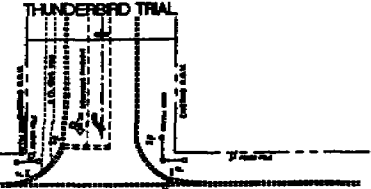
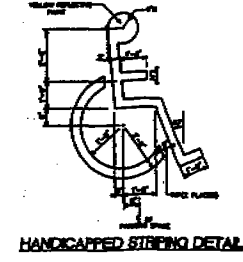
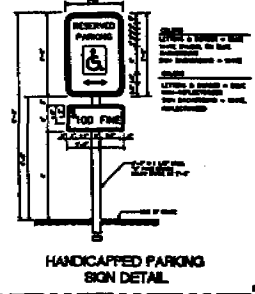
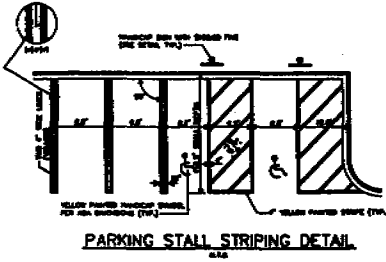
Janice Koester, Village Clerk

I, _____, being the owner or other party of interest of the
(please print)
property legally described within this Ordinance, having read a copy of the Ordinance,
do hereby accept, concur and agree to develop and use the subject property in
accordance with the terms of this Ordinance.

(Date)

(signature)

G:\99\99\0506\100681.dwg, 2/2/2008 1:54:16 PM, hault, 195.9041



PROPOSED PARKING
 ACTUAL PARKING = 76 REGULAR SPACES
 = 04 HANDICAP SPACES
 ACTUAL PROVIDED = 80 SPACES

GEOMETRIC PLAN

NOTES:
 1. THIS PLAN IS BASED ON TOPOGRAPHIC AND BOUNDARY SURVEY PREPARED BY GUYA SURVEYING PROF. PNY (LSJ) 895-8001.
 2. FOR EXACT BUILDING DIMENSIONS, SEE ARCHITECTURAL PLANS.
 3. ALL DIMENSIONS ARE FROM BACK TO BACK OF CURB UNLESS OTHERWISE NOTED.
 4. ALL SIGN ARE TO BE 5' UNLESS OTHERWISE NOTED ON PLANS.

REVISIONS	

**SITE IMPROVEMENTS
 PARK PLACE/
 RETAIL CENTER**
 AS OF CORNER OF GARY AVE AND THUNDERBOLT
 CAROL SPRING, L.L.C.

MARCHIJS ENGINEERING, LTD.
 CONSULTING ENGINEERS
 100 EAST STATE FARMWAY • SCHMIDTOWN, N.J. 08075 • 607-586-8387
 FAX: 609-586-8387

GEOMETRIC PLAN
 DRAWING NO. 04
 DATE: APR. 2, 2008
 SCALE: 1"=30'

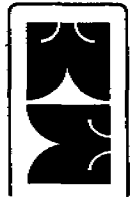
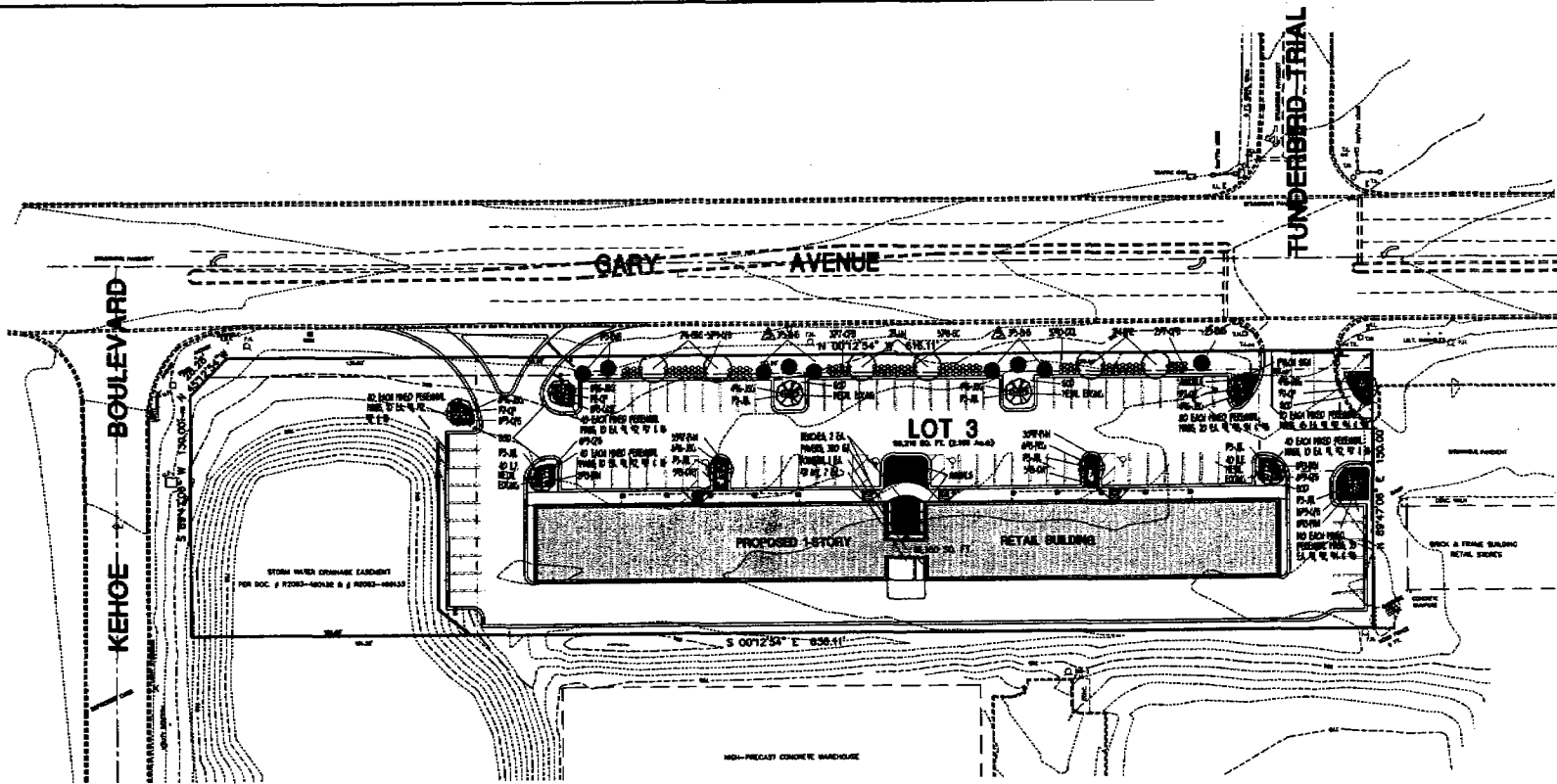


EXHIBIT A



NO.	GENUS & SPECIES	CODE	COMMON NAME	QUAN.	SIZE
TREES:					
1	CRATAEGUS PHAENOPTERIS	WH	WASHINGTON Hawthorn	2	2 1/2"
2	PTILIS CALLERYANA	CP	CALLERY PEAR	4	2 1/2"
3	SYZYGIA AMURENSIS	JL	JAPANESE TREE LILAC	7	2 1/2"
4	CERCIS CANADENSIS 'FOREST PANSY'	FP	FOREST PANSY REDBUD	2	MULTI-STEM
5	PICEA GLAUCA 'DENBATA'	BHS	BLACK HILLS SPRUCE	9	6'
6	MALUS 'SPRING SNOW'	SSC	SPRING SNOW CRABAPPLE	2	2 1/2"
				TOTAL	26
SHRUBS:					
7	BERBERIS 'MADRID' 'DORON PITCH'	CPB	COMMON PITCH BARBERRY	32	1 GAL.
8	COTONEASTER DIVARICATA	SC	SPREADING COTONEASTER	32	2 1/2"
9	SPIREA BIMALDA 'GOLD FLAME'	CFB	GOLD FLAME SPIREA	107	1 GAL.
10	SYZYGIA 'METERI' 'PALBA'	DKL	DIARY KOREAN LILAC	32	2 1/2"
				TOTAL	223
PERENNIALS:					
1	ACHILLEA FILIPENDULA 'CORONATION GOLD'	CGT	CORONATION GOLD YARROW	140	1 GAL.
2	ANEMONE SYLVESTRIS 'SNOWDROP'	SA	SNOWDROP ANEMONE	140	1 GAL.
3	CALAMAGROSTIS x ALOUPELOEA 'STRICTA'	PEG	FEATHER REED GRASS	28	2 GAL.
4	CERAMIM BANGSIEM	BC	BLOODY CRANESBILL	20	1 GAL.
5	HEPEROCALLIS 'STELLA DE ORO'	DAY	DAYLILY	10	1 GAL.
6	HECANTHUS BUSHAM	JRG	JAPANESE SILVER GRASS	32	2 GAL.
7	HOSTA 'SIBERIDIANA' 'FRANCES WILLIAMS'	FW	FRANCES WILLIAMS HOSTA	148	1 GAL.
8	RIBESCIA 'GOLDEN RAIN'	BSG	BLACK-EYED BUSH	80	1 GAL.
9	SALVIA x SUPERBA 'EAST FREELAND'	EPMS	EAST FREELAND MEADOW SAGE	60	1 GAL.
				TOTAL	776
MISC:					
20	ANNUALS	10 FLATS (36/FLAT)			
21	NY GROUND COVER	4 FLATS (24/FLAT)			
22	SOD (PARASITE)	650 S.Y.			
23	SOD (ON-SITE)	870 S.Y.			
24	METAL EDGING	350 L.F.			
25	HARDWOOD BARK MULCH 3" THK.	30 CY.			
26	MULCHESSED TOPSOIL (PLANTING BEDS)	100 CY.			
27	TOWNMAN	1 EACH			
28	BENCHES	2 EACH			

I. Krzywicki, ILLA No. 57-000864 Date

REQUIREMENT PARKING
 TOTAL BUILDING AREA 16,160 S.F.
 10% = 1,616 S.F. 6/1,000 = 9.70 SPACES
 90% = 14,544 S.F. 5/1,000 = 72.72 SPACES
TOTAL REQUIREMENT = 83 SPACES

PROPOSED PARKING
 ACTUAL PARKING = 77 REGULAR SPACES
 = 04 HANDICAP SPACES
ACTUAL PROVIDED = 81 SPACES

LANDSCAPE SETBACKS
 REQUIRED POINT VALUE 0.35 PER S.F. = 1,567
 PROVIDED POINT VALUE N/A

LANDSCAPE BUFFERS
 REQUIRED POINT VALUE 1.5 PER S.F. = 8,800 PNTS.
 PROVIDED POINT VALUE 12,185 PNTS.

LANDSCAPE SCREENS
 REQUIRED POINT VALUE 2.0 PER S.F.
 PROVIDED POINT VALUE N/A

LANDSCAPE WITHIN PARKING LOTS
 REQUIRED POINT VALUE 0.50 PER S.F. = 2934 PNTS.
 PROVIDED POINT VALUE 4,819 PNTS.

LANDSCAPE POINT VALUES

SHADE TREE	225
ORN. TREE	250
EVERGRN	275
LARGE SHRUB	70
SMALL SHRUB	35
BEDDING PLANTS & GND COVER	5/SF

LANDSCAPE PLAN

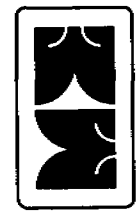
NOTES: 1. THIS PLAN IS BASED ON TOPOGRAPHIC AND BOUNDARY SURVEY PREPARED BY DUDA SURVEYING PROF. PH# (630) 585-0001.
 2. FOR EXACT BUILDING DIMENSIONS SEE ARCHITECTURAL PLANS REGARDING THE POSSIBLE LOCATION AND ELEVATION OF ANY REGULATORY 100 YEAR FLOODPLAIN THAT MAY AFFECT THIS DEVELOPMENT.
 3. UNLESS OTHERWISE NOTED THE TOP OF CURB IS 1.50' HIGHER THAN THE ADJACENT FINISH (F.L.) OF THE GUTTER OR PAVEMENT (P) ELEVATIONS SHOWN.

REVISIONS

NO.	DATE	DESCRIPTION

SITE IMPROVEMENTS
PARK PLACE/
RETAIL CENTER
 RE OF CORNER OF GARY AVE AND THUNDERBIRD TRAIL
 CANCEL INTERNAL LAYOUT

MARCHIS ENGINEERING, LTD.
 CONSULTING ENGINEERS
 100 EAST STATE PARKWAY - SCHUMBERG, IL 60173 - 637-880-8337
LANDSCAPE PLAN
 DESIGN: SAH
 DRAFTING: SAH
 SCALE: 1" = 30'
 DATE: JULY 22, 2005



JOB NO. 05-081
LS-1

EXHIBIT B

GENERAL LANDSCAPE NOTES

1. TREES, SHRUBS AND PLANTS FROM THE SAME SPECIES AND VARIETY SHOULD BE PLANTED AT THE SAME SPACING AND VARIETY SHOWN AND SCHEDULED FOR LANDSCAPE WORK AND COORDINATE WITH RECOMMENDATIONS AND REQUIREMENTS OF ANSI Z901 TREECARE STANDARD FOR NURSERY STOCK FROM HEALTHY, VIGOROUS STOCK. GROWN IN RECOMMENDED MANNER IN ACCORDANCE WITH GOOD HORTICULTURAL PRACTICE AND FREE OF DISEASE, INSECTS, SOIL, LARVAE AND DEFECTS SUCH AS BARK, BURN, SCALD, HAZARD, ARMADILLO OR OTHER DAMAGE.

2. LABEL AT LEAST ONE TREE AND ONE SHRUB OF EACH VARIETY WITH A SECURELY ATTACHED IDENTIFIER TWO INCHES LEGIBLE DESCRIPTION OF BOTANICAL AND COMMON NAME.

3. PLANTING SCHEDULE CONTRACTOR SHALL PROVIDE A PROPOSED PLANTING SCHEDULE INDICATING DATES FOR EACH TYPE OF LANDSCAPE WORK DURING NORMAL SEASONS FOR EACH TYPE OF AREA OF SITE. COORDINATE WITH SPECIFIED MAINTENANCE PERIODS TO PROVIDE MAINTENANCE FROM DATE OF SUBSTANTIAL COMPLETION, ONCE ACCEPTED, REVISED DATES ONLY AS APPROVED IN WRITING, AFTER CONSULTATION OF PROVIDER FOR REVISIONS.

