

**VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION**

VILLAGE HALL COUNCIL CHAMBERS  
801 BURLINGTON AVENUE

October 6, 2014  
7:00 p.m.

**AGENDA**

**1. Call to Order**

**a. Pledge of Allegiance**

**2. Roll Call**

**3. Approval of Minutes – August 4, 2014**

**4. Public Hearings**

- a. **PC-26-14:** A petition seeking approval of a Planned Development Amendment. The property is zoned B-3, General Services and Highway Business. The property is located on the south side of Butterfield Road approximately 390 feet west of Highland Avenue, commonly known as 1021 Butterfield Road, Downers Grove, IL (PIN 06-29-302-008). Michael Rupert, Petitioner; Archie A. Van Elslander Trust, Owner.
  
- b. **PC-27-14:** A petition seeking approval of a Special Use to operate a funeral or mortuary service business. The property is zoned B-3, General Services and Highway Business. The property is located on the north side of Ogden Avenue approximately 250 feet west of Lee Avenue, commonly known as 1628 Ogden Avenue, Downers Grove, IL (PIN 09-06-302-004). Kirk D. Conners, Petitioner; Edward Y. Wong and Mei L. Wong, Owners.

**5. Adjournment**

**THIS TENTATIVE REGULAR AGENDA MAY BE SUBJECT TO CHANGE**

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VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION MEETING  
PUBLIC HEARING

AUGUST 4, 2014, 7:00 P.M.

Chairman Pro tem Webster called the August 4, 2014 meeting of the Plan Commission to order at 7:00 p.m. and led the Plan Commissioners and the public in the recital of the Pledge of Allegiance.

**ROLL CALL:**

**PRESENT:** Commissioners Mr. Cozzo, Mr. Matejczyk, Mr. Quirk, Mrs. Rabatah, Mr. Rickard, Mr. Waechtler, Chairman Pro tem Webster; ex-officio Ms. Lupescu

**ABSENT:** Chairperson Urban (ex-officios Mr. Menninga, Mr. Souter)

**STAFF:** Planning Manger Stan Popovich and Planners Patrick Ainsworth and Kelley Chrisse

**VISITORS:** Mr. Tim Leoren, 545 Chicago Ave., Downers Grove; Mr. Tom Szot, 3848 Florence, Downers Grove; Mr. Melvin Lee, 3840 Florence, Downers Grove; Mr. Michael Ferrandino, 3848 Wilcox, Downers Grove; Mr. Weng Foong, 1433 Fullerton Ave., #B, Addison, IL; Ms. Dawn Rhodes and Penny Ewanic with Chicago Tribune; Mr. David Schafer, Architect, 2500 S. Highland Ave., Lombard, IL; Dr. Kenneth Eisenberg, petitioner; Mr. Frank Wislowski, 4941 Forest, Downers Grove

**APPROVAL OF JULY 7, 2014 MINUTES**

**MINUTES OF JULY 7, 2014 WERE APPROVED ON MOTION BY MR. WAECHTLER, SECONDED BY MR. QUIRK. MOTION CARRIED BY VOICE VOTE OF 7-0.**

**PUBLIC HEARINGS:**

Chairman Pro tem Webster reviewed the protocol for the meeting and swore in those individuals that would be speaking on the following petition:

**FILE PC-20-14:** A petition seeking approval of a Special Use to expand an existing veterinary clinic. The property is zoned DB, Downtown Business. The property is located on the east side of Forest Avenue approximately 300 feet north of Warren Avenue, commonly known as 4945 Forest Avenue, Downers Grove, IL (PIN 09-08-116-012). David Schaefer, Petitioner; Kenneth Eisenberg, Owner.

Village Planner Patrick Ainsworth reviewed and summarized the request before the commissioners noting all public hearing notices were posted in accordance with Section 12.01F of the Zoning Ordinance. One comment was received from a neighbor to the south and there was one concern from a neighbor to the north which would be addressed further into the presentation. Photos of the subject site were presented, with Mr. Ainsworth noting there was no direct access off the east side

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of the site and a one and one-half-story residential home sat on the site which was converted into a commercial use. The current owner established the business as a permitted use in 2001 but when the area was rezoned to Downtown Business, this use became a lawfully established special use. The proposed expansion of the building triggered the requirement for the special use.

Per Mr. Ainsworth, the owner plans to remove the second floor apartment unit and expand the second-story toward the rear of the structure to add break rooms/offices for its employees and veterinarians. The existing trash enclosure will be relocated, as depicted in the east elevation. Photos of the parking lot followed with staff recommending that the western most parking space be converted to green space. Handicap accessible spaces would be added as well as striping. A floor plan and elevations followed.

Because the site is located in the Downtown Business District, Mr. Ainsworth shared that the applicant has to follow the downtown design guidelines. Mr. Ainsworth stated that within the Downtown Business district, the petitioner can build up to the property line. The proposed addition will be six inches from the north property line. Bulk standards were reviewed. Mr. Ainsworth reported that the building coverage increases slightly from 19.2% to 22.1% but the amount of green space was increasing.

Staff recommended approval of the special use and for the expansion of the additional space. The petitioner was looking to expand the structure to better service his customers and employees.

Per questions, Mr. Ainsworth confirmed the petitioner will be required to add sprinklers throughout the building and there was no access easement to the south. Other concerns raised included the proximity of the bumper overhang to the drive aisle with Mr. Ainsworth stating there were no modifications to the existing parking lot except those noted earlier in his report. Mr. Ainsworth further explained the rationale for removing the one parking space: to increase the green space and bring the building closer to conformity. However, Mr. Quirk was quick to point out that the business was operating for the past 12 to 15 years prior to the Business District being created and, eliminating the one space was basically an inconvenience for those with pets having an emergency, especially if the petitioner did not have it in his request. However, Mr. Ainsworth explained it was the Plan Commission's discretion to make the conditions accordingly but staff did meet with the petitioner and property owner to discuss the increased green space which they submitted in the petition.

Continuing, Mr. Ainsworth reported that the existing handicap ramp will remain in place.

Petitioner, Mr. David Schaeffer, 4830 Lee, Downers Grove, stated he is the architect for Dr. Eisenberg's proposed expansion and explained that the front of the site is dedicated to client parking with green space on the north side of the front lot. Employees park in the rear. Again, the parking delineation was explained to the commissioners by Mr. Schaeffer, noting the parking spaces will be striped but will decrease in number due to the village's requirement to add green space and the handicap space/access aisle

Mr. Schaeffer proceeded to explain the building expansion which includes a new 264 sq. foot first-floor addition and a 1,068 sq. feet second floor addition. Details followed on the renovations planned noting it was the doctor's objective to create a more professional environment for the doctors by moving offices from the basement to the second floor, creating a separate break room for

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staff, and improving the flow and energy performance (sound proofing and insulation) of the rear kennel area. A new interior stairwell will be added for employee access. The existing tree and fence will be removed to allow for the expansion to the property line. Similar building materials will be used to match the existing building.

Mr. Schaefer proceeded to explain how the liquid and solid waste would be addressed. Per commissioner questions, Mr. Popovich explained that the parking lot striping was required and Mr. Schaefer could not confirm whether the current driveway was shared with the rear parking lot with the building to the south. He deferred that question to the owner.

Dr. Ken Eisenberg, 1656 Prairie, Downers Grove, explained the history of the building and how he converted it from a former printing shop. He shared the challenges with the parking lot. He also shared that he did discuss with staff the issue of green space and the fact that he basically had to agree with the village's Downtown Business district guidelines for green space. Personally, he believed it was easier to get around without it. Dr. Eisenberg did confirm that he shared the common alleyway with the property to the south which he said was enough for one car to traverse and it would remain the same. Regarding the neighbor to the north, due to allergies, he stated his addition would have no windows or fans that would blow into that neighbor's area. That same neighbor was also the one neighbor that did not receive a mailed hearing notice on this petition but he did meet with the neighbor today to answer her concerns. As to the Appointment Only signage, Dr. Eisenberg explained it was to control walk-ins mostly, but there were emergencies sometimes.

Asked if there was parking on Forest, Mr. Popovich recalled there was two-hour parking on both sides of the street.

Regarding the letter from the owner to the south who had concerns about water drainage, Dr. Eisenberg explained the building to the south was a former AT&T building with its trucks parked, draining water from the storm sewers, about six times a year. He stated the area seems to back up and flood. He stated his property does not flow into the neighbor to the south and the neighbor's property has valleys that accumulate water. Mr. Ainsworth stated that the village development engineer reviewed the proposal twice noting that the project "will not make the surrounding properties any worse but not any better." Dr. Eisenberg pointed out the owner to the south could improve his drainage by adding gutters, since he had a flat roof.

Acting Chairman Webster opened up the meeting to public comment.

Mr. Frank Wislowski, 4941 Forest, Downers Grove, attorney representing Judge Mary Ellyn Provenzale, stated he was withdrawing her objection to the project since his client's issues were resolved.

Hearing no further comments, public comment was closed. Mr. Schaefer had no closing comments.

Mr. Waechtler, Mrs. Rabatah and Mr. Quirk commended and thanked Mr. Schaefer and Dr. Eisenberg for providing the details of their proposal, meeting with the neighbors, solving some of the on-site issues and making an investment to enhance the quality of the community. Mr. Cozzo noted that the Standards for Approval for a special use were met. Mr. Quirk, however, challenged staff's Condition No. 3 in its report, summarizing that parking is not required and the petitioner has every right to build up to the front lot line and use the space for parking. He believed it was unfair

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to address the partial non-conformity and to judge, to what extent, the Plan Commission will accept a non-conformity moving forward. Also, he said the village was asking the petitioner to replace one side of the sidewalk with natural grass. Mr. Quirk suggested that the commission make a motion to approve the petition with the exception of Item 3 and let the petitioner address their green space.

Mr. Popovich explained that part of the zoning ordinance states that if parking is voluntarily provided, it has to meet the standards of the parking ordinance. While staff understood the need for parking and the need for customers to park in the front yard there was the requirement to screen parking from public view. As to the live plant material, Mr. Popovich explained Astroturf was not considered green space but shrubs and other live plant material could be planted in place of turf.

Mr. Quirk did not want to see the commission take away from a growing and prosperous business that was in the community for many years. Mr. Ainsworth referenced Section 28.7.070, Off-site Parking in the Downtown, and pointed out that with the added green space and the drainage and low topography of the area, staff was trying to reach a compromise for the street yard parking versus omitting all street yard parking, as well as decrease water run-off to the southern neighbors. Referencing the Special Use process, he explained that staff takes additional steps, if possible, to reduce any non-conformities. Mr. Rickard mentioned that one could argue that the limited green space gained by reducing one parking space is going to offset the additional impervious building addition since they were about the same size. While he did not support being punitive toward existing businesses either, he believed it was a fair swap.

Mr. Quirk appreciated staff's input and said if the petitioner was fine with staff's condition, he was fine with it also. Mr. Cozzo asked for clarification about the green space material.

**WITH RESPECT TO FILE PC 20-14 MR. WAECHTLER MADE A MOTION THAT THE PLAN COMMISSION FORWARD TO THE VILLAGE COUNCIL A POSITIVE RECOMMENDATION FOR THE PROPOSAL, INCLUDING THE FOLLOWING FOUR (4) CONDITIONS:**

- 1. THE SPECIAL USE SHALL SUBSTANTIALLY CONFORM TO THE STAFF REPORT AND ARCHITECTURAL DRAWINGS PREPARED BY DAVID A. SCHAEFER ARCHITECTS DATED APRIL 15, 2014 WITH THE LATEST REVISIONS ON JULY 8, 2014, EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**
- 2. THE BUILDING SHALL HAVE FIRE SUPPRESSION AND DETECTION SYSTEMS IN A MANNER SUITABLE TO THE FIRE PREVENTION BUREAU CHIEF.**
- 3. THE WESTERNMOST OFF-STREET PARKING SPACE SHALL BE ELIMINATED AND TURNED INTO LIVE GREEN OPEN SPACE.**
- 4. THE REFUSE CONTAINER SHALL BE RELOCATED TO THE EAST ELEVATION AND BE SURROUNDED BY A CODE COMPLIANT REFUSE ENCLOSURE.**

**SECONDED BY MRS. RABATAH.**

**ROLL CALL:**

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**AYE: MR. WAECHTLER, MRS. RABATAH, MR. COZZO, MR. MATEJCZYK,  
MR. QUIRK, MR. RICKARD, ACTING CHAIRMAN WEBSTER**

**NAY: NONE**

**MOTION CARRIED: VOTE: 7-0**

**FILE PC-21-14:** A petition seeking annexation and rezoning from R-1, Single Family Residence, to R-3, Single Family Residence. The property will be annexed with the default zoning of R-1, Single Family Residence. The property is located at the northeast corner of 39th Street and Fairview Avenue, Downers Grove, IL (PINs 06-33-301-014, -015). Weng M. Foong, Petitioner; Sunway Realty LLC, Owner.

Village Planner Kelley Chrise reminded the commissioners that with the new zoning ordinance in place, neighbor communications can be required for rezonings. The proposal before them, however, did not because the request was to rezone to from single family to single family. A review of the petition followed noting the voluntary annexation portion would be heard by the village council separately. Continuing, Ms. Chrise reported the parcel consists of two lots (Lots 10 & 11) and is located on the northeast corner of 39<sup>th</sup> Street and Fairview Avenue. If the annexation was approved, it would render an R-1 zoning classification by default. Adjacent zoning was pointed out, noting there were R-3 zonings to the south. A single-family home currently sat on Lot 10 and the petitioner was requesting the rezoning to construct a new single-family home on Lot 11. Photos of the site and neighborhood followed.

Ms. Chrise pointed out that any lots that are non-conforming and are adjacent to lots are held in common ownership, the lots must be consolidated to meet the minimum lot area and width requirements. Without the rezoning, the petitioner could not build a single family home on Lot 11. Bulk regulations were then reviewed with Ms. Chrise pointing out that regardless of the zoning designation, the petitioner would have to meet the 40-foot building line along 39<sup>th</sup> Street to maintain consistent street presence. One benefit, however, was that along Fairview Avenue, the petitioner could have a 30 ft. setback instead of a 40 ft. setback. Bulk standards were reviewed along with the benefits of the rezoning.

Per Ms. Chrise, the proposal was consistent with the village's Zoning Ordinance, Comprehensive Plan, and surrounding zoning and land use classification. Staff recommended the Plan Commission forward a positive recommendation to the Village Council.

Mr. Quirk inquired as to why the owners actually wanted to annex into the village; Mr. Waechter confirmed the default R-1 District zoning when a property is annexed into the village; and Ms. Chrise explained that with the R-1 zoning, the owners would not be able to use Lot 11 as a separate buildable lot. Staff proceeded to clarify what properties were annexed in the area and the fact that when annexation occurs, rights-of-ways are included in the annexation. (A dialog followed regarding boundary agreements and contiguous properties and properties in other villages.)

Petitioner, Mr. Weng M. Foong, 1433 W. Fullerton Avenue, Addison, IL representing Mr. Woon Lee of Sunway Realities (owner), appeared before the Plan Commission noting that Mr. Lee was out of the country at the time. Mr. Foong discussed comparisons of the subject properties against other properties along 39<sup>th</sup> Street. He stated the owner wanted to annex because it gave the sense of belonging to a community and the sites were already receiving exceptional municipal services. He

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noted the positive services he received from Ms. Chrissy and the village's Planning Division overall. He asked for consideration and hoped the commissioners would provide a favorable recommendation.

Chairman Pro tem Webster invited the public to speak.

Mr. Michael Ferrandino, 3848 Wilcox, Downers Grove, resides just north of the petitioner and was concerned about the height of the structure and whether a driveway would be created off of Fairview, which was a traffic hazard. He would not support the proposal if it did.

Ms. Chrissy indicated that the maximum height for either lot is 35 feet according to the village's ordinance. As to the driveway, Mr. Foong stated he intends to construct a 2,000 square foot house on Lot 11 with a side-loading garage and driveway accessible from 39<sup>th</sup> Street. He intends to construct to village code and have the height less than 35 feet. Structure materials would include siding on three-sides with a brick front facade. Although he intends to keep as much vegetation as possible, some of the trees on Lot 11 will have to be removed. The current home would be renovated.

Hearing no further comments, public comment was closed. Mr. Foong had no closing remark. Deliberation was entertained.

Mr. Cozzo stated that the review and approval criteria had been met; the chairman pro tem concurred. Questions followed whether the commission could approve the rezoning before the annexation wherein staff indicated it could, citing prior examples.

**WITH RESPECT TO FILE PC 21-14, MR. COZZO MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL FOR THIS REQUEST.**

**SECONDED BY MR. RICKARD.**

**ROLL CALL:**

**AYE: MR. COZZO, MR. RICKARD, MR. MATEJZYK, MR. QUIRK, MRS. RABATAH, MR. WAECHTLER, CHAIRMAN PRO TEM WEBSTER.**

**NAY: NONE**

**MOTION CARRIED: VOTE: 7-0**

**NEW BUSINESS**

Planning Manager Popovich announced that staff will be providing an update on some of the projects that have come before the commissioners. (Ms. Lupesco exits chambers). Mr. Waechtler shared that prior staff used to provide of recap of what the commissioners previously recommended and what was approved/ denied by village council. He stated that report was very helpful.

Ms. Chrissy then shared a development update on the following previous projects: the Sheltered Care Facility at 4200 Lacey Road; Starbucks at 1149 Ogden Ave; Dunham Townhouses;

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McDonalds at 2535 Ogden Ave., the Fresh Thyme development; and Midwestern University. Commissioners agreed frequent updates were beneficial.

Other discussion followed regarding the status of a business located at Belmont and Ogden; a special use that was approved prior; and the status of the extension of James Avenue.

Mr. Popovich announced the following: he will contact the commissioners as to whether there will or will not be a September 8, 2014 commission meeting; the village is moving towards electronic packets starting at the next meeting; that commissioners contact him if they need a laptop to use for the electronic packets; and that one opening exists on the Plan Commission, since Mr. Beggs has resigned.

**THE MEETING WAS ADJOURNED AT 8:58 P.M. ON MOTION BY MR. QUIRK, SECONDED BY MR. RICKARD. MOTION CARRIED BY VOICE VOTE OF 7-0.**

/s/ Celeste K. Weilandt  
Celeste K. Weilandt  
(As transcribed by MP-3 audio)





**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE PLAN COMMISSION  
OCTOBER 6, 2014 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
PC-26-14 1021 Butterfield Road, Butterfield Square	Planned Development Amendment	Kelley Chrissie Planner

**REQUEST**

The petitioner is requesting approval of an amendment to Planned Development #44 to permit a sign package at 1021 Butterfield Road, Butterfield Square.

**NOTICE**

The application has been filed in conformance with applicable procedural and public notice requirements.

**GENERAL INFORMATION**

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**OWNER:** Archie A. Van Elslander Trust  
6500 E 14 Mile Road  
Warren, MI 48092

**APPLICANT:** Art Van Furniture  
6500 E 14 Mile Road  
Warren, MI 48092

**PROPERTY INFORMATION**

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**EXISTING ZONING:** B-3, General Services and Highway Business  
**EXISTING LAND USE:** Commercial  
**PROPERTY SIZE:** 224,635 square feet (5.16 acres)  
**PINS:** 06-29-302-008

**SURROUNDING ZONING AND LAND USES**

**ZONING**  
**NORTH:** B-3, Community Shopping (Lombard)

**SOUTH:** M-2, Restricted Manufacturing

**EAST:** B-3, General Services and Highway Business

**WEST:** B-3, General Services and Highway Business

**FUTURE LAND USE**

n/a

Utilities

Office/Corporate Campus

Office/Corporate Campus

**ANALYSIS**

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**SUBMITTALS**

This report is based on the following documents, which are on file with the Department of Community Development:

1. Application/Petition for Public Hearing
2. Proposal Narrative
3. Plat of Survey
4. Proposed Site Plan
5. Architectural Elevations

### PROJECT DESCRIPTION

The petitioner is requesting a Planned Development Amendment to approve a 990 square foot sign package for a proposed furniture store located on the south side of Butterfield Road, approximately 650 feet west of Highland Avenue, commonly known as 1021 Butterfield Road. The 5.16 acre property, which is zoned B-3, General Services and Highway Business, fronts both Butterfield and Frontage Roads and backs up to Interstate Route 88 (I-88). The only access to the subject property is via Frontage Road either at Downers Drive, approximately 1,500 feet west of the site, or Highland Avenue, approximately 650 feet east of the site. The property is at a complex navigational point on Butterfield Road where motorists are merging from or exiting to Highland Avenue.

The subject property is part of Butterfield Square, Planned Development #44, which includes two lots. The subject property is Lot 1 of the planned development, where Lot 2 is located immediately east. Lot 1 is improved with an attached, two-story retail building that is sited at the back of the lot with the building setback along Butterfield Road ranging from 140 feet to 200 feet. With the establishment of the planned development in 2007, the Village approved a variation from the off-street parking requirements of the Zoning Ordinance to allow an unrestricted access shared parking agreement. This shared parking agreement includes both the shared parking agreement between the owners of Lots 1 and 2 and the use of the leased Northern Illinois Gas Company (NICOR) property immediately south of the two lots for parking.

Last year, the Village entered into an Economic Incentive Agreement with the petitioner that included the interior and exterior remodel of the building as one of the terms of the agreement. As such, the petitioner is proposing an interior renovation and expansion of the existing floor area from 97,209 square feet to 116,153 square feet of floor area. The addition of approximately 19,000 square feet of first floor retail space does not extend beyond the original building footprint, but will result in a reduction in the number of covered parking spaces and reconfiguration of the surface parking lot. In total, there is a proposed reduction of 60 parking spaces for the planned development. The number of parking spaces remains compliant with the current shared parking agreement. In addition, major façade improvements are being proposed that will locate the main entrance to the retail store on the north façade with a secondary entrance, primarily for a second business, on the west façade. All the aforementioned improvements will be administratively approved at building permit issuance, as none of the proposed changes require an amendment to the planned development.

With the proposed addition, renovation and modernization of the retail space, the petitioner will be removing the existing non-compliant monument sign along Butterfield Road and is requesting a planned development amendment specifically to approve a sign package, as identified in the Economic Incentive Agreement. The signs proposed are as follows:

Sign	Type	Location	Size (square feet)
Art Van Logo	Wall Sign	North Façade	270
PureSleep Mattress Store	Wall Sign	North Façade	80
Art Van Furniture	Wall Sign	West Façade	120
Scott Shuptrine Interiors	Wall Sign	West Façade	50
Art Van Logo	Wall Sign	South Façade	270
PureSleep Mattress Store	Wall Sign	South Façade	80
Art Van Furniture	Wall Sign	East Façade	120
Total Signage			990

**COMPLIANCE WITH THE COMPREHENSIVE PLAN**

The property is designated as Regional Commercial in the Comprehensive Plan. Regional Commercial uses include a blend of corporate office, large shopping centers, hotels and big box development. To stay competitive, the Plan calls for reinvestment of the regional commercial areas, specifically within the Butterfield Road corridor, to retain current businesses and attract new retailers and restaurants. The proposed furniture store is a new business to the area and the petitioner will be modernizing the existing building that has been vacant for the past several years. The improvements include the addition of first floor retail space, an interior remodel, reconfiguration of the parking lot, façade improvements and new signage. According to the Comprehensive Plan, this type of reinvestment could spur further reinvestment and modernization of the properties along Butterfield Road and enhance the corridor. Specifically, the Plan identifies the need to maximize visibility, which the petitioner is proposing to do with the proposed exterior remodeling and sign package. The proposed use and proposed improvements are consistent with the Comprehensive Plan.

**COMPLIANCE WITH THE ZONING ORDINANCE**

The property is in a planned development and zoned B-3, General Services and Highway Business. The proposed furniture store is listed as a permitted use in the B-3 zoning district. The planned development allows certain zoning regulations to be calculated for the overall development, such as open space and FAR.

In 2012, the renovation of the building on Lot 2 of the planned development for a golf shop was administratively approved with the removal of the second floor. The building footprint for the proposed furniture store is not changing and currently meets the setback and height regulations. Previous changes to the building on Lot 2 to accommodate the golf shop in 2012 and the proposed improvements for the furniture store that affect the overall planned development are summarized below:

<b>Butterfield Square Planned Development</b>	<b>Lot 1</b>	<b>Lot 2</b>
Lot Size	224,635 sq. ft.	92,504 sq. ft.
Building Gross Floor Area	116,153 sq. ft.	49,339 sq. ft.