4. MAINTENANCE INSTRUCTIONS PROVIDE TO THE OWNER WITH INSTRUCTIONS RECOMMENDING PROCEDURES TO BE ESTABLISHED BY OWNER FOR MAINTENANCE OF LANDSCAPE WORK FOR ONE FULL YEAR TO BE PROVIDED NO LATER THAN INSTALLATION OF PLANTING.

5. COORDINATION WITH LANDSCAPE PLANTS, TREES AND SHRUBS AFTER FINAL GRADING ARE ESTABLISHED AND PRIOR TO PLANTING OF LANDSCAPE ARE ESTABLISHED ACCEPTABLE TO OWNER. PLANTING OF TREES AND SHRUBS OCCURS AFTER LAND WORK, PROTECT LAMB AREAS AND PROMPTLY REPAIR DAMAGE TO LAMBS RESULTING FROM PLANTING OPERATIONS.

6. MAINTAIN TREES AND SHRUBS FOR A PERIOD OF ONE YEAR AFTER DATE OF SUBSTANTIAL COMPLETION AND DEFECTS INCLUDING DRAIN AND UNSATISFACTORY GROWTH, EXCEPT FOR DEFECTS RESULTING FROM INSECT BY OWNER AREAS OR DAMAGE BY OTHERS OR DAMAGE FROM OTHERS OR DAMAGE WHICH ARE BEYOND LANDSCAPE INSTALLATION CONTROL.

7. PROVIDE WEED BARRIER OF MULCH OR RECOMMENDED HARDWOOD BARK AROUND ALL PLANTING.

8. DECIDUOUS TREES PROVIDE TREES OF HEIGHT SHOWN OR LISTED OR 8" DBH AND WITH BRANCHING CONFIGURATION RECOMMENDED BY ANSI Z901 FOR TYPE AND SPECIES REQUIRED. PROVIDE SMALL BUSH TREES EXCEPT WINDS, SPINDLE, POME AND SPYDER OR LISTED.

9. DECIDUOUS B-SHUBS PROVIDE B-SHUBS OF THE HEIGHT SHOWN OR LISTED AND WITH NOT LESS THAN MINIMAL NUMBER OF BRANCHES REQUIRED.

10. CONIFEROUS AND BROAD-LEAVED EVERGREENS PROVIDE MINIMUM OF 8" DBH OR LISTED. CONIFERS SHOULD BE SMALL SPREAD FOR SPREAD AND SEMI-SPREAD TYPE EVERGREENS AND HEIGHT FOR OTHER TYPES, SUCH AS GLAZED, DRAGON, COKE, PYRAMIDAL, BROAD LEAF, AND OCCASIONALLY PROVIDE NORMAL QUALITY EVERGREENS WITH WELL-BALANCED FORM COMPLIANT WITH REQUIREMENTS FOR OWNER SEE AS ACCORDANCE TO THE PRIMARY CHARACTER.

11. WHIPPED TREES - WHIP TAPE NOT LESS THAN 4 INCHES WIDE TO PREVENT WATER FREEZING.

12. STRIPS AND GLASS FROM BRUSH AND BRANCHES OF BOUND HARDWOOD, TREATED SOFTWOOD FREE OF KNOT HOLES AND OTHER DEFECTS. PROVIDE WIRE TIE, AND GLASS OF 2" STRIP, TYPICAL, PLANK OR WOODEN BUSH, NOT LARGER THAN 2" DIA. WITH 2" DIA. COATED WIRE. PROVIDE NOT LESS THAN 1" DIA. DIAMETER RUBBER OR PLASTIC HOSE, CUT TO PROTECT LEMBS AND OF IMPROPER COLOR, MATERIAL, AND USE TO PROTECT TREE TRUNKS FROM DAMAGE BY WIRE.

13. APPLY ANTI-DESICANT, USING POWER SPRAY, TO PROVIDE AN ADEQUATE FILL-IN OVER TREES, BRANCHES, STEMS, TWIGS AND FOLIAGE.

14. PRUNE, TRIM OUT, AND SHAPE TREES AND SHRUBS IN ACCORDANCE WITH STANDARD HORTICULTURAL PRACTICE. PRUNE TREES TO RETAIN REQUIRED HEIGHT AND SPREAD. BRANCHES OR BRANCHES DIRECTED BY OWNER DO NOT CUT TREE LIMBS, REMOVE ONLY PLANNED, DEAD, OR DAMAGED BRANCHES FROM FLOWERING TREES. IF ANY PRUNE BRANCHES TO RETAIN INTERNAL CHARACTER.

15. WRAP TREE TRUNKS OF 2 INCHES CALIPER AND LARGER BRANCH AT GROUND AND COVER TRUNK TO HEIGHT OF FIRST BRANCHES AND SECURELY ATTACH. INSPECT TREE TRUNKS FOR BARK, INSECT FEEDING AND INSECT BREATHING AND TAKE CORRECTIVE MEASURES BEFORE WRAPPING.

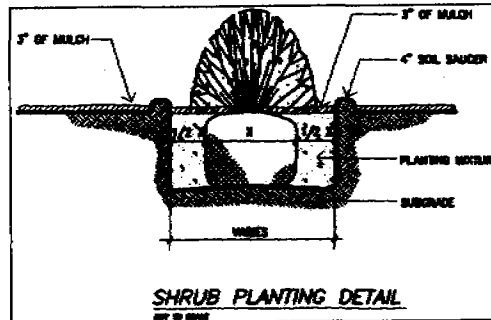
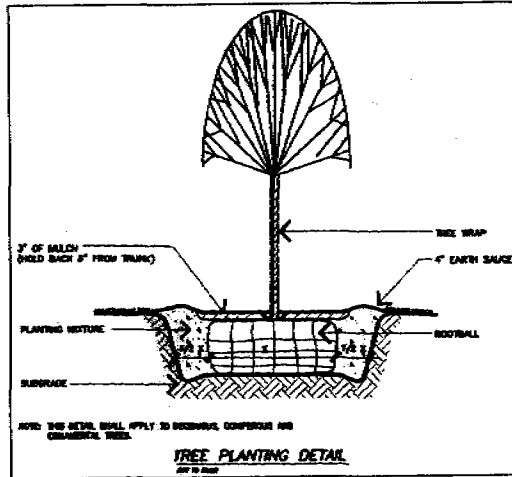
16. DURING LANDSCAPE WORK AND MATERIAL STORAGE, KEEP FURNISHMENTS CLEAN AND WORK AREA IN AN ORDERLY CONDITION.

17. PROTECT LANDSCAPE WORK AND MATERIALS FROM DAMAGE DUE TO LANDSCAPE OPERATIONS, OPERATIONS BY OTHER CONTRACTORS AND TRUCKS, AND THEREAFTER. MAINTAIN PROTECTION DURING INSTALLATION AND MAINTENANCE PERIODS. TEST, REPAIR, OR REPLACE DAMAGED LANDSCAPE WORK AS DIRECTED.

18. WHEN LANDSCAPE WORK IS COMPLETED, INCLUDING MAINTENANCE, OWNER WILL, UPON REQUEST, MAKE AN INSPECTION TO DETERMINE ACCEPTABILITY.

19. WHEN INSPECTED LANDSCAPE WORK DOES NOT COMPLY WITH REQUIREMENTS, REPLACE REJECTED WORK AND CORRECT SPECIFIED MAINTENANCE UNTIL REJECTED BY OWNER AND FOUND TO BE ACCEPTABLE. REMOVE REJECTED PLANTS AND MATERIALS PROMPTLY FROM PROJECT SITE.

20. METAL EDGING SHALL BE USED AROUND ALL MULCHED AREAS AS INDICATED ON THE PLAN INCLUDING ALONG PARALLEL ADJACENT TO PLANTING BEDS. METAL EDGING SHALL BE EXPANDED APPROXIMATELY 1" ALONG PARALLEL TO PREVENT MULCH FROM WASHING OVER PARALLEL.



LANDSCAPE PLAN

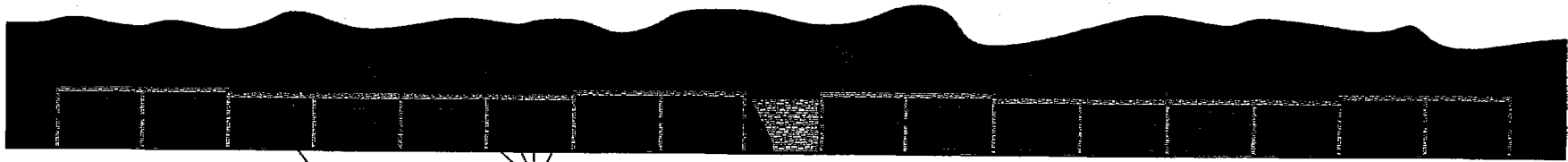
NO.	DATE	REVISIONS
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2	JULY 22, 2005	ISSUE FOR PERMITS
3	JULY 22, 2005	ISSUE FOR PERMITS
4	JULY 22, 2005	ISSUE FOR PERMITS
5	JULY 22, 2005	ISSUE FOR PERMITS
6	JULY 22, 2005	ISSUE FOR PERMITS
7	JULY 22, 2005	ISSUE FOR PERMITS
8	JULY 22, 2005	ISSUE FOR PERMITS
9	JULY 22, 2005	ISSUE FOR PERMITS
10	JULY 22, 2005	ISSUE FOR PERMITS

**SITE IMPROVEMENTS
PARK PLACE/
RETAIL CENTER**
SITE OF CORNER OF PARK AVE AND PARKWAY BLVD
CHICAGO, ILLINOIS

MARCHIS ENGINEERING, L.T.D.
CONSULTING ENGINEERS
100 EAST STATE PARKWAY - SCHLAUBURG, IL 60173 • 847-986-8327
LANDSCAPE PLAN
DESIGN: PL
DRAWING: SAH
SCALE: 1" = 30'
DATE: JULY 22, 2005



JOB NO. 05-081
LS-2

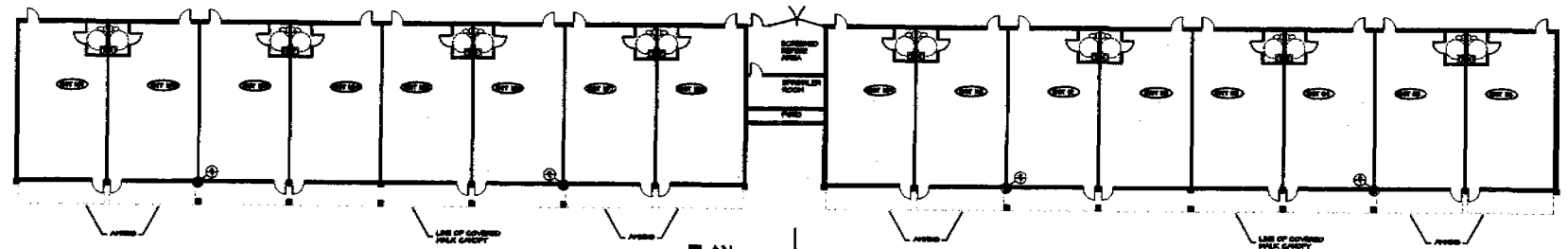


3'-0" x 7'-0" ALUM. SCREENING DOOR & FRAME BY SERRAVALLO SLAM & DOOR & ADJACENT - TYP.

GLASSER 480 SERIES DOUBLE FRAME ALUM. WINDOWS & DOORS BY CLEAR RELATED GLASS - TYP.

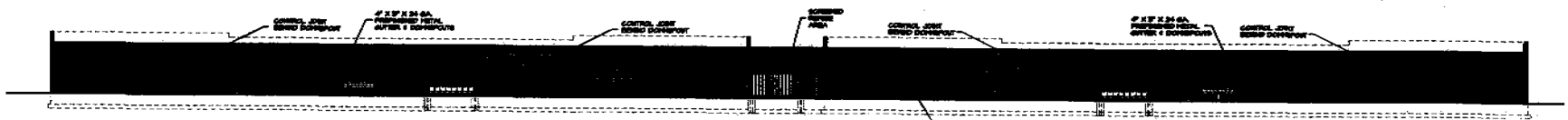
FRONT ELEVATION

SCALE 3/8" = 1'-0"



PLAN

SCALE 3/8" = 1'-0"



3'-0" x 7'-0" ALUM. SCREENING DOOR & FRAME BY SERRAVALLO SLAM & DOOR & ADJACENT - TYP.

GLASSER 480 SERIES DOUBLE FRAME ALUM. WINDOWS & DOORS BY CLEAR RELATED GLASS - TYP.

CONTROL JOINT BRICK DOWNSPOUT

SCREENING DOOR & FRAME BY SERRAVALLO SLAM & DOOR & ADJACENT - TYP.

CONTROL JOINT BRICK DOWNSPOUT

3'-0" x 7'-0" ALUM. SCREENING DOOR & FRAME BY SERRAVALLO SLAM & DOOR & ADJACENT - TYP.