<b>Butterfield Square Planned Development</b>	<b>Regulation</b>	<b>Proposed</b>
FAR	.75 max. (237,838 sq. ft.)	.52 (165,492 sq. ft.)
Parking Spaces (with shared parking agreement)	364 required	392
Accessible Spaces (with shared parking agreement)	8 required	11

Although the interior remodel and site improvements for the proposed furniture store slightly modify the development envelope, the addition of first floor retail space and parking lot reconfiguration will be administratively approved as the proposed improvements comply with codes. The request for the planned development amendment is specific to a sign package that requires deviations from the Zoning Ordinance. Based on the proposed signage, the requested deviations from the sign regulations are as follows:

1. Increase the maximum total sign area from 300 square feet to 990 square feet;
2. Permit a sign on the east façade without frontage where no sign is allowed; and
3. Allow two signs on the north, south and west facades where only one is permitted.

The petitioner is removing the non-compliant monument sign and will not be installing a new monument or tollway monument sign. Essentially, the petitioner is requesting to swap the allowance for the tollway monument sign (225 square feet) for wall signage. As the tollway monument sign square footage does not count toward the maximum total sign area, the petitioner is only requesting an additional 465 square feet of signage in order to overcome site accessibility challenges.

Given the complexities of the adjacent roadways and in order to adequately identify the proposed furniture store, the petitioner has proposed wall signage on all four facades. As a flagship location, two secondary businesses will be co-located within the proposed furniture store and require adequate identification. As such, the petitioner has proposed two wall signs on the north, south and west facades where one sign will identify the proposed furniture store and the other sign will identify one of the two secondary businesses.

#### **NEIGHBORHOOD COMMENT**

Notice was provided to all adjacent property owners in addition to posting the public hearing notice sign and publishing the legal notice in *Downers Grove Suburban Life*. No inquiries have been received to date.

#### **FINDINGS OF FACT**

##### ***Section 12.040.C.6 Review and Approval Criteria of Planned Unit Developments***

*The decision to amend the zoning map to approve a PUD development plan and to establish a PUD overlay district are matters of legislative discretion that are not controlled by any single standard. In making recommendations and decisions regarding approval of planned unit developments, review and decision-making bodies must consider at least the following factors:*

***a. The zoning map amendment review and approval criteria of Sec. 12.030.I.***

Staff has determined that amendments of a limited scope for existing planned developments where there are no changes to the building footprints or site do not require a rezoning, as the changes proposed are minimal. Thus, this criterion does not apply.

***b. Whether the proposed PUD development plan and map amendment would be consistent with the comprehensive plan and any other adopted plans for the subject area.***

The proposed amendment to planned development #44 is consistent with the Comprehensive Plan. The Plan encourages the reinvestment of commercial properties within the Butterfield Road corridor. The subject property has been vacant for a number of years and the proposed improvements are anticipated to spur further redevelopment of commercial areas in this corridor. Additionally, the proposed increase in signage would maximize visibility in an area with a challenging roadway configuration without adding additional structures of a monument and tollway monument sign. This criterion is met.

***c. Whether PUD development plan complies with the PUD overlay district provisions of Sec. 4.030.***

One of the objectives of a PUD is to incorporate attractive, high-quality lighting, architecture and signage, which is what the petitioner has proposed. The petitioner has indicated that this store will be a flagship store and, as such, a significant investment will be made to the property as demonstrated in the attached drawings. The proposed signage is strategically incorporated into the architectural design of the building and is necessary as part of a flagship store. Additionally, the improvements that are proposed will advance the goals in the Comprehensive Plan specific to the Butterfield Road corridor. This criterion is met.

***d. Whether the proposed development will result in public benefits that are greater than or at least equal to those that would have resulted from development under conventional zoning regulations.***

The subject site is not a prime retail location given the complexities in the roadway configuration that makes the site difficult to access. As such, this property is designated for Office/Corporate Campus in the Future Land Use Map. Specifically, the configuration of the roadway restricts access to the site from Frontage Road, is separated from Butterfield Road by Frontage Road and is at a key decision point on Butterfield Road that reduces visibility from the roadway. The Village acknowledges the challenges of using this site for retail and has accepted the need to amend the planned development, via the Economic Incentive Agreement, to provide adequate signage in order for this location to be

used as retail. The petitioner has identified that the proposed use would not be viable without the proposed signage. This criterion is met.

- e. Whether appropriate terms and conditions have been imposed on the approval to protect the interests of surrounding property owners and residents, existing and future residents of the PUD and the general public.*

The amendment to the planned development is limited to a sign package that has been determined by the Village as being necessary to the viability of this site as a retail location. All other changes that have previously occurred in 2012 for the golf shop and the proposed improvements for the proposed furniture store meet code requirements and can be administratively approved. The anticipated impact of the proposal on the surrounding property owners and residents, existing and future residents of the PD and the general public is a revived commercial property that can spur redevelopment of the Butterfield Road corridor. The surrounding property owners will be protected from additional signage with the condition that no additional signage will be placed on this site. This criterion is met.

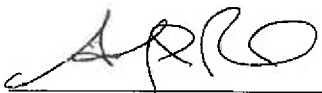
## RECOMMENDATION

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The proposed Planned Development Amendment is compatible with the Comprehensive Plan and surrounding zoning and land use classifications. Based on the findings listed above, staff recommends the Plan Commission make a positive recommendation to the Village Council regarding this petition subject to the following conditions:

1. The proposed Planned Development Amendment shall conform to the sign drawings prepared by Art Van dated August 8, 2014; and
2. No additional wall or monument signs shall be permitted for this site that would result in an increase in overall sign area.

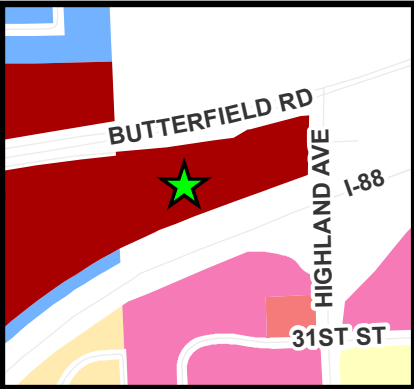
Staff Report Approved By:



Stanley J. Popovich, AICP  
Planning Manager

SP:kc  
-att



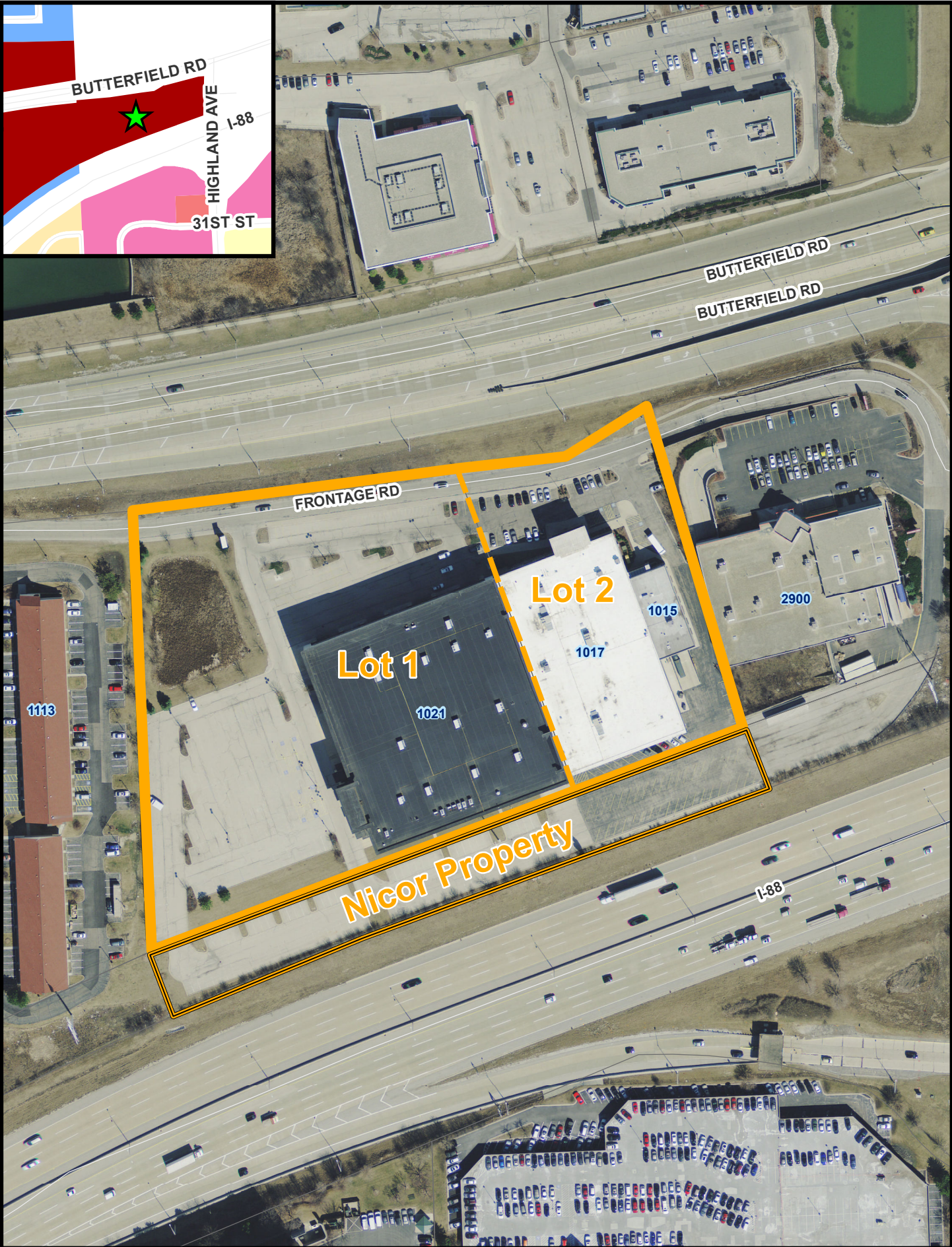
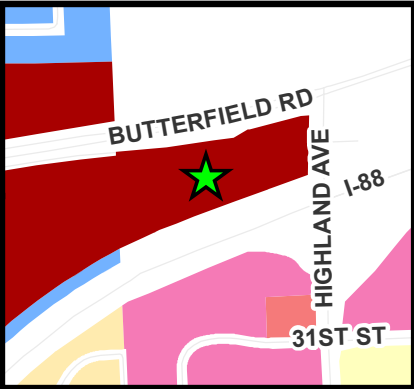


0 50 100 200  
Feet

# 1021 Butterfield Road - Location Map







0 50 100 200 300 Feet

# Butterfield Square, PD #44





# Art Van Furniture Flagship at Downers Grove

Planned Development Amendment

September 15, 2014

We are requesting approval to increase our exterior building signage to total 990 SF. As you know, this property has been vacant for many years and has had a significant negative impact on the surrounding area. When we first purchased this property and worked out an agreement with the Village, we were planning on developing this building similar to our existing stores in Chicagoland. Once we started our design process, we realized that this property along with its challenges also has great potential. We started an internal evaluation to determine if the site would qualify as a flagship location. In order to qualify as a flagship location the site must meet or exceed the following requirements:

1. Great visibility
2. Great access
3. Great signage
4. Greater than 100,000 SF building
5. Must be or have the potential to be a great retail area



Developing this site with a flagship store has the potential to be the change agent for the entire area. It will require working closely with the Village so that items 2, 3, and 5 come to fruition as quickly as possible. As you can see from our proposed elevations, we have completely changed the exterior of the existing building. In addition, there are three separate businesses housed in this building that require signage:

1. Art Van Furniture
2. PureSleep Mattress Store
3. Scott Schuptrine Interiors

The increase in signage is due to the three unique characteristics of this property:

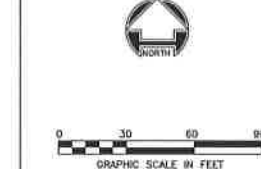
1. **ACCESSIBILITY:** Even though the building has great visibility from I-88 and Butterfield Road, accessibility to the Butterfield service drive is challenged and unidentifiable.
  - A. Currently our building and signage are not visible when you turn onto the service drive. We believe the size of the signage is critical in helping our customers easily find our store.
  - B. The access onto the Butterfield service drive looks more like you are pulling into the existing Savers parking lot than a road.



- C. We would recommend that the Village allow us to increase our signage to 990 SF in order provide our customers the best opportunity to find our store. In addition, we also recommend that the Village allow a small road sign at the entrances to the Butterfield Service drive to identify the current and future retailers along the service drive.
- 2. SIGNAGE PROPORTION:** Based on the current PUD, we are allowed only 300 SF of signage. The standard in most communities especially for large box stores is based on frontage, building setback, percentage of wall area, or internal approval with the planning department. The existing signage allowed is equal to 0.6% of total wall area. Our proposed signage is only 2.0% of the total wall area. Both of these percentages are very small as compared many communities we currently reside.
- 3. EXISTING ENVIROMENT:** As you know, the existing area is not a great retail environment. In fact it is marginal at best, however there is potential for it to be great. We have recognized this fact and determined that making this our Chicagoland flagship store will give this area the spark it needs to help become a great retail environment. We alone cannot make this happen; we will need your support for our signage requests and hopefully for future projects in the immediate area. With our significant investment and partnership, we look forward working with the Village.