CONTROL JOINT BRICK DOWNSPOUT

REAR ELEVATION

SCALE 3/8" = 1'-0"

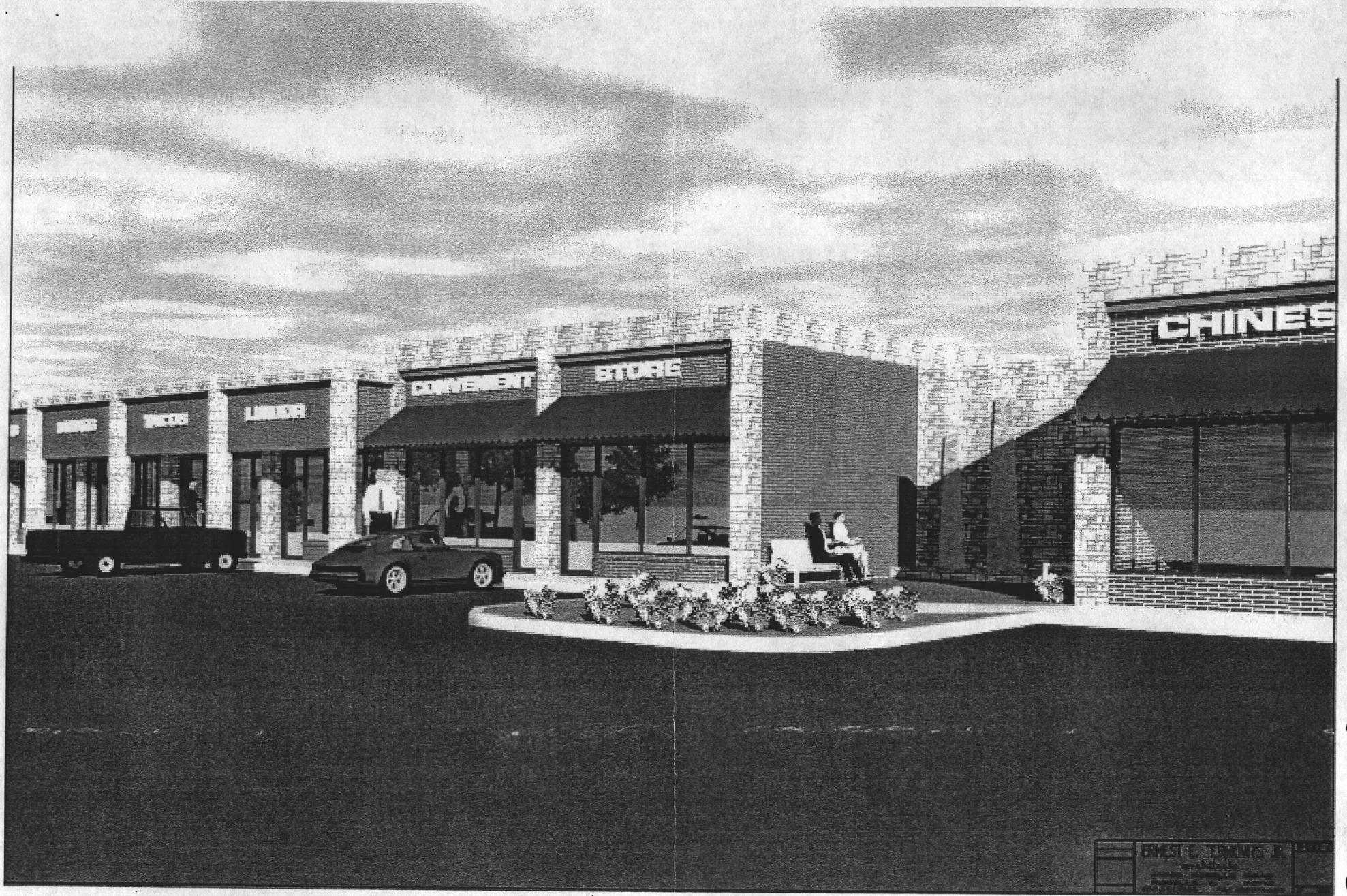
PARK PLAZA

RETAIL STORE SHOPPING CENTER
BY
SARTY PARTNER & ASSOCIATES
CAROL SPRING, ILLINOIS

© 1978 ERNEST E. TERMOYTS JR., ALL RIGHTS RESERVED

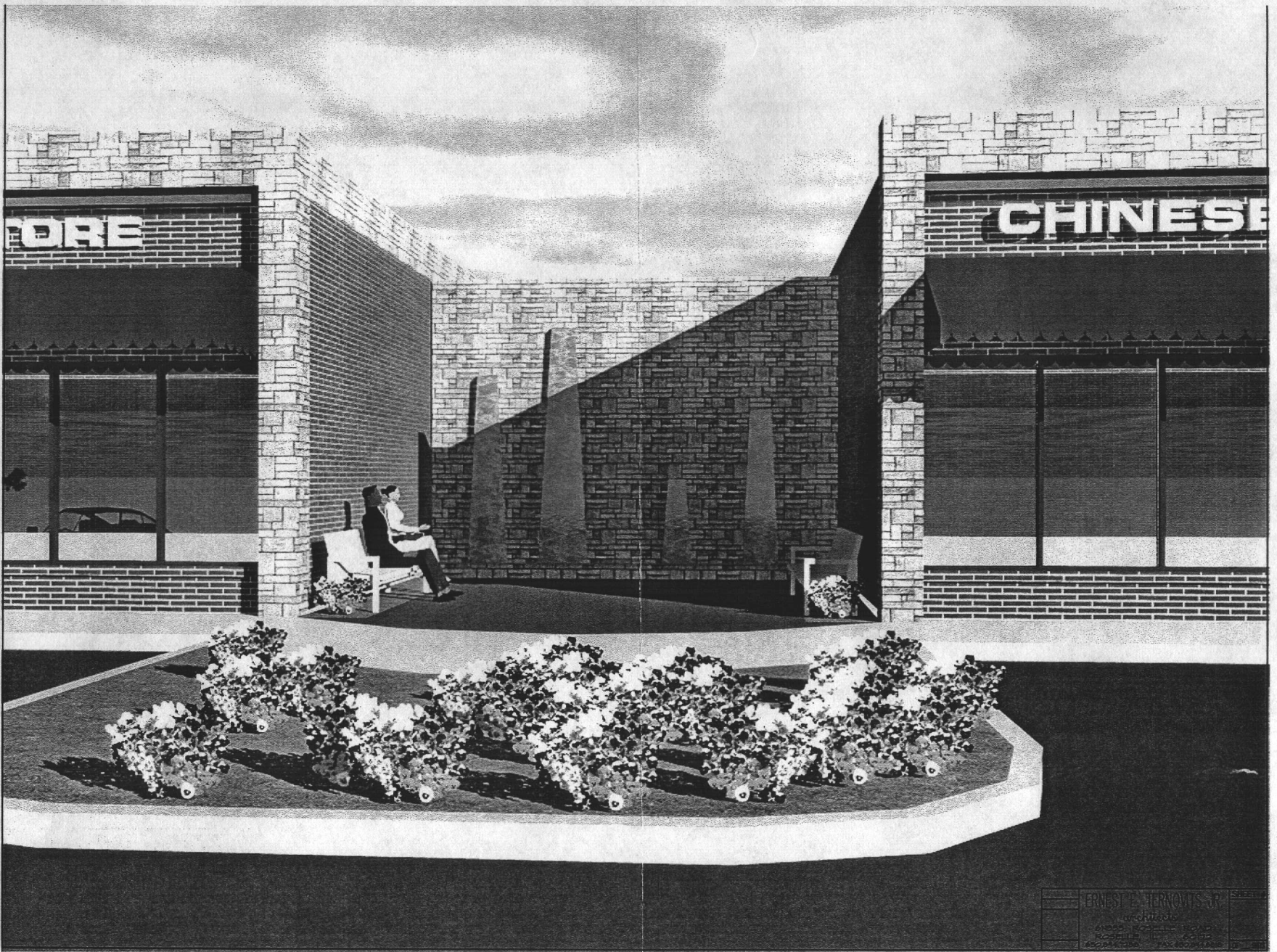
DATE	12/2/78	NO.	1
ERNEST E. TERMOYTS JR.			
5707 S. ROSELLE ROAD			
ROSELLE, ILL. 60172			
A.C. 728 864-1222			

EXHIBIT C



ERNEST E. JERMONIS JR.
ARCHITECT
1000 ...
...
...

EXHIBIT D



ERNEST E. HERNOUTS JR.
architect
6000 RICHMOND ROAD
KENTON, OHIO 45050
TELEPHONE 526-1000

EXHIBIT E

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 15, SECTION 8, ARTICLE 2 (A) OF THE VILLAGE CODE PERTAINING TO THE USE OF THE TOWN CENTER

WHEREAS, the Village Board of Trustees has directed staff to more actively market the public use of the Town Center festival tent and the Historic Farmhouse for private parties, functions as well as corporate events and business expos; and

WHEREAS, a number of obstacles were identified that discourages the desired use of these Village-owned facilities, one of which is the prohibition on the serving and consuming of alcoholic beverages, and

WHEREAS, at their February 3, 2006 regular meeting, the Village Board of Trustees agreed to amend this facility use restriction that would allow a person who has been issued a Town Center or Farmhouse Use Permit to contract with a licensed caterer to serve food and provide bar service of wine and beer.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: Chapter 15, Section 8, Article 2(A) of the Village Code pertaining to the use of the Town Center be amended as follows:

(A) **Alcoholic Beverages/Drugs.** No person shall bring ~~alcoholic beverages or illegal drugs~~ to the Town Center ~~nor shall any person possess or consume any alcoholic beverages illegal drugs upon the premises.~~ No person shall be **on the Town Center premises while intoxicated** or under the influence of ~~alcoholic beverages or illegal drugs~~. The term “drugs” as set forth in this provision refers to any “controlled substance” as defined in “An Act to establish a uniform system for the control of the manufacture, distribution and possession of controlled substances...” known as the Illinois Controlled Substances Act, ILCS Ch. 720, Act 570, §§100, et seq. **Only persons who have applied for and been approved a Town Center Use permit are allowed to contract with a licensed caterer to provide beer and/or wine service as part of a permitted event.**

SECTION 2: In support of this code amendment, the Village staff has created the requisite protocols to verify Liquor Code insurance requirements and necessary training for servers of alcohol at contracted Town Center events.

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

PASSED AND APPROVED THIS 6th DAY OF MARCH 2006.

AYES:

NAYS:


ABSTAIN:

Ross Ferraro, Mayor

ATTEST:

Janice Koester, Village Clerk

Village of Carol Stream
Interdepartmental Memo

TO: Joseph Breinig, Village Manager
FROM: William N. Cleveland, Assistant Village Engineer 
DATE: February 28, 2006
RE: 2006 Flexible Pavement Project MFT Resolution for
Construction (Section 06-00049-00-FP)

Attached is the estimate of cost and MFT resolution for the referenced project in the format required by IDOT. The resolution is for \$1,210,990.65, which is less than the proposed budget amount of \$1,691,000. The savings is due to less street reconstruction required in this years project versus previous years.

This project consists of Street Resurfacing, Structural Overlay and Pavement Reconstruction Projects all lumped together in one contract, rather than separate contracts. The Village has used this method the previous three years and received very good unit pricing due to the larger quantities. It is also easier to coordinate the project with a single contractor.

It is therefore recommended that the IDOT resolution for improvement by municipality under the Illinois Highway Code for Construction in the amount of \$1,210,994.65 be approved.

Cc: Stan Helgerson, Finance Director
James T. Knudsen, Director of Engineering Services
Al Turner, Director of Public Works
Fred Ceranek, Engineering Inspector
Jim Ludman, Engineering Inspector

Attachments



BE IT RESOLVED, by the Mayor & Board of Trustees of the Council or President and Board of Trustees of Carol Stream Illinois that the following described street(s) be improved under the Illinois Highway Code:

Table with 4 columns: Name of Thoroughfare, Route, From, To. Row 1: See Attached, empty, empty, empty.

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of removal of existing bituminous surface pavement from a depth to 3.75" in some locations. Replacement will consist of 2.5" binder course and/or i.5" of new surface course.

This work will also include removal & replacement of curb & gutter and sidewalk where needed.

and shall be constructed various 23' - 34' wide and be designated as Section 06-00049-00-FP

2. That there is hereby appropriated the (additional Yes No) sum of One million two hundred and ten thousand nine hundred ninety four and sixty five cents Dollars (\$1,210,994.65) for the improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by Contract ; and, Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

Authorized MFT Expenditure
Date
Department of Transportation
Regional Engineer

I, Janice Koester Clerk in and for the Village of Carol Stream City, Town or Village County of DuPage, hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Mayor and Board of Trustees Council or President and Board of Trustees at a meeting on March 6, 2006 Date IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this day of March, 2006 (SEAL) City, Town, or Village Clerk

Name of Thoroughfare	Route	From	To
Alton		Teton	Cul-de-sac
Arrowhead		Inca	Thunderbird
Aztec		Tama	Ute
Biloxie		Teton	Cul-de-sac
Birchbark Tr		Fair Oaks	Morton
Carol Ct		Lies	Cul-de-sac
Colorado		Teton	Cul-de-sac
Creekwood		Teton	Cul-de-sac
Dakota		Teton	Cul-de-sac
Esselen		Teton	Cul-de-sac
Harvard		Oxford	Cul-de-sac
Kimberly		Kehoe	Mission
Oriole		Spring Valley	Robin
Oxford		Big Horn	Fair Oaks
Parkview Cr		Woodlake	Woodhill
Parkview Ct		Parkview Cr	Cul-de-sac
Paxton		Shelburne	Shelburne
Petersburg		Big Horn	Cul-de-sac
Pheasant		Spring Valley	Spring Valley
Robin		Spring Valley	Spring Valley
Rose		Lies	Lies
Shelburne		Thunderbird	Thunderbird
Tama Court		Aztec	Cul-de-sac
Teton		Munson	Munson



(Construction) Estimate of Cost

Location and brief description (Sta. and land description of beginning; Sta. only for end for county and road districts; street limits for municipality.)