We are very interested in making a long term commitment, and we are asking for you to support our request and give us the tools we need in order to have successful business and change the future of retail in our area.

Please consider all the above factors along with what is best for the overall health of our community.



**LEGEND:**

- SURVEYED BOUNDARY
- LOT/PARCEL LINE
- RIGHT OF WAY LINE
- SETBACK LINE
- EXISTING EASEMENT LINE
- SECTION LINES
- SET R.O. SPRINKLER IN ASPHALT OR IRON PIPE W/ CAP IN SOIL OR CUT CROSS IN CONCRETE
- SET CONCRETE MONUMENT
- IRON PIPE FOUND
- NAIL FOUND
- SPIKE FOUND
- CHEELED CROSS FOUND
- DRILL HOLE FOUND
- METAL CORNER FOUND
- SET MONUMENT FOUND
- STONE FOUND
- MONUMENT FOUND
- R/W MONUMENT FOUND
- NARROW TOWN FOUND
- CONCRETE MONUMENT FOUND
- BRASS PLUG FOUND
- BENCH MARK FOUND/SET
- POST
- FLAG POLE
- MAUIKUX
- PARKING METER
- SOL DORING
- MONITOR WELL
- TEXT PIT
- DOLLARD
- SATELLITE DISH
- DECIDUOUS TREE
- CONIFEROUS TREE
- SHRUB
- BURNING POST
- RR SIGNAL POLES
- RR CONTROL BOX
- SANITARY MANHOLE
- CLEANOUT
- LIFT STATION
- STORM MANHOLE
- INLET
- CURB INLET
- CATCH BASIN
- DOUBLE CURB INLET
- END SECTION
- GAS MANHOLE
- GAS VALVE
- GAS METER
- GAS LINE MARKER/PAIN/FLAG
- GAS REGULATOR
- ELECTRIC MANHOLE
- PULL BOX
- ELECTRIC LINE MARKER/PAIN/FLAG
- TRANSFORMER
- GROUND LIFT
- ELECTRIC METER
- ELECTRIC PEDESTAL
- HOOKHOLE
- TELEPHONE MANHOLE
- TELEPHONE PEDESTAL
- CABLE TV PEDESTAL
- TELEPHONE LINE MARKER/PAIN/FLAG
- FIBER OPTIC LINE MARKER/PAIN/FLAG
- CABLE TV LINE MARKER/PAIN/FLAG
- FIRE HYDRANT
- WATER VALVE
- WATER SERVICE
- FV VALVE
- METER PIT
- WATER LINE MARKER/PAIN/FLAG
- SWAGE CONNECTION
- FINE SEWAGEMENT CONNECTION
- WATER SPOUT/HOSE BIBB
- WATER METER
- WATER MANHOLE
- WELL
- SPRINKLER HEAD
- SPRINKLER CONTROL VALVE
- WATER FOUNTAIN
- POWER POLE
- TELEPHONE POLE
- LIGHT POLE
- TRAFFIC SIGNAL POLE
- GROUND POST
- GUY POLE
- AIR CONDITIONING UNIT
- TRAFFIC CONTROL BOX
- TRAFFIC PULL BOX
- TRAFFIC MANHOLE
- PARKING COUNT
- QUARRRY
- WOOD FENCE
- IRON FENCE
- CHAIN LINK FENCE
- STONE FENCE
- UNDERGROUND ELECTRIC
- OVERHEAD ELECTRIC
- UNDERGROUND TELEPHONE
- UNDERGROUND FIBER OPTIC
- UNDERGROUND GAS
- WATER LINE
- SANITARY LINE
- STORM LINE
- RIBBON
- TREE LINE
- EDGE OF POND
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- TC TOP OF CASTING
- RW INVERT
- RCP REINFORCED CONCRETE PIPE
- PVC PIPE
- CPP CORRUGATED PLASTIC PIPE
- VCP VITRIFIED CLAY PIPE
- IP IRON PIPE
- T/P TOP OF PIPE
- T/F TOP OF FOUNDATION
- F/F FINISHED FLOOR

**PROPERTY DESCRIPTION:**

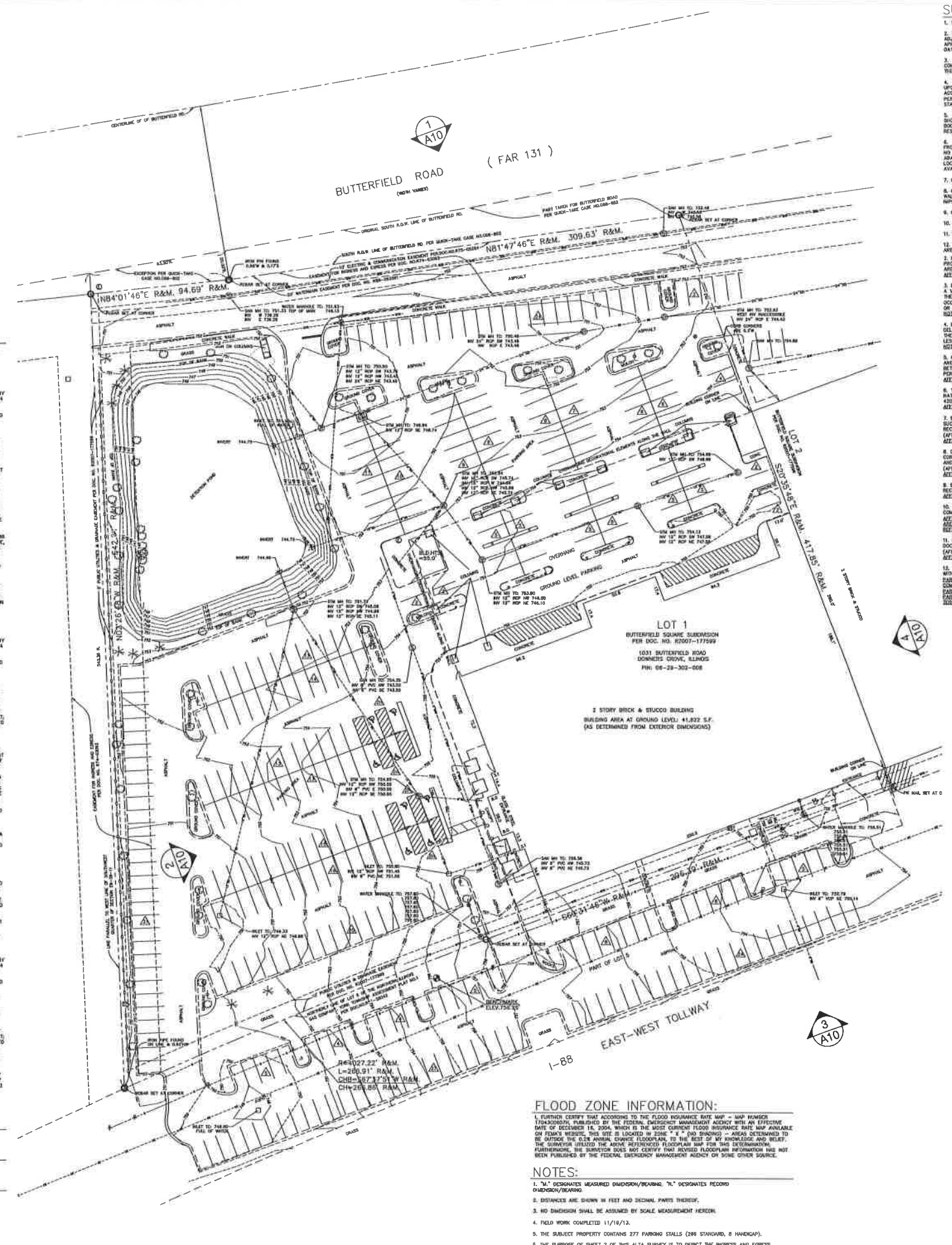
**PARCEL 1:** LOT 1 IN BUTTERFIELD SQUARE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DU PAGE COUNTY, ILLINOIS, AS DOCUMENT 874-0302, DATED AND UPON THE FOLLOWING DESCRIBED LAND: THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 26; THENCE NORTHERLY ALONG THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 26, A DISTANCE OF 104.24 FEET; THENCE NORTHERLY ALONG THE WESTERN LINE OF THE NORTHERN EIGHTY TOLL HIGHWAY PARCELS, 1-3-4-7-2 ACCORDING TO DOCUMENT NO. 82584, BEING 100.00 FEET WESTERLY FROM AND PARALLEL TO THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 26, A DISTANCE OF 164.37 FEET; THENCE NORTHERLY ALONG SAID WESTERN LINE OF PARCELS 1-3-4-7-2, A DISTANCE OF 14.42 FEET; THENCE NORTHEASTERLY ALONG SAID WESTERN LINE OF PARCELS 1-3-4-7-2 AT AN ANGLE OF 2 DEGREES 45 MINUTES TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 214.95 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 115.00 FEET, A DISTANCE OF 19.19 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG SAID WESTERN LINE OF BUTTERFIELD ROAD ACCORDING TO THE DESCRIPTION IN SAID DOCUMENT 874-0302, BEING A CURVE CONVEX NORTHEASTERLY AND HAVING A RADIUS OF 840.29 FEET, A DISTANCE OF 264.30 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 88 DEGREES 23 MINUTES 48 SECONDS FROM THE CHORD OF THE LAST DESCRIBED CURVE, A DISTANCE OF 36.30 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 88 DEGREES 28 MINUTES 50 SECONDS TO THE LEFT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 36.30 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 88 DEGREES 28 MINUTES 50 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 128.49 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET, A DISTANCE OF 13.16 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG SAID WESTERN LINE OF SAID NORTHERN EIGHTY TOLL HIGHWAY PARCELS, 1-3-4-7-2, A DISTANCE OF 78.22 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG SAID WESTERN LINE OF SAID NORTHERN EIGHTY TOLL HIGHWAY PARCELS, 1-3-4-7-2, A DISTANCE OF 81.48 FEET; THENCE SOUTHWESTERLY ALONG A LINE AT A CLOCKWISE ANGLE OF 89 DEGREES 58 MINUTES 47 SECONDS FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 103.25 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 10 DEGREES 41 MINUTES 00 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 108.86 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 26; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION 26, A DISTANCE OF 33.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD; THENCE NORTHEASTERLY ALONG THE SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD, BEING 120 FEET SOUTH OF THE CENTER LINE OF BUTTERFIELD ROAD, THENCE NORTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD, BEING 100 FEET SOUTH OF THE CENTER LINE OF SAID ROAD, A DISTANCE OF 34.30 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD; THENCE NORTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD, BEING 100 FEET SOUTH OF THE CENTER LINE OF SAID ROAD, A DISTANCE OF 443.27 FEET TO A POINT 140 FEET SOUTH OF THE CENTER LINE OF BUTTERFIELD ROAD; THENCE NORTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD, BEING 100 FEET SOUTH OF THE CENTER LINE OF SAID ROAD, A DISTANCE OF 104.43 FEET TO A POINT ON A CURVE; THENCE NORTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD, BEING A CURVE CONVEX WITH AN 115 FEET SOUTH OF THE CENTER LINE OF BUTTERFIELD ROAD, HAVING A RADIUS OF 840.29 FEET, A DISTANCE OF 10.33 FEET; THENCE SOUTHWESTERLY ALONG A LINE AT A COUNTERCLOCKWISE ANGLE OF 88 DEGREES 28 MINUTES 50 SECONDS FROM THE CHORD OF THE LAST DESCRIBED CURVE, A DISTANCE OF 50.20 FEET; THENCE SOUTHWESTERLY AT AN ANGLE OF 87 DEGREES 58 MINUTES 47 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 25.58 FEET; THENCE SOUTHWESTERLY AT AN ANGLE OF 11 DEGREES 11 MINUTES 17 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 238.19 FEET; THENCE SOUTHWESTERLY ALONG A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 26, A DISTANCE OF 496.00 FEET TO THE POINT OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS.