Total Project Length	
Net Length	

Surface Type	
Width	

Shoulder Type	
Width	

Bridge or Culvert	
Length	
Width	

Item No.	Items	Unit	Quantity	Unit Price	Total Cost
	CARRIED FORWARD				
1	Combination Curb and Gutter Removal	LF	9,556	3.20	\$30,579.20
2	Combination Concrete Curb and Gutter, Type B6-12	LF	5,915	10.50	\$62,107.50
3	Combination Concrete Curb and Gutter, Type M 3-12	LF	3,637	10.00	\$36,370.00
4	Sidewalk Removal	SF	2,302	1.15	\$2,647.30
5	Integrally Colored Concrete Sidewalk 5"	SF	210	3.10	\$ 651.00
6	Portland Cement Concrete Sidewalk 5"	SF	2,152	3.10	\$6,671.20
7	Topsoil, Seed & Straw	LF	7,274	1.10	\$8,001.40
8	Driveway Pavement Removal	SY	602	8.00	\$4,816.00
9	Bituminous Driveway Replacement 4"	SY	589	16.00	\$9,424.00
10	Portland Cement Concrete Driveway Pavement 6"	SY	13	24.00	\$ 312.00
11	Inlets to be Repaired	EA	103	180.00	\$18,540.00
12	Inlets to be Reconstructed	EA	19	510.00	\$9,690.00
13	Inlets to be Adjusted	EA	4	250.00	\$1,000.00
14	Manholes to be Adjusted	EA	1	300.00	\$ 300.00
15	Class "D" Patches Type, IV 3"	SY	2,000	13.00	\$26,000.00
16	Bituminous Surface Removal (cold milling) 1.75"	SY	53,857	1.20	\$64,628.40
17	Bituminous Surface Removal (cold milling) 2.5"	SY	46,569	2.00	\$93,138.00
18	Bituminous Surface Removal (cold milling) 3.75"	SY	14,379	2.20	\$31,633.80
19	Aggregate for temporary access	TN	380	10.00	\$3,800.00
20	Preparation of Base	SY	14,379	.65	\$9,346.35
21	Aggregate (Prime Coat)	TON	172	1.10	\$ 189.20
22	Bituminous Material (Prime Coat)	GAL	6,443	.75	\$4,832.25
23	Area Reflective Crack Control Treatment	SY	46,569	.75	\$34,926.75
24	Level Binder (machine method) SuperPave, IL 9.5 N50 0.75"	TN	2,008	40.00	\$80,320.00
25	Bit. Conc. Binder Course SuperPave IL-19.0L N50 2.5"	TN	2,071	42.00	\$86,982.00
26	Bit. Conc. Surface Course SuperPave IL-9.5L, N50	TN	7,437	44.00	\$327,228.00
27	Bit. Conc. Surface Course SuperPave IL-12.5, N50 2"	TN	5,355	44.00	\$235,620.00
28	Earth Excavation	CY	22	35.00	\$ 770.00

Page Total Total Estimated Cost **\$1,143,801.85**

Made by _____ Date _____

Checked by _____ Date _____



Route _____
 County DuPage
 Local Agency Carol Stream
 Section 06-00049-00-FP

(Construction) Estimate of Cost

Location and brief description (Sta. and land description of beginning; Sta. only for end for county and road districts; street limits for municipality.)
 Page Two

Total Project Length	31106'
Net Length	5.89

Surface Type	Bituminous
Width	25'

Shoulder Type	N/A
Width	N/A

<small>Bridge or Culvert</small>	
Length	NA
Width	N/A

Item No.	Items	Unit	Quantity	Unit Price	Total Cost
	CARRIED FORWARD				\$1,190,524.35
29	Porous Granular Embankment	CY	20	27.00	\$ 540.00
30	Thermoplastic Pavement Marking Line 4"	LF	800	0.90	\$ 720.00
31	Thermoplastic Pavement Marking Line 6"	LF	300	1.30	\$ 390.00
32	Thermoplastic Pavement Marking 24"	LF	95	6.50	\$ 617.50
33	Thermoplastic Pavemnt Mrkg Letters & Symbols	SF	31	6.50	\$ 202.80
34	Traffic Control and Protection	LS	1	12,000.00	\$12,000.00
35	Test Strip	EA	2	3,000.00	\$6,000.00
					\$1,210,994.65

Page Total Total Estimated Cost **\$1,210,994.65**

Made by _____ Date _____
 Checked by _____ Date _____

RESOLUTION NO. _____

**A RESOLUTION ADOPTING MUNICIPAL LEGISLATIVE
POSITIONS AND PRIORITIES FOR THE
2006 LEGISLATIVE SESSION**

WHEREAS, the Village of Carol Stream is a member of the DuPage Mayors and Managers Conference; and

WHEREAS, the DuPage Mayors and Managers Conference develops its annual Legislative Action Program with the goal of establishing a comprehensive platform on legislative issues in order to protect and benefit the interests of its member municipalities, residents and businesses in these municipalities, and the region generally; and

WHEREAS, on January 8, 2006, the DuPage Mayors and Managers Conference voted unanimously to adopt its 2006 Legislative Action Program, attached hereto; and

WHEREAS, the Village of Carol Stream will be individually benefited by formally establishing positions on legislative issues affecting municipalities, thereby giving clear direction to officials and employees of the Village of Carol Stream regarding legislative positions that may be represented in official capacity or on behalf of the municipality.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: That the Village of Carol Stream hereby adopts as its legislative positions and priorities for the 2006 Legislative Session the positions, goals and principles of the DuPage Mayors and Managers Conference's 2006 Legislative Action Program.

SECTION 2: That a copy of this Resolution be forwarded to the DuPage Mayors and Managers Conference, to all state and federal legislators representing the Village

of Carol Stream, to Governor Rod Blagojevich and to department heads of the Village of Carol Stream.

SECTION 3: This resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED AND APPROVED THIS 6TH DAY OF MARCH 2006.

AYES:

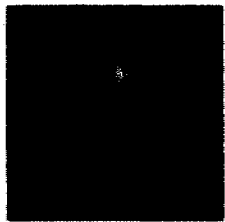
NAYS:

ABSENT:

Ross Ferraro, Mayor

ATTEST:

Janice Koester, Village Clerk



*DuPage
Mayors and Managers
Conference*

2006
LEGISLATIVE
ACTION
PROGRAM

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Introduction

The second year of the 94th General Assembly is underway. This time is typically reserved for appropriations and emergency legislation. While the Legislature does not always adhere strictly to that limitation, it may well do so this year due to the shortened session Legislative Leaders have scheduled.

The DuPage Mayors and Managers Conference annually selects a number of legislative priorities on which it focuses its efforts during that year. This year's seven legislative priorities are a mix of regional, state, and federal issues.

Certainly, other issues will arise in the coming year which will be of major importance to municipalities and their residents. These will receive due attention by the Conference and other municipal groups. Broad principles, such as the prevention of new or expanded unfunded mandates, will provide a continuing backdrop as new legislation is evaluated.

In this setting we will strive to cultivate globally competitive, sustainable communities that meet the needs of residents and businesses. This document represents our desire to build and maintain a collaborative partnership between the State and local government as we serve our common constituency.



Legislative Priorities

Protect Municipal Revenues

Local governments are challenged to fund essential services with existing resources. The current economy and the significant number of recent fee increases and revenue diversions by the State have amplified this situation. Protect local governments from any additional fund diversion and restore previously diverted revenues.

Municipalities provide many essential services to Illinois citizens. A significant portion of the municipal revenues needed to fund these services is collected and administered by the State. As the State addresses its current financial position, it is critical that municipal funds not be considered as a component to help balance the State budget as they have in the recent past. Specifically, municipalities have had to cut budgets to cover the loss of revenue due to:

- public pension funds' compliance fees being at least doubled and in some cases tripled in the FY04 State budget,
- the National Pollutant Discharge Elimination System (NPDES) permit fees, including capital improvement fees, in the FY04 State budget,
- the municipalities' share of the photoprocessing tax redirected to the State in the FY03 State budget,

- the loss of local sales tax on truck sales due to the new Commercial Distribution Fee,
- the new Garbage Tipping Fees in the FY04 State budget,
- the State mandated pension increases for fire and police personnel combined with the recent low performance of local pension fund investments, and
- the Illinois Supreme Court's expansion of the definition of "catastrophic injury" in *Krohe v. City of Bloomington*, which is resulting in significant new medical insurance costs.

Additionally, some legislators have proposed diverting local governments' 1/10 share of income tax revenue to the State. The increasing number of unfunded State mandates are devastating municipal budgets. Both home rule and non-home rule municipalities are joined with the State in a common struggle against revenue shortages. Each cost increase or revenue diversion requires a service cut elsewhere in the municipality. The ability of local governments to adequately provide basic services (police, fire, paramedics, snowplowing, etc.) must be protected.

Regional Air Capacity

Planning for Regional Air Capacity should seek out the best and most efficient means to meet future demand for air travel while protecting the safety and well being of residents, businesses, and travelers. Rational policy-making criteria and an inclusive public process should be utilized to develop this plan.

Several criteria are essential when evaluating any proposal to expand Northeastern Illinois' air capacity. Cost effectiveness, the amount of measurable benefit per dollar invested, is necessary when comparing different options. Any solution must satisfy the region's long-term air travel demands, including timely development of the third airport in Peotone. Ground transportation, including access (specifically Western Access) by passengers, employees, and freight, should be included when assessing a proposal's impacts. Additionally, any solution should improve reliability and safety while minimizing impacts to the environment and to surrounding neighborhoods and communities. Finally, any evaluation should recognize that a proposal's ability to deliver promised economic benefits depends on the ability of areas near the facility to absorb increased development. All of these criteria are important to the ultimate success of a regional air capacity solution.

Telecommunications

Maintain the ability of local governments to tax and regulate telecommunications services, including the ability to protect rights-of-way.

Recent State legislation, Federal legislation and actions by the Federal Communications Commission threaten to erode protections that local governments currently provide to their residents. One such protection is local franchising, whereby local governments can require cable companies to provide free public access channels for civic and educational information. Local governments can also prevent companies from deploying service only to wealthier areas. It is also essential to maintain municipal authority to pursue broadband alternatives when commercial providers neglect certain areas. Finally, the ability of local governments to collect utility taxes is crucial to help fund the delivery of fundamental daily services.

Regional Transit Funding and Administration

Address the transit needs for the entire region, including collar counties, and preserve the principles of the current funding structure. Also, preserve local input to and the organizational structure of the agencies that administer and fund transportation in Chicagoland.

Changing the region's transit funding structure is an enormous task and must be examined with thoughtful analysis and comprehensive public participation. The current funding structure was arrived at by regional compromise, and has functioned well for 20 years. The structure ensures that, generally, Chicago's tax revenue supports transit in Chicago, and suburban tax revenue supports transit in the suburbs. It also ensures that funding distribution is responsive and flexible enough to deal with the changing demographics of the region. The Conference strongly believes that changes to the existing transportation and planning structures should not be made just for the sake of change. Rather, if there are to be changes, they should result in:

- improved coordination of transportation and land use planning in the Chicago region,
- expanded leadership roles for mayors in any revised governance structures,
- continued local control over local planning decisions,
- improved transit service for the residents of the entire metropolitan region, and
- increased operational efficiencies and economies of scale.

Education Reform

Reform the public school funding system to fulfill the State's responsibility to provide an acceptable basic education and long-term funding equity with lessened reliance on local property tax revenue. At the same time, create accountability for both the revenue spent and the education provided in order to grow public support for reform.

The need to reform Illinois' educational system has been evident for years. Legislators, educators, and others readily recognize the need to provide adequate funding for all schools while lessening reliance on property tax as the major revenue source. Everyone agrees alternative revenue streams are needed, but there has been no consensus on specific solutions.

The Conference, in collaboration with the Metropolitan Mayors Caucus, has developed several goals that should be considered when evaluating any education reform proposal:

- The State should fund all State mandates that trigger costs in excess of the foundation level.
- The State should work with local boards of education to improve academic and fiscal accountability, and reporting of management practices and cost control efforts.
- The State should fund at least 51 percent of the education foundation level. A significant portion of all new State revenues should be directed to under-funded school districts.

Surface Transportation Program (STP) Appropriations and Carry-Over

In the Chicago area, mayors play a significant role in the distribution of STP funds. Through the nine Councils of Mayors (supported by the region's COGs), more than \$60 million annually has been provided to local agencies for transportation-related projects since 1972. However, two recent actions by the State are hindering the effective and efficient use of these funds.

APPROPRIATIONS

While the Illinois Department of Transportation (IDOT) administers STP projects, including bidding each project and paying all invoices for construction costs, no State money is used in this program. After a project is complete, IDOT is reimbursed by the municipality for the local share of the project and by the federal government for the rest. However, these local and federal expenditures require appropriation by the State each year. Recently, the State has failed to appropriate sufficient funding authorization and some projects cannot be completed on schedule. The State must provide the full authorization for the expenditure of all the local and federal funds available for these projects.

CARRY-OVER

Traditionally, if all of the STP projects programmed during a given year are not completed, the excess funds could be carried over to the next year. IDOT has indicated they plan to require that all federal funds be used during a

given year, with any excess funds being transferred to IDOT for the Department's use - in effect creating a "use it or lose it" policy. We believe there are alternatives to this policy that will address IDOT's concerns about tracking the carry-over funds, while still keeping the funds with the local agencies as intended by the federal appropriation. We encourage IDOT to work with local officials to alter this proposed policy, especially in those cases where local project delays are caused by the State.

"Post-2006" Electricity Deregulation

The State should ensure that electricity providers will offer reliable service to municipalities and their residents without undue increases in the cost of service to municipal facilities.

The electricity deregulation transition period is set to end on December 31, 2006. ComEd, the primary provider in Northeastern Illinois, has already filed two rate increase requests with the Illinois Commerce Commission and a request for new wholesale procurement procedures with the Federal Energy Regulatory Commission. The rate increases are expected to result in up to an 80% increase in the cost of lighting municipal streets and a significant increase in electrical costs for water pumping stations. Importantly, these rates will rise with no assurance of adequate investment in system reliability. It is crucial that the State maintain regulatory jurisdiction to protect these essential municipal systems from power failure and from unwarranted rate increases.

Legislative Position Statements


The following section sets out general statements of Conference positions in five broad areas of ongoing importance. These statements provide an expanded view of the Conference's stance on the wide range of issues affecting the residents and businesses we represent.

State and Local Finance

Municipalities have struggled in recent years to fund essential services. The State can help ensure services are not diminished further by avoiding additional unfunded mandates, by supporting alternative revenue sources for municipalities including tax cap relief, and by preserving existing municipal revenue streams. Specifically, payment of previously contracted DCEO grants, proper enforcement of utility and motor fuel tax obligations, elimination of expensive and impractical reporting requirements, and fully examining the impact of the streamlined sales tax proposal are steps that the State should take in this regard.

Municipal Authority

All municipalities should have the ability to govern themselves regardless of population. The distinction between non-home rule and home rule municipalities is an outdated concept that should be abolished. In addition, all municipalities should be able to provide constituent services without undue liability exposure and to administratively prosecute minor offenses. Specifically, the Legislature should preserve local authority to exercise eminent domain to promote economic development under the Tax Increment Finance statute.



Personnel and Collective Bargaining

In recent years the General Assembly repeatedly increased compensation, pension benefits, and bargaining leverage for public employees. Municipalities struggle to fund basic services and cannot afford these additional costs without sacrificing other necessary services. Collective bargaining, not legislation, should be used to resolve local labor issues, and local employers should be authorized to make managerial decisions regarding their workforce. Legislation on these issues should only result from an "agreed bill" negotiation.

Public Safety

Retain and add to the tools municipalities can use to protect their citizens from local, regional, and international threats. Specifically, funding should be available to allow municipal compliance with federal emergency preparedness guidelines. Further, photo enforcement of stop lights and audio recordings of police conversations with suspects would greatly assist in protecting the safety of the public.

Community Planning and Land Use

It is important for local governments to plan land use based on local needs. Ensuring that local governments have the ability to establish uniform property inspection systems, regulate signage, annex land to provide efficient service provision, and improve traffic flow and transportation systems will make for more livable communities and satisfied citizens.



DUPAGE
MAYORS AND MANAGERS
CONFERENCE

*Member
Municipalities*

*Under the 1970 Illinois Constitution, any municipality of more than 25,000 is a home rule unit. Municipalities of 25,000 or less may elect by referendum to become home rule units. Similarly, home rule communities, regardless of population, may rescind home rule power by referendum. Home rule units enjoy broader powers to license, tax, incur debt, and generally regulate for the public health, safety, and welfare than do non-home rule units. The Constitution provides that the General Assembly may preempt home rule powers.

**Based on figures from the 2000 Federal Census or special local census.

<i>Municipality</i>	<i>City or Village</i>	<i>Home Rule*</i>	<i>Population**</i>
Addison	Village	Yes	35,914
Aurora	City	Yes	157,267
Bartlett	Village	Yes	36,706
Bensenville	Village	No	20,703
Bloomington	Village	Yes	21,675
Bolingbrook	Village	Yes	61,227
Burr Ridge	Village	No	10,408
Carol Stream	Village	Yes	40,438
Clarendon Hills	Village	No	7,610
Downers Grove	Village	Yes	48,724
Elmhurst	City	Yes	42,762
Glendale Heights	Village	Yes	31,765
Glen Ellyn	Village	Yes	26,999
Hanover Park	Village	Yes	38,278
Hinsdale	Village	No	17,940
Itasca	Village	No	8,302
Lemont	Village	No	15,614
Lisle	Village	No	23,508
Lombard	Village	No	42,322
Naperville	City	Yes	136,380
Oak Brook	Village	No	8,702
Oakbrook Terrace	City	Yes	2,300
Roselle	Village	No	23,115
Schaumburg	Village	Yes	75,386
St. Charles	City	Yes	31,436
Villa Park	Village	No	22,517
Warrenville	City	Yes	13,363
Wayne	Village	No	2,137
West Chicago	City	Yes	25,690
Westmont	Village	No	24,554
Wheaton	City	Yes	55,416
Willowbrook	Village	No	8,967
Winfield	Village	No	8,718
Wood Dale	City	No	13,530
Woodridge	Village	Yes	33,253
TOTAL			1,173,626

DuPage Mayors and Managers Conference

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City of St. Charles

STAFF
Susan L. Hilton
Legislative & Policy Analyst

Michelle Kelm
Legislative Associate

Village of Carol Stream
INTER-DEPARTMENTAL MEMO

TO: Mayor & Trustees

FROM: Joseph E. Breinig, Village Manager 

DATE: March 2, 2006

RE: DuPage Water Commission – March 15, 2006 Meeting

On January 17, 2006, the Village adopted Resolution 2166 waiving certain provisions of the Charter Customer Contract with the DuPage Water Commission. The waiver was intended to forego provisions in the Charter Customer Contract requiring an independent consulting engineer, financial consultant and attorney to review the terms proposed for DuPage County to become a subsequent customer of the Commission. The Charter Customer Contract requires all customers to waive these provisions for it to become effective. Unfortunately Bensenville chose to deny the waiver.

Attached you will find a notice calling a joint meeting of representatives of the governing bodies of Charter Customers and the Commission on Wednesday, March 15, 2006. The meeting has been called to create lists of independent consulting engineers, financial consultants and attorneys relative to the proposed subsequent Customer Agreement with DuPage County. Consideration of proposed changes to the Charter Customer Contract referenced in the notice has been rendered moot because Bensenville reversed its position and approved the waiver thereby making approval of the waivers unanimous.

Efforts are underway to eliminate the need for the meeting on March 15, but unfortunately some County representatives seem to want to proceed with the selection process for the independent consultants. Legal counsel working with the municipal customers has recommended passage of the attached resolution naming a representative from the Village of Carol Stream to act on its behalf at the March 15th meeting if it is held.

Mayor Ferraro and I have been actively involved with other municipal customers in review of the proposed Subsequent Customer Agreement. Unfortunately, Mayor Ferraro will be out-of-town on March 15th. In the interest of continuity, we are recommending naming me as the Village's representative at the March 15th meeting. If things go as hoped the meeting will not be held. This matter has been placed on the March 6th agenda to allow action prior to the March 15th meeting.

Attachments

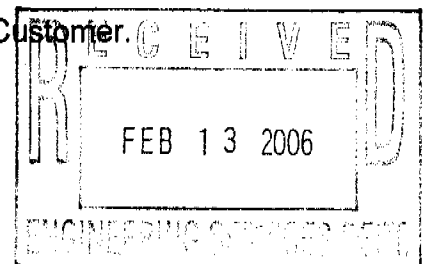
**NOTICE OF CHARTER CUSTOMER MEETING
CONCERNING SECTION 12(C) ADVISORY PANEL
AND PROPOSED CONTRACT AMENDMENT
PURSUANT TO SECTION 12(c) AND SECTION 16
OF THE CHARTER CUSTOMER CONTRACT**

NOTICE IS HEREBY GIVEN that on Wednesday, March 15, 2006, at 4:00 P.M., at the offices of the Commission, 600 East Butterfield Road, Elmhurst, Illinois, a joint meeting of representatives of the governing bodies of the Charter Customers and the Commission will be held for the purposes of considering the changes to the Charter Customer Contract requested by the Village of Carol Stream and a meeting of the Charter Customers by means of the designated representatives of the governing bodies of the Charter Customers will be held for the purposes of making the list of three independent consulting engineering firms or individuals, three independent financial consulting firms or individuals, and three competent attorneys or legal firms pursuant to, and in accordance with and as required by, Section 12(c) of the Charter Customer Contract.

For your reference, copies of the Village of Carol Stream letter requesting changes to the Charter Customer Contract and Commission Staff Attorney memorandum dated February 3, 2006, concerning the Section 12(c) process are attached.

Each Charter Customer may designate one representative to represent its interests at the meeting. The designated representative of the governing bodies of a Charter Customer shall have the right to provide written and oral comments, ask questions, vote, and otherwise participate in the meeting, and shall be designated by resolution or motion passed by the Corporate Authorities of the Charter Customer.

Maureen A. Crowley
Clerk
DuPage Water Commission



ROSS FERRARO

MAYOR



Village of Carol Stream

OFFICE OF THE MAYOR

300 N. GARY AVENUE • CAROL STREAM, ILLINOIS 60188-1899

(630) 871-6251 • FAX (630) 665-1064

TDD (630) 668-5785

EMAIL rferraro@carolstream.org



February 8, 2006

Mr. Michael Vondra, Chairman
DuPage Water Commission
600 E. Butterfield Road
Elmhurst, IL 60126

Dear Chairman Vondra:

Item IX.B on the revised February 9, 2006 agenda of the DuPage Water Commission proposes calling a meeting of the Charter Customers for the purpose of making the list of three independent engineering, financial and legal consultants as required by Section 12(c) of the Charter Customer Contract with regard to the proposed DuPage County subsequent customer agreement. I would request pursuant to Section 16 of the Charter Customer Contract that in addition to the purpose stated in the February 9th agenda, the meeting be called to also consider an amendment to the Charter Customer Contract requiring less than unanimous concurrence of Charter Customers for a waiver of the 12(c) process to occur. It is my understanding that once a party to the Charter Customer Contract makes this request the meeting is mandatory. If the amendment occurs timely it would obviously be more efficient and fiscally responsible than the 12 (c) process. Your cooperation in presenting this for the full consideration of the DuPage Water Commission on February 9th is greatly appreciated.

Sincerely,

Ross Ferraro
Mayor/Commissioner-District 6



DuPage Water Commission

MEMORANDUM

TO: Chairman and Commissioners

CC: Richard Thorn, Treasurer
Robert L. Martin, General Manager

FROM: Maureen A. Crowley *MAC*
Staff Attorney

DATE: February 3, 2006

SUBJECT: Section 12(c) Process

For reasons that will be explained in greater detail below, before the Commission may enter into a Subsequent Contract with the County of DuPage, the requirements of Section 12(c) of the Charter Customer Contract must be complied with, eliminated by formal contract amendment, or waived by unanimous consent of the Charter Customers. As you may know, all of the Charter Customers that have recently considered waiving the requirements of Section 12(c) in connection with the proposed Subsequent Customer Contract with DuPage County have consented to the waiver *except for the Village of Bensenville*. As a result, unless the Commission or a Charter Customer requests that the Charter Customer Contract be amended to eliminate the requirement, the Commission will need to comply with the requirements of Section 12(c) of the Charter Customer Contract.

*Historical Background**

Section 12(c) of the Charter Customer Contract provides that Subsequent Customer Contracts with any of the units of local government eligible to become a Charter Customers of the Commission but which did not do so (i.e. Winfield, West Chicago, and DuPage County) must contain an equitable and lawful differential rate or charge, subject at all times to the Commission's legal duty to serve within its territorial limits and to charge for such service fair and equitable rates which are not prohibitive. With the enactment of PA 93-0226, the factors to be considered in establishing the differential to be assessed are limited to original capital costs, rebates, proportionate shares thereof, and actual costs of connection.

The differential to be assessed, and the allocation of the benefit to be derived among the then existing Contract Customers (i.e. Charter and Subsequent Customers), is made by the Commission after it has received and reviewed the recommendations of an

* Excerpted from April 27, 2005, Memorandum to DuPage County Service Task Force Members.

independent consulting engineer, independent financial consultant, and competent attorney, working together.

The Commission is not required to follow the recommendations made by such individuals or firms. If the Commission does impose the recommended differential, however, then the differential as imposed shall not be subject to any dispute or claim by the Contract Customers.

Proposed DuPage County Subsequent Customer Contract

At the November 2005 meeting, the Board conceptually recommended consideration by the Charter Customers of the November 29, 2005, draft of the DuPage County Subsequent Customer Contract and, because the special procedures set forth in Section 12(c) of the Charter Customer Contract are cumbersome, time-consuming, and costly, the associated Section 12(c) waiver. Unfortunately, however, the Village of Bensenville considered, but failed to adopt, a resolution approving the requested waiver. Now, unless the Commission or a Charter Customer requests that the Charter Customer Contract be amended to eliminate the requirement to comply, the Commission will need to comply with the requirements of Section 12(c) of the Charter Customer Contract.

Section 12(c) Process

The first step in the process is to select the Section 12(c) Advisory Panel. The independent consulting engineer, independent financial consultant, and competent attorney that comprise the Section 12(c) Advisory Panel are selected by the Commission from a list of three individuals or firms for each position compiled by the Charter Customers. The list is compiled after a majority of the Charter Customers present at a joint meeting convened for such purposes have agreed upon the individuals or firms to be listed. The Commission is the party responsible for calling the joint meeting. Thus, the following recommended motion appears on the February 2005 Agenda as Item No. IX.B:

RECOMMENDED MOTION: To call a meeting of the Charter Customers for the purposes of making the list of three independent consulting engineering firms or individuals, three independent financial consulting firms or individuals, and three competent attorneys or legal firms pursuant to, and in accordance with and as required by, Section 12(c) of the Charter Customer Contract; the date, time, and place of such meeting shall be determined by the General Manager.

After the Section 12(c) Advisory Panel has been selected, the Commission needs to educate the panel, obtain its recommendations and, if accepted by the Commission, the recommendations need to be incorporated into the DuPage County Subsequent Customer Contract.

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING ATTENDANCE AND PARTICIPATION IN A
MEETING OF CHARTER CUSTOMERS TO COMMENCE SECTION 12(C)
PROCEDURES SCHEDULED BY
THE DUPAGE WATER COMMISSION FOR MARCH 15, 2006**

WHEREAS, the Village of Carol Stream is a Charter member of the DuPage Water Commission (hereinafter "Water Commission") in consequence of its execution of the 1986 Water Purchase and Sales Agreement (hereinafter "Charter Agreement"); and

WHEREAS, paragraph 12 c of the Charter Agreement, establishes a procedures for Charter members to recommend a list of three independent consulting engineers, three independent financial consultants, and three competent attorneys, (hereinafter Professional Candidates) to the Water Commission to enable the Water Commission to select one professional from each of the three categories (the selected group of three hereinafter referred to as the "Advisory Differential Panel") to propose an "equitable and lawful differential rate or charge" for the proposed subsequent customer contract between the Water Commission and the County of DuPage: and

WHEREAS, the Water Commission has notified its Charter Members of a meeting scheduled by the Water Commission for March 15, 2006, to commence procedures for the Charter Customers to recommend Professional Candidates for appointment by the Water Commission to the Section 12 c Advisory Differential Panel.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

THAT Joseph E. Breinig is hereby appointed and authorized to attend a meeting of Charter members scheduled for March 15, 2006, by the DuPage Water Commission to:

- a) nominate and vote for a chairman of the Charter members to preside over Sections 12c meetings convened to recommend Professional Candidates to the Water Commission for appointment to an Advisory Differential Panel for the proposed subsequent customer agreement with the County of DuPage and further; and
- b) vote for members of a subcommittee of the Charter Members designated to commence the process of identifying and recommending Section 12 c Professional Candidates to the Water Commission for appointment to an Advisory Differential Panel for the proposed subsequent customer agreement with the County of DuPage.

PASSED AND APPROVED THIS 6TH DAY OF MARCH 2006.