**PARCEL 2:** EASEMENT FOR THE BENEFIT OF PARCEL 1 FOR INGRESS AND EGRESS AS CREATED BY EASEMENT AGREEMENT DATED JUNE 16, 1973 AND RECORDED JANUARY 24, 1974 AS DOCUMENT 874-0302, DATED AND UPON THE FOLLOWING DESCRIBED LAND: THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 26; THENCE NORTHERLY ALONG THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 26, A DISTANCE OF 104.24 FEET; THENCE NORTHERLY ALONG THE WESTERN LINE OF THE NORTHERN EIGHTY TOLL HIGHWAY PARCELS, 1-3-4-7-2 ACCORDING TO DOCUMENT NO. 82584, BEING 100.00 FEET WESTERLY FROM AND PARALLEL TO THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 26, A DISTANCE OF 164.37 FEET; THENCE NORTHERLY ALONG SAID WESTERN LINE OF PARCELS 1-3-4-7-2, A DISTANCE OF 14.42 FEET; THENCE NORTHEASTERLY ALONG SAID WESTERN LINE OF PARCELS 1-3-4-7-2 AT AN ANGLE OF 2 DEGREES 45 MINUTES TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 214.95 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 115.00 FEET, A DISTANCE OF 19.19 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG SAID WESTERN LINE OF BUTTERFIELD ROAD ACCORDING TO THE DESCRIPTION IN SAID DOCUMENT 874-0302, BEING A CURVE CONVEX NORTHEASTERLY AND HAVING A RADIUS OF 840.29 FEET, A DISTANCE OF 264.30 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 88 DEGREES 23 MINUTES 48 SECONDS FROM THE CHORD OF THE LAST DESCRIBED CURVE, A DISTANCE OF 36.30 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 88 DEGREES 28 MINUTES 50 SECONDS TO THE LEFT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 36.30 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 88 DEGREES 28 MINUTES 50 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 128.49 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET, A DISTANCE OF 13.16 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG SAID WESTERN LINE OF SAID NORTHERN EIGHTY TOLL HIGHWAY PARCELS, 1-3-4-7-2, A DISTANCE OF 78.22 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG SAID WESTERN LINE OF SAID NORTHERN EIGHTY TOLL HIGHWAY PARCELS, 1-3-4-7-2, A DISTANCE OF 81.48 FEET; THENCE SOUTHWESTERLY ALONG A LINE AT A CLOCKWISE ANGLE OF 89 DEGREES 58 MINUTES 47 SECONDS FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 103.25 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 10 DEGREES 41 MINUTES 00 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 108.86 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 26; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION 26, A DISTANCE OF 33.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD; THENCE NORTHEASTERLY ALONG THE SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD, BEING 120 FEET SOUTH OF THE CENTER LINE OF BUTTERFIELD ROAD, THENCE NORTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD, BEING 100 FEET SOUTH OF THE CENTER LINE OF SAID ROAD, A DISTANCE OF 34.30 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD; THENCE NORTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD, BEING 100 FEET SOUTH OF THE CENTER LINE OF SAID ROAD, A DISTANCE OF 443.27 FEET TO A POINT 140 FEET SOUTH OF THE CENTER LINE OF BUTTERFIELD ROAD; THENCE NORTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD, BEING 100 FEET SOUTH OF THE CENTER LINE OF SAID ROAD, A DISTANCE OF 104.43 FEET TO A POINT ON A CURVE; THENCE NORTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD, BEING A CURVE CONVEX WITH AN 115 FEET SOUTH OF THE CENTER LINE OF BUTTERFIELD ROAD, HAVING A RADIUS OF 840.29 FEET, A DISTANCE OF 10.33 FEET; THENCE SOUTHWESTERLY ALONG A LINE AT A COUNTERCLOCKWISE ANGLE OF 88 DEGREES 28 MINUTES 50 SECONDS FROM THE CHORD OF THE LAST DESCRIBED CURVE, A DISTANCE OF 50.20 FEET; THENCE SOUTHWESTERLY AT AN ANGLE OF 87 DEGREES 58 MINUTES 47 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 25.58 FEET; THENCE SOUTHWESTERLY AT AN ANGLE OF 11 DEGREES 11 MINUTES 17 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 238.19 FEET; THENCE SOUTHWESTERLY ALONG A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 26, A DISTANCE OF 496.00 FEET TO THE POINT OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS.

**PARCEL 3:** EASEMENT FOR THE BENEFIT OF PARCEL 1 FOR INGRESS AND EGRESS AS CREATED BY EASEMENT AGREEMENT DATED SEPTEMBER 4, 1973 AND RECORDED JANUARY 24, 1974 AS DOCUMENT 874-0302, DATED AND UPON THE FOLLOWING DESCRIBED LAND: THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 26; THENCE NORTHERLY ALONG THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 26, A DISTANCE OF 104.24 FEET; THENCE NORTHERLY ALONG THE WESTERN LINE OF THE NORTHERN EIGHTY TOLL HIGHWAY PARCELS, 1-3-4-7-2 ACCORDING TO DOCUMENT NO. 82584, BEING 100.00 FEET WESTERLY FROM AND PARALLEL TO THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 26, A DISTANCE OF 164.37 FEET; THENCE NORTHERLY ALONG SAID WESTERN LINE OF PARCELS 1-3-4-7-2, A DISTANCE OF 14.42 FEET; THENCE NORTHEASTERLY ALONG SAID WESTERN LINE OF PARCELS 1-3-4-7-2 AT AN ANGLE OF 2 DEGREES 45 MINUTES TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 214.95 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 115.00 FEET, A DISTANCE OF 19.19 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG SAID WESTERN LINE OF BUTTERFIELD ROAD ACCORDING TO THE DESCRIPTION IN SAID DOCUMENT 874-0302, BEING A CURVE CONVEX NORTHEASTERLY AND HAVING A RADIUS OF 840.29 FEET, A DISTANCE OF 264.30 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 88 DEGREES 23 MINUTES 48 SECONDS FROM THE CHORD OF THE LAST DESCRIBED CURVE, A DISTANCE OF 36.30 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 88 DEGREES 28 MINUTES 50 SECONDS TO THE LEFT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 36.30 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 88 DEGREES 28 MINUTES 50 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 128.49 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET, A DISTANCE OF 13.16 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG SAID WESTERN LINE OF SAID NORTHERN EIGHTY TOLL HIGHWAY PARCELS, 1-3-4-7-2, A DISTANCE OF 78.22 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG SAID WESTERN LINE OF SAID NORTHERN EIGHTY TOLL HIGHWAY PARCELS, 1-3-4-7-2, A DISTANCE OF 81.48 FEET; THENCE SOUTHWESTERLY ALONG A LINE AT A CLOCKWISE ANGLE OF 89 DEGREES 58 MINUTES 47 SECONDS FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 103.25 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 10 DEGREES 41 MINUTES 00 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 108.86 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 26; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION 26, A DISTANCE OF 33.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD; THENCE NORTHEASTERLY ALONG THE SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD, BEING 120 FEET SOUTH OF THE CENTER LINE OF BUTTERFIELD ROAD, THENCE NORTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD, BEING 100 FEET SOUTH OF THE CENTER LINE OF SAID ROAD, A DISTANCE OF 34.30 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD; THENCE NORTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD, BEING 100 FEET SOUTH OF THE CENTER LINE OF SAID ROAD, A DISTANCE OF 443.27 FEET TO A POINT 140 FEET SOUTH OF THE CENTER LINE OF BUTTERFIELD ROAD; THENCE NORTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD, BEING 100 FEET SOUTH OF THE CENTER LINE OF SAID ROAD, A DISTANCE OF 104.43 FEET TO A POINT ON A CURVE; THENCE NORTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD, BEING A CURVE CONVEX WITH AN 115 FEET SOUTH OF THE CENTER LINE OF BUTTERFIELD ROAD, HAVING A RADIUS OF 840.29 FEET, A DISTANCE OF 10.33 FEET; THENCE SOUTHWESTERLY ALONG A LINE AT A COUNTERCLOCKWISE ANGLE OF 88 DEGREES 28 MINUTES 50 SECONDS FROM THE CHORD OF THE LAST DESCRIBED CURVE, A DISTANCE OF 50.20 FEET; THENCE SOUTHWESTERLY AT AN ANGLE OF 87 DEGREES 58 MINUTES 47 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 25.58 FEET; THENCE SOUTHWESTERLY AT AN ANGLE OF 11 DEGREES 11 MINUTES 17 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 238.19 FEET; THENCE SOUTHWESTERLY ALONG A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 26, A DISTANCE OF 496.00 FEET TO THE POINT OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS.

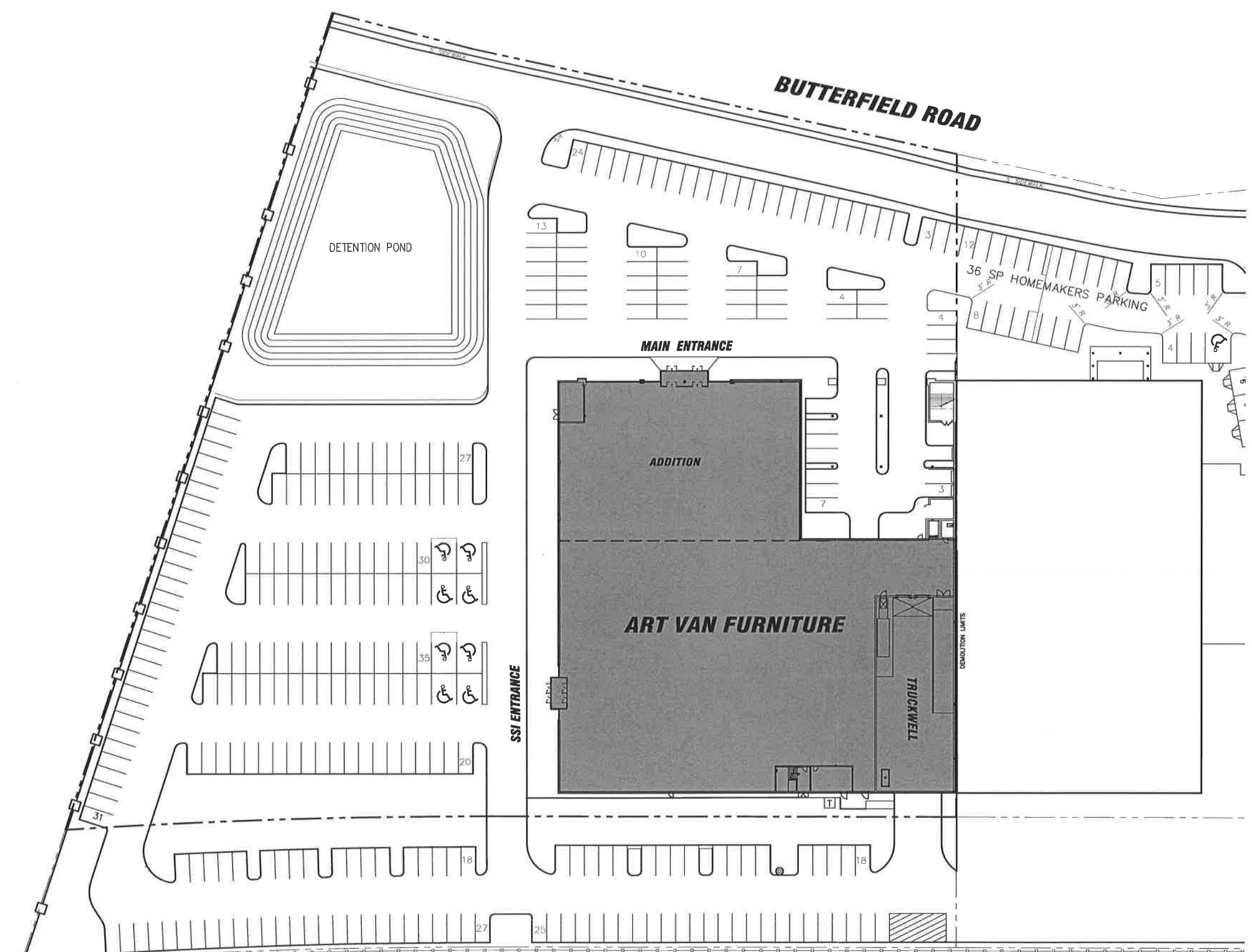
**PARCEL 4:** EASEMENT FOR THE BENEFIT OF PARCEL 1 FOR INGRESS AND EGRESS AS CREATED BY EASEMENT AGREEMENT DATED SEPTEMBER 4, 1973 AND RECORDED JANUARY 24, 1974 AS DOCUMENT 874-0302, DATED AND UPON THE FOLLOWING DESCRIBED LAND: THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 26; THENCE NORTHERLY ALONG THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 26, A DISTANCE OF 104.24 FEET; THENCE NORTHERLY ALONG THE WESTERN LINE OF THE NORTHERN EIGHTY TOLL HIGHWAY PARCELS, 1-3-4-7-2 ACCORDING TO DOCUMENT NO. 82584, BEING 100.00 FEET WESTERLY FROM AND PARALLEL TO THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 26, A DISTANCE OF 164.37 FEET; THENCE NORTHERLY ALONG SAID WESTERN LINE OF PARCELS 1-3-4-7-2, A DISTANCE OF 14.42 FEET; THENCE NORTHEASTERLY ALONG SAID WESTERN LINE OF PARCELS 1-3-4-7-2 AT AN ANGLE OF 2 DEGREES 45 MINUTES TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 214.95 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 115.00 FEET, A DISTANCE OF 19.19 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG SAID WESTERN LINE OF BUTTERFIELD ROAD ACCORDING TO THE DESCRIPTION IN SAID DOCUMENT 874-0302, BEING A CURVE CONVEX NORTHEASTERLY AND HAVING A RADIUS OF 840.29 FEET, A DISTANCE OF 264.30 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 88 DEGREES 23 MINUTES 48 SECONDS FROM THE CHORD OF THE LAST DESCRIBED CURVE, A DISTANCE OF 36.30 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 88 DEGREES 28 MINUTES 50 SECONDS TO THE LEFT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 36.30 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 88 DEGREES 28 MINUTES 50 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 128.49 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET, A DISTANCE OF 13.16 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG SAID WESTERN LINE OF SAID NORTHERN EIGHTY TOLL HIGHWAY PARCELS, 1-3-4-7-2, A DISTANCE OF 78.22 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG SAID WESTERN LINE OF SAID NORTHERN EIGHTY TOLL HIGHWAY PARCELS, 1-3-4-7-2, A DISTANCE OF 81.48 FEET; THENCE SOUTHWESTERLY ALONG A LINE AT A CLOCKWISE ANGLE OF 89 DEGREES 58 MINUTES 47 SECONDS FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 103.25 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 10 DEGREES 41 MINUTES 00 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 108.86 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 26; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION 26, A DISTANCE OF 33.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD; THENCE NORTHEASTERLY ALONG THE SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD, BEING 120 FEET SOUTH OF THE CENTER LINE OF BUTTERFIELD ROAD, THENCE NORTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD, BEING 100 FEET SOUTH OF THE CENTER LINE OF SAID ROAD, A DISTANCE OF 34.30 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD; THENCE NORTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD, BEING 100 FEET SOUTH OF THE CENTER LINE OF SAID ROAD, A DISTANCE OF 443.27 FEET TO A POINT 140 FEET SOUTH OF THE CENTER LINE OF BUTTERFIELD ROAD; THENCE NORTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD, BEING 100 FEET SOUTH OF THE CENTER LINE OF SAID ROAD, A DISTANCE OF 104.43 FEET TO A POINT ON A CURVE; THENCE NORTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF BUTTERFIELD ROAD, BEING A CURVE CONVEX WITH AN 115 FEET SOUTH OF THE CENTER LINE OF BUTTERFIELD ROAD, HAVING A RADIUS OF 840.29 FEET, A DISTANCE OF 10.33 FEET; THENCE SOUTHWESTERLY ALONG A LINE AT A COUNTERCLOCKWISE ANGLE OF 88 DEGREES 28 MINUTES 50 SECONDS FROM THE CHORD OF THE LAST DESCRIBED CURVE, A DISTANCE OF 50.20 FEET; THENCE SOUTHWESTERLY AT AN ANGLE OF 87 DEGREES 58 MINUTES 47 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 25.58 FEET; THENCE SOUTHWESTERLY AT AN ANGLE OF 11 DEGREES 11 MINUTES 17 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDING A DISTANCE OF 238.19 FEET; THENCE SOUTHWESTERLY ALONG A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 26, A DISTANCE OF 496.00 FEET TO THE POINT OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS.

- AREA SCHEDULE:**  
214.835 S.F. OR 5.16 ACRES (MORE OR LESS)
- ZONING INFORMATION:**  
NO ZONING INFORMATION WAS PROVIDED BY THE OWNER.
- BENCHMARK:**  
THE BASE OF ELEVATION MARKER IS NAD 83. IRON ROD SET - SEE DRAWING FOR LOCATION. ELEVATION = 238.28'



**SURVEYOR'S NOTES:**

- THE BASIS OF MEASURED BEARINGS SHOWN HEREON IS ILLINOIS STATE PLANE COORDINATE EAST ZONE (NAD 83).
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS, ENCUMBRANCES, AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF THE TITLE TO THE TRACT DESCRIBED HEREON WAS OBTAINED FROM FIRST AMERICAN TITLE INSURANCE COMPANY, ALTA COMMITMENT ORDER NO. 3003-43326A, WITH AN EFFECTIVE DATE SEPTEMBER 23, 2013.
- SURVEY AS SHOWN WAS PREPARED FROM A LEGAL DESCRIPTION, TOGETHER WITH SCHEDULE B CONTAINED IN THE ALTA COMMITMENT REFERENCED ABOVE. THE DESCRIPTION SHOWS HEREON DOES CONFORM TO THE LEGAL DESCRIPTIONS CONTAINED THEREIN.
- THIS SURVEY REFLECTS THE SURVEYOR'S OPINION AS TO THE LOCATIONS OF THE PARCEL LINES. THIS OPINION IS BASED UPON ANALYSIS AND INTERPRETING ALL RECORDS AND NON-RECORDED INFORMATION FURNISHED TO THE SURVEYOR, OR ACQUIRED BY THE SURVEYOR, AND ALL FIELD DATA THAT WAS COLLECTED BY THE SURVEYOR. ALSO, THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH EXISTING ILLINOIS STANDARDS OF PRACTICE, APPLICABLE AT THE DATE OF SURVEY, AND STATE STATUTES.
- POSSIBLE BUILDING RESTRICTIONS, ENCUMBRANCES, AND EASEMENTS WHICH ARE LISTED IN THE ALTA COMMITMENT ARE SHOWN HEREON. PLEASE REFER TO THE ALTA COMMITMENT, PLEASE REFER TO THE COUNTY LOCAL GOVERNMENT, SOURCE LOCAL ORDINANCES, AND UTILITIES, IN ORDER TO DETERMINE IF ANY ADDITIONAL AGREEMENTS, LIMITS, WAIVERS, RESTRICTIONS, ENCUMBRANCES, AND EASEMENTS EXIST.
- THE UNDERGROUND UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION, UTILITY INFORMATION FROM OTHER READILY AVAILABLE PUBLIC RECORDS MAY HAVE BEEN USED TO SUPPLEMENT FIELD DATA. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN CONFORM TO ALL SUCH UTILITIES IN THE AREA LISTED IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
- CALL ILLINOIS (1-800-889-0123) FOR EXACT LOCATION OF UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION.
- ONLY THE IMPROVEMENTS THAT WERE VISIBLE FROM ABOVE GROUND AT TIME OF SURVEY, THROUGH A NORMAL SEARCH AND ANALYSIS THEREOF OF THE SITE, ARE SHOWN ON THE FACE OF THIS PLAN. THIS SURVEY MAY NOT REFLECT ALL UTILITIES OR IMPROVEMENTS, IF SUCH ITEMS ARE HIDDEN BY LANDSCAPING, OR ARE COVERED BY SIGN STRUCTURES, TRAILERS, ETC.
- COMPARE THIS DESCRIPTION AND POINTS BEFORE BRACING, AND REPORT ANY DISCREPANCIES AT ONCE TO THE SURVEYOR.
- PROPERTY SHOWN HEREON MAY BE SUBJECT TO RIGHTS OR CLAIMS OF PARTIES IN POSSESSION UNKNOWN TO SURVEYOR.
- PROPERTY MAY BE SUBJECT TO ANY UNRECORDED AGREEMENTS OR LEASES, IF ANY.
- THE FOLLOWING ITEMS WERE LISTED IN SCHEDULE B OF THE COMMITMENT NOTED IN NOTE 2, AND THE SURVEY RELATED ITEMS ARE LISTED HERE WITH THE CORRECTED BEARINGS AND DISTANCES:
- IT APPEARS THAT THE PROPERTY IS PART OF THE CONVERSE CIVIC SANITARY DISTRICT AND MAY BE SUBJECT TO THE PROVISIONS OF A CERTAIN ORDINANCE IMPOSING CHARGES FOR USE AND CONNECTION THEREIN AND CHARGES ARE LEVIED AGAINST THE SUBJECT LAND UNLESS PAID RECORDED AUGUST 21, 1975 AS DOCUMENT NO. 873-4275A. ARTICLE PARCEL 1, BUT IS NOT A SURVEYING MATTER.
- LEASE MADE BY KIMCO SELECT CHICAGO 895, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, TO HENCO DEPOT U.S.A., INC., A VIRGINIA CORPORATION, A MEMORANDUM OF WHICH WAS RECORDED MARCH 10, 1988 AS DOCUMENT 898-04020, DESCRIBING THE LAND FOR A TERM OF YEARS BEGINNING JANUARY 1, 1988 AND ENDING THE LAST DAY OF THE CALENDAR MONTH IN WHICH OCCURS THE TENTH (10TH) ANNIVERSARY OF THE COMMENCEMENT DATE, AND ALL RIGHTS THEREUNDER OF, AND ALL ACTS DONE OR SUFFERED THEREUNDER, BY SAID LESSEE OR BY ANY PARTY CLAIMING BY, THROUGH OR UNDER SAID LESSEE.
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- LEASE MADE BY KIMCO SELECT CHICAGO 895, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, TO HENCO DEPOT U.S.A., INC., A VIRGINIA CORPORATION,



**PROJECT INFORMATION**

ART VAN FURNITURE	± 5.14 ACRES
NIGAS EASEMENT	± 1.09 ACRES
TOTAL	± 6.23 ACRES
<b>BUILDING AREA</b>	
ART VAN FURNITURE	116,153 SF

**PARKING COUNT SUMMARY FOR AVF**

REQUIRED BY THE CITY  
(REQUIRED, 1.67 PER 1000 GSF)

TOTAL REQUIRED	194 SPACES
TOTAL PROVIDED	306 SPACES

**PARKING COUNT SUMMARY FOR TOTAL DEVELOPMENT**

TOTAL EXISTING	452 SPACES
TOTAL PROPOSED	392 SPACES

**ZONING CLASSIFICATION**

EXISTING	B-3
PROPOSED	B-3



6500 14 Mile Road  
Warren, MI 48092  
(586) 983-2125 ph.  
(586) 939-8252 fx.

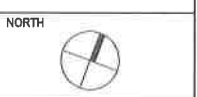
Approved By:

KIM YOST	
ART VAN	
KIM YOST	
GARY VAN	
JOHN WYATT	
BARRY DAVIDSON	
MIKE RUPERT	
Total Store Sq.Ft.=	
Showroom Sq.Ft.=	
Modified Sq.Ft.=	

**ART VAN FURNITURE**  
Downers Grove, IL  
Site Plan

Revisions:  
XX/XX/XXXX

Seal:



Drawn/Checked By:  
MT/MR

Plot Scale:  
1" = 30'-0"

Date:  
10/14/2013

Sheet Number:  
**C-1**

**I-88 TOLLWAY**

1 New Site Plan  
C-1 Scale: 1"=30'-0"







**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE PLAN COMMISSION  
OCTOBER 6, 2014 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
PC-27-14 1628 Ogden Avenue	Special Use for a Funeral Service Business	Patrick Ainsworth Planner

**REQUEST**

The petitioner is requesting approval of a Special Use to operate a funeral service business at 1628 Ogden Avenue.

**NOTICE**

The application has been filed in conformance with applicable procedural and public notice requirements.

**GENERAL INFORMATION**

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**OWNER:** Suburban Bank & Trust Company  
Trust Number 74-302  
150 Butterfield Road  
Elmhurst, IL 60126

**APPLICANT:** Tim Nicholson  
Neptune Management Corp. d/b/a Neptune Society  
1250 South One Island Road, Suite 500  
Plantation, FL 33324

**PROPERTY INFORMATION**

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**EXISTING ZONING:** B-3, General Services and Highway Business  
**EXISTING LAND USE:** Vacant Commercial Building  
**PROPERTY SIZE:** 0.27 acres (11,952 square feet)  
**PINS:** 09-06-302-004

**SURROUNDING ZONING AND LAND USES**

	<b>ZONING</b>	<b>FUTURE LAND USE</b>
<b>NORTH:</b>	R-2, Residential Detached House 2	Single Family Residential
<b>SOUTH:</b>	B-3, General Service and Highway Business	Corridor Commercial
<b>EAST:</b>	B-3, General Service and Highway Business	Corridor Commercial
<b>WEST:</b>	B-3, General Service and Highway Business	Corridor Commercial

## **ANALYSIS**

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### **SUBMITTALS**

This report is based on the following documents, which are on file with the Department of Community Development:

1. Application/Petition for Public Hearing
2. Narrative Statement and Standards for Approval
3. Plat of Survey
4. Site Plan
5. Floor Plan

### **PROJECT DESCRIPTION**

The applicant is requesting Special Use approval to operate a funeral service business at 1628 Ogden Avenue. The subject property is located on the north side of Ogden Avenue approximately 250 feet east of Lee Avenue and is zoned B-3, General Services and Highway Business.