AYES:

NAYS:

ABSENT:

Ross Ferraro, Mayor

ATTEST:

Janice Koester, Village Clerk

RESOLUTION NO. _____

**A RESOLUTION TERMINATING A
CONTRACTUAL RELATIONSHIP WITH
MONTICELLO INVESTMENTS, INC., REGARDING
THE TOWN CENTER LAND SALE**

WHEREAS, on the 20th day of March, 2000, the Village of Carol Stream, (“Village”), entered into a contract, subject to a substantial number of terms and conditions to sell two parcels of land adjacent to the Monticello Investments, Inc., (“Monticello”); and

WHEREAS, several amendments to that Agreement were entered into; and

WHEREAS, the final date by which the transfer of land was required to take place was February 3, 2006, but Monticello had not complied with the terms and conditions of the purchase, which would have required the Village to make the transfer; and

WHEREAS, Monticello deposited the sum of \$60,000.00 into an escrow account in order to secure its rights under the Agreement; and

WHEREAS, the Corporate Authorities find that Monticello, while not fulfilling all of the conditions necessary to cause a transfer, did, in fact, expend substantial funds and made significant efforts to accomplish the development of a hotel or motel on that site; and

WHEREAS, under those circumstances, it is appropriate for the Corporate Authorities to return the \$60,000.00 earnest money escrow deposit; and

WHEREAS, the purpose of this Resolution is to formally terminate any contractual rights possessed by Monticello, pursuant to the above-described Agreement and amendments thereto and to establish the conditions under which the earnest money deposit will be returned;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: This Resolution shall serve as an additional formal written notice to Monticello, in addition to a correspondence earlier sent to that entity that the Village hereby terminates any contractual rights with Monticello or its successor or assigns under the Agreement for Sale of Real Estate, contract dated the 20th day of March, 2000, and any amendments thereto.

SECTION 2: If, within 90 days after the date of the passage of this Resolution, Monticello, by its authorized representatives, transmits to the Village of Carol Stream a complete release and waiver of any rights associated with the Agreement or otherwise regarding the purchase of property which would have been transferred under that Agreement, and in a form approved by the Village Attorney, the Village will return the earnest money escrow deposit of \$60,000.00, to the Monticello. The time period set forth above for the submission of the waiver and release form may be extended by the Corporate Authorities by motion.

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

PASSED AND APPROVED THIS 6TH DAY OF MARCH 2006.

AYES:

NAYS:

ABSENT:

Ross Ferraro, Mayor

ATTEST:

Janice Koester, Village Clerk

Village of Carol Stream
INTER-DEPARTMENTAL MEMO

TO: Mayor & Trustees
FROM: Joseph E. Breinig, Village Manager
DATE: March 1, 2006
RE: Town Center Hotel

Attached for your review and consideration is a resolution, prepared by the Village Attorney, terminating the contractual relationship with Carol Stream Town Center, LLC, the entity that was to build a hotel at Town Center. Owing to a number of market conditions Carol Stream Town Center, LLC has advised that they cannot move forward with the project as originally approved and subsequently amended.


The resolution terminates the contract and agrees to refund a \$60,000 earnest money deposit currently held in escrow subject to transmittal of a complete release and waiver of rights in a form approved by the Village Attorney. Carol Stream Town Center LLC expended in excess of \$600,000 on this project. As noted previously, changed market conditions have caused the project to stop. In addition, the Village has enjoyed the full use of the property for Town Center events. Staff, in light of the circumstances outlined herein, recommends refund of the earnest money deposit upon receipt of an acceptable release and waiver of rights.

With the Village Board's concurrence staff will ready the property for use at Town Center events this year and prepare recommendations for future use(s) for your consideration.

Attachment

cc: Don Oppermann

Village of Carol Stream
INTER-DEPARTMENTAL MEMO

TO: Trustees
FROM: Ross Ferraro, Mayor 
DATE: February 27, 2006
RE: Appointment

I plan to appoint Ralph Smoot to the Plan Commission/Zoning Board of Appeals at the March 6, 2006 Village Board meeting. Attached is his application.

Village of Carol Stream
Interdepartmental Memo

DATE: February 24, 2006

TO: Joseph E. Breinig, Village Manager

FROM: Terry Davis, Secretary *td*

RE: *Raffle License Application - Carol Stream Rotary Club's Chili Golf Open*

The Carol Stream Rotary Club seeks permission to sell raffle chances for a drawing scheduled for the evening of Friday, May 5, 2006 during the club's 2006 Chili Golf Open banquet held at Villa Olivia in Bartlett. To this end, the Carol Stream Rotary Club has submitted the attached Class B raffle license application (aggregate value of prizes between \$501-\$5,000) for a raffle whose proceeds goes toward collegiate scholarships and for other designated Rotary Club charitable causes. A letter respectively requesting a waiver of the license fee is also enclosed. Please include this application request on the upcoming March 6, 2006 agenda for the Village Board's consideration. Should you have any questions, please contact me at ext. 6250.

td
Attachments

Robert A. McNees & Associates

ATTORNEYS AT LAW

Robert A. McNees
Steven M. Kudulis
Theodore W. Wrobleski
of counsel

February 17, 2006

Board of Trustees
Village of Carol Stream
500 North Gary Avenue
Carol Stream, IL 60188

RE: Carol Stream Rotary Club
Chili Open Raffle
May 5, 2006

Dear Trustees:

Enclosed please find the Raffle License Application for the Chili Open Raffle to be held May 5, 2006. As in past years, we would appreciate it if the Village would waive its license fees in connection with the raffle.

I do not recall if we provided the Village with the results of last year's Chili Open Raffle. As you may be aware, the raffle is but one element of our fund raising efforts in the Chili Open. Last year, we raised approximately \$4,000.00 in gross raffle ticket sales. We gave out \$1,750.00 to raffle winners. Using the total Chili Open proceeds, we disbursed \$5,000.00 to WDSRA to help them buy a new bus and \$5,000.00 to the Village's after school program in co-sponsorship with the Carol Stream Park District and Carol Stream Police Department. We also provided \$3,500 in scholarships to Glenbard North graduates, funds for the Carol Stream Christmas sharing program, and funds for the DuCap program hosted at St. Andrews Methodist Church.

Our renewal bond was previously filed with the Village.

Thank you for your anticipated cooperation and assistance in this matter.

Very truly yours,


Robert A. McNees & Associates

By: 

Robert A. McNees

RAM/cj
Enc.

Village of Carol Stream
INTER-DEPARTMENTAL MEMO

TO: Mayor & Trustees
FROM: Joseph E. Breinig, Village Manager 
DATE: March 3, 2006
RE: Contaminated Wells - Riviera/Judith

DuPage County has identified the presence of vinyl chloride in privately owned wells at several residences on the above noted streets. The County has advised the residents in writing and had an introductory meeting last week to discuss the situation and outline options. This week the County met with village staff to provide an overview of the meeting and discuss areas of concern.

The desire is to make Lake Michigan water available to affected and potentially affected residents on the two streets. This can most economically be achieved through an extension of the Village's water system. The County is considering use of a low interest loan program provided by the DuPage Water Commission (DWC) to fund the project. The DWC loans the funds at an interest rate of 2% and requires interest only payments for the first five years. The County is also considering creating of special service areas (SSA's) to retire the debt. Each property would be taxed on their property tax bill for its share of the debt. Special service areas can be overturned if 51% of the electors (voters) and property owners object. Some property owners appear opposed but others need additional information to make a decision.

DuPage County has posed several questions that require policy direction. Since this appears to be the first case where developed residential properties may annex some existing policy direction may not apply. Moreover, the circumstances of this case, while not of the Village's making, may warrant consideration not normally given to a developer or property owner seeking annexation for future development and financial gain.

Primary among the issues to be addressed is annexation. Customarily the Village has required annexation for any unincorporated property seeking Village utilities. Recent changes to state law for the DWC have restricted community's abilities to require annexation where

contaminated wells exist. State law now prohibits annexation as a quid pro quo for water service to contaminated areas for a period of ten years. Some communities have entered into preannexation agreements with residents in contaminated areas requiring annexation after ten years and other communities have not required annexation at all. DuPage County has advocated remaining silent on the issue and utilizing forced annexation after the ten years have lapsed. Staff believes this merely defers this thorny issue until the future. For the provisions in state law to come into play, the County needs to determine that the wells are contaminated and the DWC needs to determine that Carol Stream is the customer community to serve the contaminated area. While neither has occurred, staff in the interest of time, has been operating under the likelihood both will.

A second issue is water rates. Village residents currently pay \$3.05 per thousand gallon of water. Non-residents receiving water from the Village currently pay one-and-one-half times that rate, or \$4.58 per thousand gallons. Non-annexed properties receiving Village water have customarily paid the higher rate until annexed. Options available include charging the resident rate, charging the non-resident rate or charging the resident rate where a pre-annexation agreement is in place.

Annexation and connection fees are a third area of concern. Among the fees normally collected upon annexation are donations to the various taxing bodies that serve the property. In this case the properties are developed and paying taxes to the taxing bodies. No additional burden will be created by annexation and arguably these fees should be waived. Fees for connection to the existing system water meters and the like need to be considered more carefully because they reflect outlays made by the community to create the system and in some cases hard costs the Village should not bear. Similarly, when Jason Court was developed, a recapture agreement was approved for extension of the water system that will in part serve this area. The affected residents should reimburse the nearly \$40,000 expended by the developer of Jason Court for this extension of the system.

Another area of concern is continued use of private wells for irrigation and other purposes after homes connect to our system. DuPage County has advised us that this will not be permitted. Staff concurs with this position, because the Village is obligated to prevent cross connections to its system. Should water from a contaminated private well come into contact with the public water supply the entire system could be compromised. The Village may welcome working with residents in the contaminated area to resolve this predicament, but in doing so the public water supply should not be placed at risk.

Owing to the complexities of this matter it is recommended that Mayor Ferraro be authorized to negotiate with staff on terms for service to the contaminated area subject to final review and approval by the Village Board. The negotiations may lead to pre-annexation agreements, intergovernmental agreements and other documents requiring Village Board approval. Any general direction that can be provided relative to annexation, water rates, fees and private wells is welcome and requested. For this matter to move forward, the County needs to meet with the Village and residents to identify what, if any, course will be taken.

Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P ID LINE
AMERICAN ENVIROMENTAL CO	RPL SWITCHES-BROILERS	540.00	MAINTENANCE & REPAIR	01.468.244		4026		736 00036
B & F TECHNICAL CODE SER	PLUMB INSP'S JAN 16-31	1,160.00	CONSULTANT	01.464.253		23145	463194	P 736 00046
BAXTER & WOODMAN INC	CHGR CT LIFT STATN RPLM	1,243.46	CONSTRUCTION	04.410.480		107708	467223	P 736 00045
CERON-PEREZ/MARINA	SERV FOR 1/25/06	60.00	CONSULTANT	01.466.253		1/25/06	466478	P 736 00056
	SERV FOR 11/1,8/2005	135.00	CONSULTANT	01.466.253		11/1,11/8	466478	P 736 00057
	SERV FOR 12/13 &12/19	180.00	CONSULTANT	01.466.253		12/13,12/19	466478	P 736 00058
		375.00	*VENDOR TOTAL					
COMMONWEALTH EDISON CO	SERV FOR 12/28-1/27	143.77	ELECTRICITY	06.432.248		7139030002		736 00039
CREATIVE CARE MANAGEMENT	EAP SRV'S 3/1-5/31	750.00	EMPLOYEE SERVICES	01.459.273		06CQ82	459136	P 736 00021
	EAP SRVS 3/1-5/31	375.00	PRE-PAID ITEMS	01.1301		06CQ82	459136	P 736 00069
		1,125.00	*VENDOR TOTAL					
CUSTOM SERVICE HEAT-COOL	MAINT & REPR-HEATERS-P/W	689.58	MAINTENANCE & REPAIR	01.467.244		01/25/06		736 00013
	LIGHT PILOTS- 4 HEATERS	135.00	MAINTENANCE & REPAIR	01.467.244		11/29/05		736 00037
		824.58	*VENDOR TOTAL					
DUPAGE COUNTY ANIMAL CON	ANIMAL CARE -JAN 2006	280.00	ANIMAL CONTROL	01.466.249		112-12147	466441	P 736 00054
DUPAGE COUNTY TREASURER	DATA PROCESS-JAN/06 POLI	250.00	DATA PROCESSING	01.466.247		1606		736 00055
	GIS FEE-JAN 06-ENGR DEPT	225.00	GIS SYSTEM	01.462.257		1647		736 00043
	GIS FEE-JAN 06-BLDG DEPT	225.00	GIS SYSTEM	01.463.257		1647		736 00044
		700.00	*VENDOR TOTAL					

Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P ID LINE
DUPAGE RIVER SALT CREEK	MEMBERSHIP DPG RIVER WRK	9,726.00	PROPERTY MAINTENANCE(NPD	01.462.272		AGENCY MEMB	462254	P 736 00006
EHRLER / MERCY	GREAT SHIRT ART WORK	125.00	COMMUNITY RELATIONS	01.466.325		795		736 00052
ERYOPS BODYCRAFT INC	AUTO MAINT-#635	527.83	AUTO MAINTENANCE & REPAI	01.466.212		113626		736 00053
FEDEX	INV SUMMAKRY FEB 1,2006	62.36	POSTAGE	01.465.229		3-320-17313	460436	P 736 00026
	INV SUMMARY FEB 8	101.20	POSTAGE	01.465.229		3-332-44926	460436	P 736 00063
		163.56	*VENDOR TOTAL					
FLOOD BROTHERS DISPOSAL	ANL SUBSIDY-CURBSIDE REC	40,000.00	RECYCLING CONTAINERS	01.465.379		1/24/06	460524	P 736 00040
GIESER / RICK	AIRFARE -WASHINGTON DC	202.86	MEETINGS	01.452.222		NAT'L OF CITIE		736 00027
GIL HEBARD GUNS	AMMUNITION	835.50	AMMUNITION	01.466.321		26838		736 00019
HELGERSON/STAN	SPRINGFIELD IL MTG 2/13	44.80	MEETINGS	01.461.222		DIEM & TOLLS		736 00061
	SPRINGFIELD IL MTG 2/13	178.00	AUTO GAS & OIL	01.461.313		MILEAGE		736 00062
		222.80	*VENDOR TOTAL					
HINKO COMPANY	FIREARMS TRNG SIMULATOR	999.00	COMMUNITY RELATIONS	01.466.325		JAN 31-FEB 21		736 00065
HOME DEPOT/THE	MISC SUPPLIES-P/WKS	9.94	OPERATING SUPPLIES	04.420.317		3058460		736 00028