The proposed use is a professional sales office where employees will consult with clients seeking cremation services. Per Zoning Ordinance Section 5.010.A, a Special Use is required for any use that relates to the death of humans. The proposed business is not a traditional funeral home. The uses taking place within the building will be limited to sales of cremation services and the delivery of urns with cremated remains to the customer. Uses that will not be taking place at this location include:

- Embalming of human corpses
- Cremation of human corpses
- Delivery or transport of human corpses
- Memorial services to families/customers of the deceased
- Any type of traditional funeral service as found in traditional funeral homes

The petitioner has stated that all pick-up services and cremation activities will be done by third party entities off-premises.

The subject property is an 11,952 square foot lot which is currently improved with a 5,000 square foot one-story, vacant commercial building and a surface parking lot (see Figures 1 through 2). The petitioner intends to purchase this vacant property and improve the interior space and enhance the layout of the parking lot to better serve their needs. This property currently shares two curb cuts with the adjacent properties that provide direct access to Ogden Avenue. The property currently contains off-street parking spaces; however, the petitioner intends to improve the surface parking lot with a new layout, including a handicap accessible parking space and access aisle. The property will also be improved with a refuse enclosure, located in the rear of the property. The petitioner is proposing to improve the interior of the existing building with professional sales offices, a reception/lobby area, a sales center and storage rooms. All proposed improvements are shown in the attached drawings.

### **COMPLIANCE WITH THE COMPREHENSIVE PLAN**

The subject property is designated as Corridor Commercial on the Future Land Use Map. Corridor Commercial uses should include a blend of retail, offices, and smaller regional commercial retail. The proposed use is consistent with the Corridor Commercial designation. The Comprehensive Plan states that commercial properties should be modernized in order for the Village's commercial corridors to remain competitive in the marketplace. The proposed renovation will increase the attractiveness of this property and, subsequently, the B-3, General Services and Highway Business zoning district. The proposed use and improvements of the subject property are consistent with the Comprehensive Plan.

**COMPLIANCE WITH THE ZONING ORDINANCE**

The subject property is zoned B-3, General Services and Business Highway. The funeral service business is an allowable special use in the B-3 zoning district. All proposed improvements will meet the majority of the B-3 zoning regulations as shown in the table below:

<b>1628 Ogden Avenue</b>	<b>Existing</b>	<b>Proposed</b>	<b>B-3 Zoning Requirements</b>
Street Yard Setback – South property line	113 feet from center line of Ogden Avenue	113 feet from center line of Ogden Avenue	75 feet from center line of Ogden Ave
Side Yard Setback – East property line	0 feet	0 feet	0 feet
Side Yard Setback – West property line	10.47 feet	10.47 feet	0 feet
Rear Yard Setback - East property line	32.91 feet	32.91 feet	20 feet
Off-Street Parking	7 spaces	10 spaces	10 spaces
Street Yard Setback for Off-Street Parking	51 feet from center from center line of Ogden Avenue	60 feet from center line of Ogden Avenue	50 feet from center line of Ogden Avenue
Maximum F.A.R.	0.48	0.48	0.75
Minimum Open Space	1.6% (187 sq. ft.)	3.6% (432 sq. ft.)	10% (1,195 sq. ft.)

The subject property will contain the required 10 off-street parking spaces; seven of these parking spaces are within the street yard and the other three spaces are in the rear yard. For the purpose of calculating the required off-street parking space requirements, staff utilized the required parking ratio of “Business and Professional Office” with a parking ratio requirement of 3 spaces per 1,000 square feet. Per Section 7.040.C of the Zoning Ordinance, storage rooms are not counted towards the required off-street parking. As such, the total improved area of the subject building results in a minimum requirement of 10 off-street parking spaces.

The applicant will maintain the existing fence along the north property line and much of the existing vegetation will remain and be maintained. The applicant will also be increasing the overall area of greenspace for the subject property. The greenspace area, located at the northwest corner of property, is being removed. However, the landscaped area in the street yard will be increased to bring the property closer to compliance with the Zoning Ordinance. The proposed improvements are consistent with the B-3 zoning district.

**ENGINEERING/PUBLIC IMPROVEMENTS**

The petitioner is not proposing any changes to the site that would result in the requirement for public improvements. The proposed development will not adversely impact the existing stormwater drainage patterns. All required infrastructure, including a sidewalk, currently exists and adequately services the property.

**PUBLIC SAFETY REQUIREMENTS**

The Fire Department has reviewed the proposed plans and did not have any concerns. They will be able to service the building. The petitioner will be required to provide a fire detection and suppression system within the building.

## **NEIGHBORHOOD COMMENT**

Notice was provided to all property owners within 250 feet of the subject property, in addition to posting a public hearing sign on the subject property and publishing a notice in *Downers Grove Suburban Life*. Staff did received three inquires about the subject property, but no one left any comments or concerns regarding the application.

## **FINDINGS OF FACT**

The petitioner is requesting a Special Use to operate a funeral service business. Staff finds the proposal meets the standards for granting a Special Use as outlined below:

### ***Section 28.12.050 Standards for Approval of Special Uses***

*The Village Council may authorize a special use by ordinance provided that the proposed Special Use is consistent and in substantial compliance with all Village Council policies and land use plans, including but not limited to the Comprehensive Plan, the Future Land Use Plan and Master Plans and the evidence presented is such as to establish the following:*

- (1) *That the proposed use is expressly authorized as a Special Use in the district in which it is to be located;*  
The property is located in the B-3, General Services and Highway Business zoning district. Under Section 5.010 of the Zoning Ordinance, a funeral service business is listed as an allowable Special Use in the B-3 zoning district. This standard has been met.
- (2) *That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.*  
The proposed funeral service use is desirable and provides a service that is in the interest of the public convenience. Additionally, the applicant intends to purchase the property, renovate the interior space, improve the exterior with parking and landscaping and add a new business to the community. The proposed business model is not currently found within the Village of Downers Grove. The proposed use meets the goals of the Comprehensive Plan by providing a unique service within the Corridor Commercial designation and by modernizing an existing building. This standard has been met.
- (3) *That the proposed use will not, in the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.*  
The use will be not be detrimental to the health, safety or general welfare. Although the use is a funeral service business, the proposed use will not be a traditional funeral home. The proposed use follows the model of a professional office.

The proposed use will not have the following activities conducted on the property:

- Embalming of human corpses
- Cremation of human corpses
- Delivery or transport of human corpses
- Memorial services to families/customers of the deceased
- Any type of traditional funeral services as found in traditional funeral homes

The petitioner will maintain the vegetation and fence along the north property line which provides screening between the subject property and the residential properties. The proposal will enhance the subject property to better serve the neighborhood and community. The proposed use will not be injurious to property values or improvements in the vicinity as the use will be conducted in the interior of the subject building. This standard has been met.



## RECOMMENDATIONS

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The proposal is consistent and compatible with the Comprehensive Plan, Zoning Ordinance and surrounding zoning and land use classifications. Based on the findings listed above, staff recommends that the Plan Commission make a positive recommendation to the Village Council regarding PC-27-14 subject to the following conditions:

1. The Special Use shall substantially conform to the staff report and drawings prepared by Neptune Society dated September 11, 2014 and Haeger Engineering dated September 2, 2014, except as such plans may be modified to conform to the Village codes and ordinances.
2. The following uses are strictly prohibited:
  - a. Embalming of human corpses
  - b. Cremation of human corpses
  - c. Delivery of human corpses and/or transport of human corpses from the subject property to local cemeteries/crematories
  - d. Memorial services for the families of deceased
  - e. Any type of traditional funeral service, whether cremated or full body deceased.
3. The petitioner may have only cremated remains (ashes) on site for customer pick-up.
4. The building shall have fire suppression and detection systems in a manner suitable to the Fire Prevention Bureau Chief.
5. The landscaped open space shall be maintained throughout the life of the development and comply with the current Downers Grove Zoning Ordinance.
6. Screening along the north property line shall be maintained.

Staff Report Approved By:



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Stanley J. Popovich, AICP  
Planning Division Manager

SP:pa  
-att

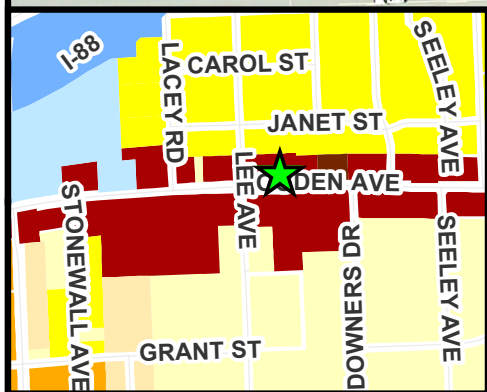


Figure 1 - Photo of the front entrance of the subject property.



Figure 2 - Photo shows the rear yard of the property.





0 50 100 150 200 Feet

1628 Ogden Avenue Location Map







## **DOWNER GROVE OFFICE**

**1628 OGDEN AVE**

### **PROJECT SUMMARY**

Neptune Management Corp., d/b/a Neptune Society intends to purchase the property located at 1628 Ogden Avenue, Downers Grove, IL 60515. Said property is located in a district zoned for retail sales establishments (B-3). Neptune Management Corp. is requesting the Village of Downers Grove grant a special use permit for this address to allow Neptune Management to operate a Funeral Establishment at this location.

#### **CONSTRUCTION**

The renovation of the existing building would consist of creating three offices, 2 arrangement rooms (where consultations with clients are held), a reception /lobby area, a sales center that would be private (no client traffic), and the necessary restrooms and refreshment facilities for our employees and clients. There would be a large open area remaining in the rear of the building with no use planned for this area. In this particular location, there is an overhead door on the rear of the building that we intend to have remain as is. The site will be reconfigured to accommodate the Village's landscaping, parking and other site requirements as outlined in Chapter 28 "Downers Grove Zoning Ordinance".

#### **BUSINESS MODEL**

Our business will be licensed under the State as a Pre-Need Cemetery Sales branch. We act as a non-traditional funeral establishment.

The office will employ one sales manager, one service manager and one office manager, which would be on site full time. We also employ 3-4 part-time independent sales representatives (ISR). These ISR's do not work in the office on a regular basis, and are usually only on site 3-5 days per month to record sales and consult with the Sales Manager.

We anticipate no more than 6 customers would ever be present at the office at any given time, and even this would be the exception, not the rule. A party of two customers for each contract discussed would be the norm. The frequency of these consultations varies widely, but we would anticipate having a minimum of 3-4 per day, and a maximum of 8-9 per day.

The facilities normal hours of operation would be 8:30 AM to 5:00 PM, Monday through Friday. Special requests for meetings with existing and potential clients are also considered, and could be scheduled at any time, including weekends. However, these would be limited engagements, and would be for one client at a time.



With respect to activities that are conducted at the site, they would include the following:

- ❖ The selling and servicing of Pre-Need Cremation Services, or on occasion At-Need Cremation Services, consisting of:
  - Initial consultation with potential customers in house
  - Initiation of Cremation Contract with customer (usually at same time as consultation)
  - Upon fulfillment of contract, cremated remains are delivered to customer at site in decorative urns or containers as designated by the customer at the time the contract was executed

Additionally, some of the activities that may take place at a traditional funeral home that will **not** take place at this office are:

- ❖ Embalming of human corpses
- ❖ Cremation of human corpses
- ❖ Delivery of human corpses and/or transport of human corpses from this office to local cemeteries/crematoriums
- ❖ Memorial services for families of deceased
- ❖ Any type of traditional funeral service, whether for cremated or full body deceased

With the exception of cremated remains (ashes), no Human corpses will ever be present at the location.