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P ID LINE
HOWARD JR/THOMAS F								
	LEGAL SRV FOR JAN/2006	6,345.00	LEGAL FEES	01.457.238		116	466386	P 736 00031
	SERVS JAN 2006	6,345.00	LEGAL FEES	01.457.238		116	466386	P 736 00070
		12,690.00	*VENDOR TOTAL					
HR SIMPLIFIED								
	COBRA NOTIFIC-DEC 05	25.00	EMPLOYEE SERVICES	01.459.273		15706		736 00029
I A T A I								
	MEMBERSHIP-ROBERT WHITE	45.00	DUES & SUBSCRIPTIONS	01.466.234		R WHITE		736 00032
I R M A								
	PROPERTY DAMAGE	750.00CR	PROPERTY INSURANCE	01.465.263		6015	460455	P 736 00073
	AUTO DAMAGE	2,394.00CR	VEHICLE INSURANCE	01.465.224		6015	460455	P 736 00074
	PROPERTY DAMAGE	2,225.49	PROPERTY INSURANCE	01.465.263		6015	460455	P 736 00075
	PROPERTY DAMAGE	226.00	PROPERTY INSURANCE	01.465.263		6015	460455	P 736 00076
	AUTO DAMAGE	137.50	VEHICLE INSURANCE	01.466.224		6015	460455	P 736 00077
	WORKMANS COMP	1,873.89	WORKERS COMP	01.466.114		6015	460455	P 736 00078
	AUTO DAMAGE	2,478.63	VEHICLE INSURANCE	01.466.224		6015	460455	P 736 00079
	PROPERTY DAMAGE	2,251.82CR	PROPERTY INSURANCE	01.465.263		719	460455	P 736 00080
	WORKMANS COMP	61.97	WORKERS COMP	01.466.114		719	460455	P 736 00081
		1,607.66	*VENDOR TOTAL					
ISABELLE BOSCO								
	SNW PLW JAN 20,2006	409.50	SNOW REMOVAL	01.467.266		0603	467324	P 736 00041
J U L I E INC								
	LOCATES FOR JAN/2006	67.84	PROPERTY MAINTENANCE	01.467.272		01-06-0347		736 00010
	LOCATES FOR JAN/2006	67.83	NFDES PERMIT FEE	04.410.272		01-06-0347		736 00011
	LOCATES FOR JAN/2006	67.83	PROPERTY MAINTENANCE/NPD	04.420.272		01-06-0347		736 00012
		203.50	*VENDOR TOTAL					
KALINOWICZ/JEREMY								
	REIMBURSEMENT FOR TRNG	120.00	TRAINING	01.466.223		REIMB-TRNG LUN		734 00001

Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P ID LINE
MARTENS/RICHARD A	SRVS 8/23-1/16/06	13,455.00	LEGAL FEES	01.457.238		02/06/2006	466502	P 736 00008
MICROSYSTEMS INC	MICROFILM STORAGE FINANC	300.30	RECORDS STORAGE	01.461.232		T52039	461431	P 736 00047
	MICROFILM STORAGE-ENGR	100.00	RECORDS STORAGE	01.462.232		T52041		736 00068
	STORAGE MICROFILM-CLERK	100.00	RECORDS STORAGE	01.458.232		T52042		736 00059
		500.30	*VENDOR TOTAL					
NEOPOST LEASING	LEASE FOR MAR 06	291.95	OFFICE EQUIPMENT MAINTEN	01.465.226		4099021	461414	P 736 00042
NORTHCENTER CAMERA & PHO	PHOTO EXPENSE	59.17	OPERATING SUPPLIES	01.466.317		24268		736 00035
	PHOTO EXPENSE	60.17	OPERATING SUPPLIES	01.466.317		24290		736 00034
	PHOTO EXPENSE	18.22	OPERATING SUPPLIES	01.466.317		24317		736 00033
		137.56	*VENDOR TOTAL					
NORTHERN IL GAS CO	SERV FOR DEC 7 - FEB 6	337.07	HEATING GAS	04.420.277		3-25-13-4460 6		736 00064
O M I (OPER MNTNC INTN'L	SERVS FOR MARCH 2006	116,433.75	OMI CONTRACT	04.410.262		33958	467290	P 736 00060
OUTREACH COMMUNITY CENTE	2005 NAT'L NIGHT OUT BAR	1,100.00	COMMUNITY RELATIONS	01.466.325		CONTRIBUTION	460527	P 736 00049
PLANT RENTALS	PLANT RENT'L -FEB/2006	150.00	MAINTENANCE & REPAIR	01.468.244		22312	460449	P 736 00030
R A DORAN & ASSOCIATES	REG-J NEMETH-MNGMT CLASS	285.00	TRAINING	01.466.223		MAR 29-30		736 00050
	REG -J O'BRIEN MGMT CLS	285.00	TRAINING	01.466.223		MAR 29-30		736 00051
		570.00	*VENDOR TOTAL					

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P ID LINE
S & S MAINTENANCE (DIV T	SNOW PLOW-1/21/06	5,552.00	SNOW REMOVAL	01.467.266		VCS0108	467322	P 736 00017
SBC	SRVS JAN 8 - FEB 7	36.04	TELEPHONE	01.468.230		630221073202		736 00071
	SERV FOR JAN 5-FEB 4	2,979.32	TELEPHONE	01.465.230		630665705002		736 00001
	SERV FOR JAN 5-FEB 4	420.21	TELEPHONE	01.467.230		630665755302		736 00002
		3,435.57	*VENDOR TOTAL					
SEYFARTH, SHAW FAIRWEATH	SEMINAR-WILLING, OAKLAND	350.00	TRAINING	01.466.223		2/9/06		736 00066
	SEMINAR-O'BRIEN, ORR	350.00	TRAINING	01.466.223		2/9/06		736 00067
		700.00	*VENDOR TOTAL					
SEYLLER/STEVE	SNW PLW-1/20/06	1,158.00	SNOW REMOVAL	01.467.266		1/20/06	467327	P 736 00015
STEPHEN A LASER ASSOCIAT	POLICE OFFC INDVL ASSESS	525.00	PERSONNEL HIRING	01.451.228		2080602	459134	P 736 00007
STREICHER/MATT	TRVL EXP REIMB-WISC	96.43	TRAINING	01.462.223		2/5-7/2006		736 00003
T P I	BLDG INSPECT'S-JAN/2006	6,520.00	TOWN & COUNTRY HOMES ESC	01.2230		1282	463201	P 736 00038
TCL EXCAVATING INC	SNW PLW-1/20/06	7,017.00	SNOW REMOVAL	01.467.266		C1735	467318	P 736 00016
THEODORE POLYGRAPH SERVI	POLYGRAPH PO CANDIDATE	125.00	PERSONNEL HIRING	01.451.228		15267		736 00072
	POLYGRAPH FOR PO CANDID	125.00	PERSONNEL HIRING	01.451.228		15270	459119	P 736 00004
		250.00	*VENDOR TOTAL					

VENDOR NAME	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P ID LINE
THIRD MILLENIUM ASSOC IN							
WTR NOTICES-JAN/2006	1,143.50	UTILITY BILL PROCESSING	04.420.221		6146	461412	P 736 00024
WTR NOTICES-JAN/2006	1,143.50	UTILITY BILL PROCESSING	04.410.221		6146	461412	P 736 00025
E-PAY FOR JAN/2006	225.00	UTILITY BILL PROCESSING	04.410.221		6147	461411	P 736 00022
E-PAY FOR JAN/2006	225.00	UTILITY BILL PROCESSING	04.420.221		6147	461411	P 736 00023
	2,737.00	*VENDOR TOTAL					
TRANS UNION LLC							
INVESTIGATION FUND	35.00	INVESTIGATION FUND	01.466.330		01616371		736 00048
TRI-R SYSTEMS INC							
CHARGER ALARM HOOK UPS	310.00	MAINTENANCE & REPAIR	04.420.244		002089		736 00020
U S CENSUS BUREAU							
2006 SPECIAL CENSUS	62,217.00	PRE-PAID ITEMS	01.1301		2006 CENSUS	460526	P 734 00002
U S PAVING							
SNOW PLW 1/13/06	912.00	SNOW REMOVAL	01.467.266		SP-003	467179	P 736 00018
U S POSTAL SERVICE							
PERMIT #2128 06 RNWL	660.00	POSTAGE	01.465.229		2006 RENEWAL		736 00005
WM HORN STRUCTURAL STEEL							
ROUND BARS-SIGN STORAGE	150.00	STREET SIGNS	01.467.344		91033		736 00009

BRC/ISD FINANCIAL SYSTEM
02/16/2006 15:35:49

Schedule of Bills

VILLAGE OF CAROL STREAM
GL540R-V06.70 PAGE 7

VENDOR NAME							
DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P ID LINE
REPORT TOTALS:	299,555.59						

RECORDS PRINTED - 000082

BRC/ISD FINANCIAL SYSTEM
02/16/2006 15:35:49

Schedule of Bills

VILLAGE OF CAROL STREAM
GLO60S-V06.70 RECAPPAGE
GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
01	GENERAL CORPORATE FUND	178,204.94
04	WATER & SEWER O/M FUND	121,206.88
06	MOTOR FUEL TAX FUND	143.77
TOTAL ALL FUNDS		299,555.59

BANK RECAP:

BANK	NAME	DISBURSEMENTS
QBB	OAK BROOK BANK	299,555.59
TOTAL ALL BANKS		299,555.59

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT.

DATE APPROVED BY

.....

.....

Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID LINE
A T & T									
	SRV FOR JAN 17- FEB 16	539.35	TELEPHONE	01.465.230		630R06258102			748 00090
	SRV FOR JAN 17- FEB 16	47.82	MAINTENANCE & REPAIR	01.468.244		630Z99656402			748 00089
	SRV FOR JAN 17- FEB 16	161.67	TELEPHONE	01.456.230		630540111202			748 00056
	SRV JAN 11 - FEB 10	238.01	TELEPHONE	01.466.230		630668216702			748 00001
		986.85	*VENDOR TOTAL						
ADVOCATE OCCUPATIONAL									
	POST OFFER MEDICAL EXAM	913.00	PERSONNEL HIRING	01.451.228		225005	459133	P	748 00083
ALLWAYS INC									
	FULL E-MAIL-FEB/2006	10.95	DUES & SUBSCRIPTIONS	01.465.234		133731	460441	P	748 00019
AMERICAN ADMINISTRATIVE									
	FLEX SPEND-FEB/2006	195.75	EMPLOYEE SERVICES	01.459.273		6376			748 00022
ANCEL, GLINK, DIAMOND, BUSH									
	LEGAL SERV-JAN/2006	862.76	LEGAL FEES	01.451.238		3049957F	460438	P	748 00016
	LEGAL SERV-JAN/2006	16,804.37	LEGAL FEES	01.457.238		3049957F	460438	P	748 00017
		17,667.13	*VENDOR TOTAL						
B & F TECHNICAL CODE SER									
	PLUMB INSP'S FEB 1-15	1,220.00	CONSULTANT	01.464.253		23200	463194	P	748 00018
BELL FUELS									
	DIESEL GAS	16,349.16	GAS PURCHASED	01.469.356		21196	467257	P	748 00084
BEST QUALITY CLEANING IN									
	SERVICE FEB 2006	2,621.25	JANITORIAL SERVICES	01.468.276		20959	460377	P	748 00051
	SERVICE FEB 2006	873.75	JANITORIAL SUPPLIES	01.467.276		20959	460377	P	748 00080
		3,495.00	*VENDOR TOTAL						
BOLDER CONTRACTORS INC									
	CHRGR LIFT STN-FINAL PYM	52,292.80	CONSTRUCTION	04.410.480		3	467220	P	748 00040
	CHRGR LIFTSTN-FINAL PYM	21,800.00	RETAINAGE - BOLDER CONTR	04.2636		3	467220	P	748 00081
		74,092.80	*VENDOR TOTAL						

Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
CHRISTOPHER B BURKE ENGR										
	PANATTONI SPECIAL MGMT	264.00	CONSULTANT	01.462.253		56451	462185	P	748	00045
	FAIR OAKS IMPROVEMENT	2,109.00	CONSULTANT	01.462.253		56452	462185	P	748	00042
	INTEGRITY DEV PARTNERS	534.00	CONSULTANT	01.462.253		56453	462185	P	748	00044
	CS PARTNERS/FRITZ DUDA	4,042.50	CONSULTANT	01.462.253		56454	462185	P	748	00043
		6,949.50	*VENDOR TOTAL							
CIVIC FEDERATION / THE										
	REG -HELGERSON, FORUM PUB	40.00	MEETINGS	01.461.222		2/28/06			756	00001
COMMONWEALTH EDISON CO										
	SERV 01/24/06 - 02/21/06	83.81	ELECTRICITY	06.432.248		0030086009			748	00073
	SERV 1/20/06-02/20/06	762.91	ELECTRICITY	04.410.248		0793651000			748	00069
	SERV 1/20/06-02/20/06	6,572.77	ELECTRICITY	04.420.248		0793651000			748	00070
	SERV 01/24/06-02/21/06	13.40	ELECTRICITY	01.467.248		0803155026			748	00071
	SRV FOR 1/12-2/13	49.02	ELECTRICITY	06.432.248		1083101009			756	00002
	SERV 01/24/06-02/21/06	117.15	ELECTRICITY	06.432.248		1353117013			748	00074
	SERV FOR 1/24 - 2/21	13.40	ELECTRICITY	01.467.248		1865134015			748	00064
	01/24/06-02/21/06	94.39	ELECTRICITY	06.432.248		3153036011			748	00072
	SERV FOR 1/24 - 2/22	6.66	ELECTRICITY	01.467.248		4483019016			748	00063
	SRV FOR 1/23 - 2/21	3,187.43	ELECTRICITY	06.432.248		4863004008			748	00062
	SERV FOR 1/26-2/24	13.40	ELECTRICITY	01.467.248		5838596003			748	00087
	SERV 1/23-2/18/06	78.63	ELECTRICITY	01.467.248		6337409002			748	00050
	SERV 1/24/06-02/21/06	106.38	ELECTRICITY	06.432.248		6597112015			748	00068
	SERV 1/12 - 2/13	34.78	ELECTRICITY	06.432.248		6827721000			748	00005
		11,134.13	*VENDOR TOTAL							
COUNTY COURT REPORTERS I										
	MINUTES-FEB 13, 2006	160.00	COURT RECORDER FEES	01.453.241		088035			748	00055
CUSTOM SERVICE HEAT-COOL										
	SOUTH GARAGE	315.00	MAINTENANCE & REPAIR	01.467.244		02/01/06			748	00048
	STREETS GARAGE HEATER	753.20	MAINTENANCE & REPAIR	01.467.244		02/03/06			748	00047
	NEW HEATER	773.75	MAINTENANCE & REPAIR	04.420.244		02/22/06			748	00049
		1,841.95	*VENDOR TOTAL							

Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
DEACON/ AMANDA	MEALS GAT WASH	802.00	TRAINING	01.466.223		03/26-4/7			748	00078
DOCUFORMS INC	FORMS DESIGN PPF	100.00	SOFTWARE MAINTENANCE	01.461.255		0687070			748	00052
DPA LASER SERVICES INC	TONER CARTRIDGE	88.00	OFFICE SUPPLIES	01.469.314		4027			748	00075
	TONER	134.00	OFFICE SUPPLIES	04.410.314		4027			748	00076
	MAGENTEA TONER	130.00	OFFICE SUPPLIES	04.420.314		4027			748	00077
		352.00	*VENDOR TOTAL							
DUPAGE COUNTY TREASURER	TAXI CAB COUPONS	3,000.00	DIAL-A-RIDE	01.452.250		556	461417	P	748	00008
DUPAGE MAYORS-MANAGERS C	MEETING FEB 4TH-BREINIG	25.00	MEETINGS	01.460.222		4286			748	00003
EARTH TECH INC	FAIR OAKS THRU 1/27	11,326.02	ROADWAY CAPITAL IMPROVEM	11.474.486		373307	462237	P	748	00046
ERYOPS BODYCRAFT INC	REPAIR TO VEH #303	1,179.53	AUTO MAINTENANCE & REPAI	01.462.212		113638	462256	P	748	00086
FEDEX	INV SUMMARY FEB 15	108.69	POSTAGE	01.465.229		3-344-66764	460436	P	748	00041
	INV SUMMARY FEB 22,2006	40.34	POSTAGE	01.465.229		3-357-27449	460436	P	748	00054
		149.03	*VENDOR TOTAL							
FLOLO CORP, THE	MAINT CHK-FEB/2006	300.00	MAINTENANCE & REPAIR	04.420.244		075735			748	00065
FULTON CONTRACTING CO	RPL ST LIGHTS-BURNING TR	8,600.00	STREET LIGHT MAINTENANCE	01.467.271		FEB 24, 2006	467307	P	748	00061

Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
HELGERSON/STAN										
	PARKING & PR DIEM	44.25	MEETINGS	01.461.222		SPRINGFIELD,IL			748	00067
	GFOA BRD MTG-TUCSON,AZ	88.75	MEETINGS	01.461.222		TRVL REIMB			748	00066
	MILEAGE SPRINGFIELD	193.58	AUTO GAS & OIL	01.461.313		02/27/06			748	00082
		326.58	*VENDOR TOTAL							
ILLINOIS CENTURY NETWORK										
	SERV FOR DEC/2005	430.00	DUES & SUBSCRIPTIONS	01.465.234		0015743-IN	460457	P	748	00020
	CHRG 1/1-1/31	430.00	DUES & SUBSCRIPTIONS	01.465.234		0016201-IN	460457	P	748	00006
		860.00	*VENDOR TOTAL							
ITRON INC										
	QTRLY CHRG FEB,MAR,APRL	517.25	UTILITY BILL PROCESSING	04.420.221		289255 2A	461410	P	748	00058
	QTRLY CHRG FEB,MAR,APRL	517.24	UTILITY BILL PROCESSING	04.410.221		289255 2A	461410	P	748	00059
		1,034.49	*VENDOR TOTAL							
JAKE THE STRIPER										
	AUTO RPR #635	265.00	AUTO MAINTENANCE & REPAI	01.466.212		6572			748	00060
KANSAS STATE BANK										
	LOGGER APR 06	253.00	OFFICE EQUIPMENT MAINTEN	01.466.226		3338459			748	00053
LAROCCA/MS BETH										
	STUDY SKILLS/TAKING CLAS	187.50	TRAINING	01.466.223		3395			748	00085
MC CARTHY/MATT										
	REIMB-AIRFARE,MARCH 11	247.10	MEETINGS	01.452.222		WASH DC			748	00021
MICROSYSTEMS INC										
	RECORDS/STORAGE-POLICE	100.00	RECORDS STORAGE	01.466.232		T52043			748	00004
MORONI & HANDLEY PTNSHP										
	LEGAL SRVS JAN/2006	3,085.00	LEGAL FEES-PROSECUTION	01.457.235		FEB 17, 2006	460464	P	748	00057

Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID LINE
NORTHERN IL GAS CO									
	SERV FEB 06 - FEB 13	14.91	HEATING GAS	04.420.277		3 25 13 4460			748 00002
	SRV FOR DEC 8-FEB 7	237.53	HEATING GAS	04.410.277		3-26-31-5990			748 00079
		252.44	*VENDOR TOTAL						
P C MAGAZINE									
	1 YR SUBSCRIPT-MELLOR	49.97	DUES & SUBSCRIPTIONS	01.465.234		390474 MLL			748 00007
POWELL MSW LCSW BCD/KATH									
	TNG CONSULT-M THOMAS	170.00	TRAINING	01.466.223		2/9/06			748 00039
RYDIN SIGN & DECAL									
	2006 VEHICLE LICENSE	4,785.00	PRINTED MATERIALS	01.461.315		204319	461430	P	748 00013
	2006 MOTORCYCLE TAGS	207.00	PRINTED MATERIALS	01.461.315		204319	461430	P	748 00014
	SHIPPPING & HANDING	50.36	PRINTED MATERIALS	01.461.315		204319	461430	P	748 00015
		5,042.36	*VENDOR TOTAL						
SEYFARTH, SHAW FAIRWEATH									
	EMPLOYEE LAW-MAURER	175.00	TRAINING	01.459.223		02/09/06			748 00012
TAUTGES / JOHN									
	HAULING DEBRIS	680.00	HAULING	01.467.265		120			748 00009
	DEBRIS OUT	510.00	HAULING	01.467.265		121			748 00010
		1,190.00	*VENDOR TOTAL						
TRANSYSTEMS CORP									
	LIES RD BIKE PATH PHASE	1,307.09	ROADWAY CAPITAL IMPROVEM	11.474.486		13(810435)	462220	P	748 00011
VERIZON WIRELESS MESSAGI									
	SERV FOR MAR/2006	3.59	PAGING	01.464.243		U1-113407			748 00023
	SERV FOR MAR/2006	21.54	PAGING	01.466.243		U1-113407			748 00024
	SERV FOR MAR/2006	25.13	PAGING	01.466.243		U1-113407			748 00025
	SERV FOR MAR/2006	25.13	PAGING	01.466.243		U1-113407			748 00026
	SERV FOR MAR/2006	10.77	PAGING	01.466.243		U1-113407			748 00027
	SERV FOR MAR/2006	7.18	PAGING	01.466.243		U1-113407			748 00028
	SERV FOR MAR/2006	21.54	PAGING	01.466.243		U1-113407			748 00029

Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P ID LINE
VERIZON WIRELESS MESSAGI								
	SERV FOR MAR/2006	43.08	PAGING	01.466.243		U1-113407		748 00030
	SERV FOR MAR/2006	3.59	PAGING	01.467.243		U1-113407		748 00031
	SERV FOR MAR/2006	50.26	PAGING	01.467.243		U1-113407		748 00032
	SERV FOR MAR/2006	10.77	PAGING	01.467.243		U1-113407		748 00033
	SERV FOR MAR/2006	7.18	PAGING	01.468.243		U1-113407		748 00034
	SERV FOR MAR/2006	6.75	TELEPHONE	01.465.230		U1-113407		748 00035
	SERV FOR MAR/2006	3.59	EQUIPMENT MAINTENANCE	01.469.284		U1-113407		748 00036
	SERV FOR MAR/2006	28.72	PAGING	04.420.243		U1-113407		748 00037
	SERV FOR MAR/2006	0.29	PAGING	01.466.243		U1-113407		748 00038
		269.11	*VENDOR TOTAL					
WHEATON TROPHY & ENGRAVE								
	EMPLOYEE SRV AWARDS	746.70	EMPLOYEE RECOGNITION	01.452.242		205906		748 00088

Schedule of Bills

VENDOR NAME								
DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID LINE
REPORT TOTALS:	176,451.14							

RECORDS PRINTED - 000092

Schedule of Bills

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
01	GENERAL CORPORATE FUND	76,063.19
04	WATER & SEWER O/M FUND	84,081.88
06	MOTOR FUEL TAX FUND	3,672.96
11	CAPITAL IMPROVEMENT FUND	12,633.11
TOTAL	ALL FUNDS	176,451.14

BANK RECAP:

BANK	NAME	DISBURSEMENTS
OBB	OAK BROOK BANK	176,451.14
TOTAL	ALL BANKS	176,451.14

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT.

DATE APPROVED BY

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ADDENDUM WARRANTS
February 7, 2006 thru February 20, 2006

Fund	Check #	Vendor	Description	Amount
General	A C H	Oak Brook Bank	Payroll Jan 16, 2006 - Jan 29, 2006	426,087.24
Water & Sewer	A C H	Oak Brook Bank	Payroll Jan 16, 2006 - Jan 29, 2006	32,219.87
General	A C H	Ill Funds	I P B C for January 2006	143,629.91
Water & Sewer	A C H	Ill Funds	I P B C for January 2006	<u>11,917.93</u>
				<u>613,854.95</u>

Approved this _____ day of _____, 2006

By: _____
 Ross Ferraro - Mayor

 Janice Koester, Village Clerk

 Anthony Manzzullo - Village Treasurer

AGENDA ITEM
K26 3-6-06

ADDENDUM WARRANTS
February 22, 2006 thru March 6, 2006

Fund	Check #	Vendor	Description	Amount
General	A C H	Oak Brook Bank	Payroll Jan 30, 2006 - Feb 12, 2006	408,419.20
Water & Sewer	A C H	Oak Brook Bank	Payroll Jan 30, 2006 - Feb 12, 2006	31,948.59
Water & Sewer	A C H	Oak Brook Bank	Dupage Water Commission -Jan, 2006	154,851.42
				<u>595,219.21</u>

Approved this _____ day of _____, 2006

By: _____
Ross Ferraro - Mayor

Janice Koester, Village Clerk

Anthony Manzullo - Village Treasurer

**VILLAGE OF CAROL STREAM
BALANCE SHEET**

JANUARY 31, 2006

FUND	CASH	INVESTMENTS	OTHER ASSETS	TOTAL ASSETS	LIABILITIES	ADJ.FUND BAL.	LIAB. & EQUITY
GENERAL CORPORATE	1,728,317.28	15,822,429.50	2,059,390.31	19,610,137.09	3,114,414.98	16,495,722.11	19,610,137.09
WATER & SEWER	617,026.49	10,702,068.28	48,649,819.50	59,968,914.27	6,395,772.54	53,573,141.73	59,968,914.27
MOTOR FUEL TAX	4,324.42	2,664,028.54	18,861.33	2,687,214.29	4,852.10	2,682,362.19	2,687,214.29
CIVIC ENHANCEMENT FUND	172,275.70	336.21	100.00	172,711.91	0.00	172,711.91	172,711.91
GENERAL CORPORATE - CIP		13,859,704.21		13,859,704.21	0.00	13,859,704.21	13,859,704.21
GENEVA CROSSING - TIF*	654,186.78	0.00	0.00	654,186.78	0.00	654,186.78	654,186.78
TOTAL	3,176,130.67	43,048,566.74	50,728,171.14	96,952,868.55	9,515,039.62	87,437,828.93	96,952,868.55

* Funds invested in JP Morgan Bank money market fund.

**VILLAGE OF CAROL STREAM
REVENUE / EXPENDITURE STATEMENT
FOR 9 MONTHS ENDED JANUARY 31, 2006**

FUND	REVENUE			EXPENDITURES			NET MONTHLY REV. - EXPEND.
	BUDGET	MONTH	Y.T.D.	BUDGET	MONTH	Y.T.D.	
GENERAL CORPORATE	33,553,552	1,823,381.26	13,738,260.16	33,239,366	1,235,191.13	26,603,853.68	588,190.13
WATER & SEWER O/M	9,043,280	519,551.31	6,277,554.17	7,880,450	451,494.02	4,524,923.47	68,057.29
MOTOR FUEL TAX	2,030,890	100,224.37	891,184.71	1,274,890	11,356.04	999,229.70	88,868.33
CIVIC ENHANCEMENT FUND	300,917	18,503.42	266,920.97	300,917	911.00	215,069.84	17,592.42
GENERAL CORPORATE - CIP	855,097	20,612.46	14,265,228.89	855,097	58,908.46	405,524.68	(38,296.00)
GENEVA CROSSING - TIF	4,791,086	1,944.63	4,687,171.27	4,937,962	0.00	5,048,095.72	1,944.63
TOTAL	50,574,822.00	2,484,217.45	40,126,320.17	48,488,682.00	1,757,860.65	37,796,697.09	726,356.80

FISCAL BASIS

	EARNED/MONTH		EARNED/YEAR-TO-DATE		COLLECTIONS
	2004-05	2005-06	2004-05	2005-06	
	SALES TAX	476,222.14	502,456.47	2,909,614.57	
HOME RULE SALES TAX	171,440.38	183,797.06	976,601.52	1,088,286.96	OCT 2005
UTILITY TAX - COM ED	164,309.90	171,554.06	1,250,876.17	1,351,486.28	DEC 2005
UTILITY TAX - TELECOM.	172,691.31	185,581.32	982,478.22	1,033,785.24	OCT 2005
USE TAX -NATURAL GAS	73,016.48	86,428.73	253,440.36	256,379.29	DEC 2005
INCOME TAX (1)	356,047.61	480,182.76	1,203,104.86	1,329,379.97	OCT 2005

	BILLINGS/MONTH		BILLINGS/YEAR-TO-DATE	
	2004-05	2005-06	2004-05	2005-06

WATER	357,525.44	294,004.90	3,212,400.13	3,289,352.81
SEWER	208,596.11	190,797.82	1,804,070.40	2,145,180.15

	CASH RECEIPTS/MONTH		CASH RECEIPTS/YEAR-TO-DATE	
	2004-05	2005-06	2004-05	2005-06

WATER & SEWER	475,884.64	491,245.96	5,124,084.99	5,496,521.98
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The Village is on an accrual basis of accounting and financial reporting. This report is for ease of understanding, on a cash basis, which recognizes revenues when collected and expenditures when made.

* Not a complete year.

(1) Income Tax receipts from the State were not received in November