#### **JUSTIFICATION FOR APPROVAL**

We believe we meet each of the following criteria addressed in the Downers Grove Zoning Ordinance, Section 12.050, Special Uses, Sub Section H, Approval Criteria, specifically as follows:

1. “that the proposed use is expressly authorized as a special use in the district in which it is to be located;”
  - a. The proposed use of this facility will be the sales and servicing of Cremation Services contracts. Although considered a funerary service, our business model includes only the sale and service of contracts for the cremation of deceased humans. When the contract has been fulfilled (the cremation of a deceased human that is performed in a licensed crematorium), the cremains (ashes of the cremated corpse) are presented in a pre-purchased vessel at the site. Essentially, this is a sales office where meetings of individuals and/or limited family members take place in conjunction with the aforementioned contracts. This office is located in an area zoned B-3. A special use approval is required, and is authorized for this zoned District.
2. “that the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood community;”
  - a. This office will provide the residents of Downers Grove an alternative option for the disposition of their loved ones upon their death. Given the convenient location of the office, the ease of access of the location, in fact this service will be available not only to

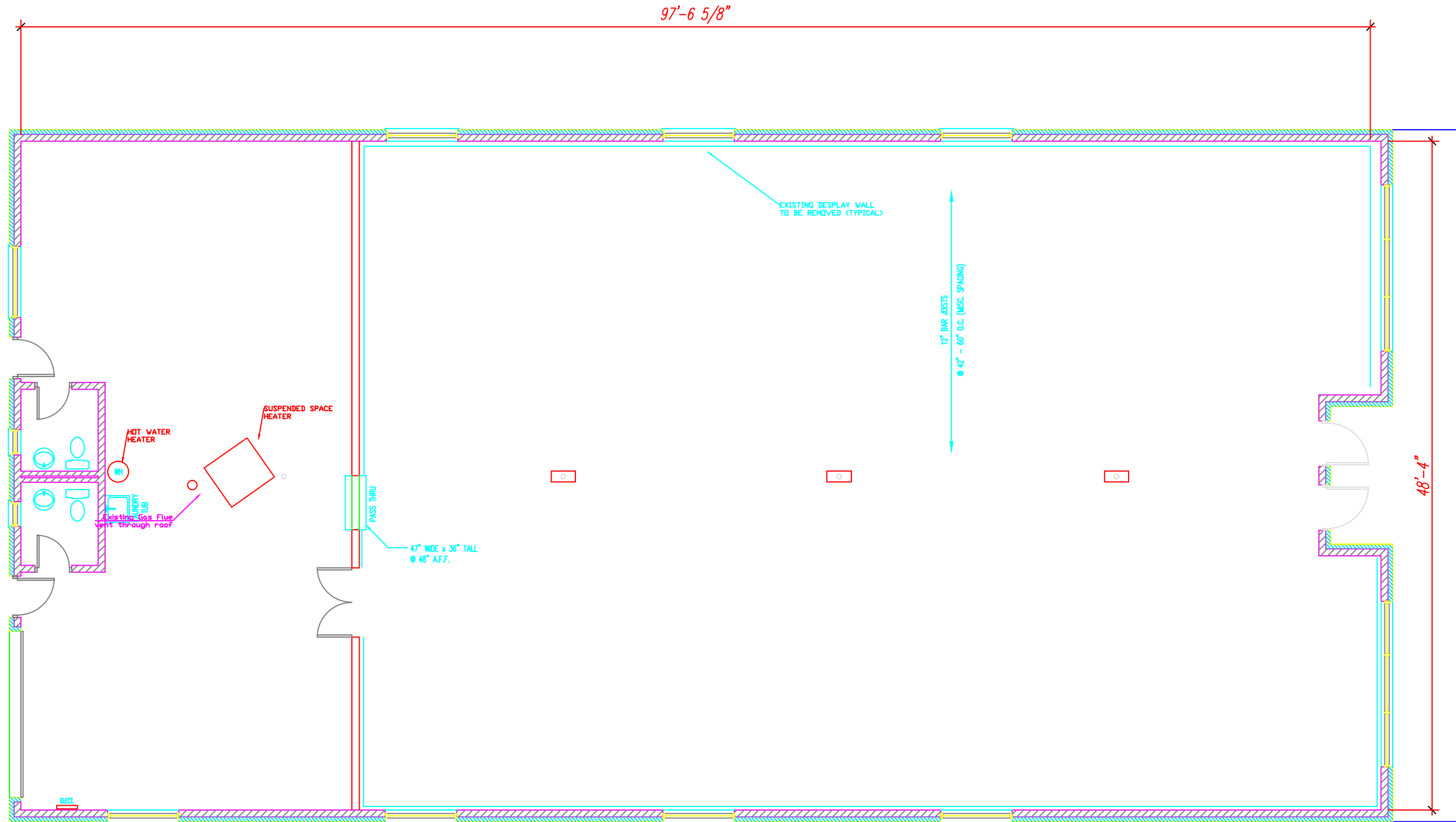


all residents of the Village, but to all residents in the surrounding area, therefore providing a financially beneficial service to the community as a whole

3. “that the proposed use will not, in the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.”
  - a. Because we only service the Cremation contracts, with no human corpses ever being present on the site, the use is more of a retail office type facility, and will in no way be detrimental to any commercial business, regardless of their classification or local residents. There will be no public funeral services conducted on site, nor will there be any activities that would occur in a traditional funeral home (such as embalming or interment of corpses). Our business will be perceived as only as a sales transaction. Nothing more.

Thank you in advance for your cooperation in this matter. Should you have any questions, or require additional information, please do not hesitate to contact me.

Kirk D. Conners, Ph.D.  
Manager, Corporate Development  
SCI Direct  
954-556-917



EXISTING BUILDING PLAN



NEPTUNE MANAGEMENT CORP.  
CORPORATE DEVELOPMENT GROUP  
PLANTATION, FLORIDA 33324  
1250 S. FINE ISLAND ROAD  
954-556-9400

**NEPTUNE SOCIETY**  
**EXISTING BUILDING PLAN**  
1628 OGDEN ROAD, DOWNERS GROVE, IL

This drawing is the property of NEPTUNE SOCIETY, and is not to be reproduced or copied in whole or in part. It is only to be used for the project and site specifically identified herein and is not to be used on any other project. It is to be returned upon request.

REVISIONS:	
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DESIGNED BY:	KDC
DRAWN BY:	KDC
DATE:	9/11/14
FILE NAME:	
DRAWING TYPE:	PRELIMINARY
DRAWING SCALE:	1/8" = 1'
PAPER SIZE:	11 X 17

CHK BY:	DATE:
KDC	9/11/14

JOB NO:  
**1964-R**

DRAWING NO:  
**A-1**

97'-6 5/8"

73'-8 3/8"

7'-7 1/8"

7'-8 3/4"

11'-6 1/2"

12'-0 1/8"

13'-8"

STORAGE  
NO WORK IN THIS  
AREA

REFRIGERATOR

Public RR

Sales Manager

17'-11 3/4"

Service Manager

Family Room 1

5'-0"

HOT WATER  
HEATER

SUSPENDED SPACE  
HEATER

WRAP COLUMN W/  
12" X 12" GWB

Sales Center

REMOVE EXISTING DOORS,  
INFILL OPENING AND INSTALL  
SINGLE DOOR TO CREATE  
ENTRANCE FOYER

ADD STOREFRONT AND  
SINGLE DOOR TO  
CREATE ENTRANCE  
FOYER

FILL IN EXISTING  
OPENING

4'-7 1/8"

5'-6 1/8"

4'-2"

48'-4"

REVERSE DOOR SWING, USE  
EXISTING DOOR

NEW 1 HR RATED  
WALL, FLOOR TO  
STRUCTURE ABOVE,  
TYPICAL BOTH SIDES  
OF EGRESS CORRIDOR

FILL IN EXISTING  
OPENING, INSTALL  
SINGLE 3070 1 HR  
DOOR

Family Room 2

16'-0"

Reception/Lobby

14'-7 5/8"

Funeral Director

STORAGE  
NO WORK IN THIS  
AREA

Storage/IT

7'-4 5/8"

21'-11 3/4"

12'-0"

19'-7 5/8"

18'-11 3/8"

### PROPOSED FLOOR PLAN

SCALE: 1/4" =  
1'-0"



NEPTUNE MANAGEMENT CORP.  
CORPORATE DEVELOPMENT GROUP  
PLANTATION, FLORIDA 33324  
1250 S. PINE ISLAND ROAD  
954-556-9400

## NEPTUNE SOCIETY PROPOSED FLOOR PLAN

1628 OGDEN ROAD, DOWNERS GROVE, IL

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REVISIONS:

DESIGNED BY: KDC
DRAWN BY: KDC
DATE: 9/11/14
FILE NAME: .
DRAWING TYPE: PRELIMINARY
DRAWING SCALE: 1/8" = 1'
PAPER SIZE: 11 X 17

CHK BY: KDC	DATE: 9/11/14
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JOB NO: 1964-R

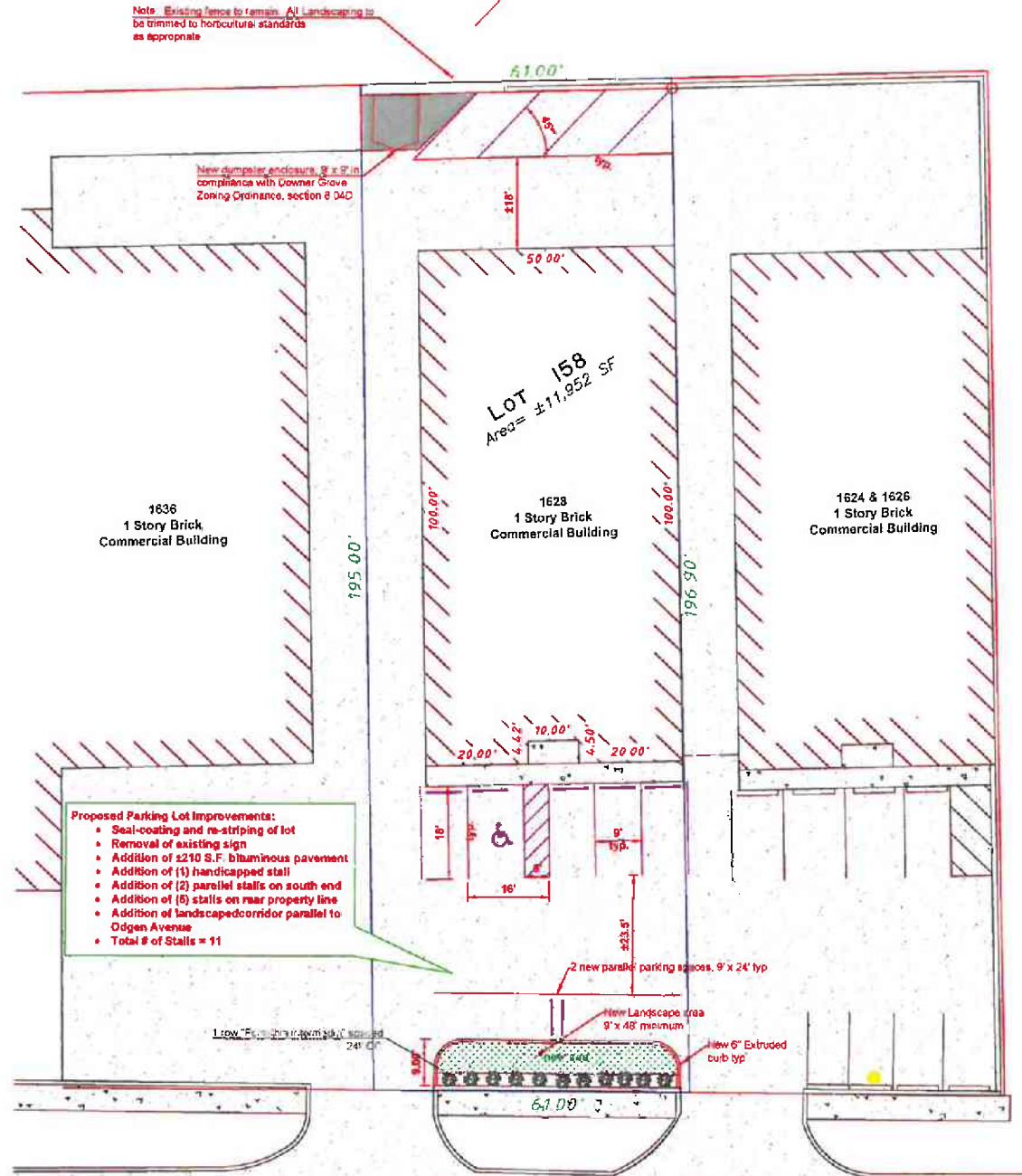
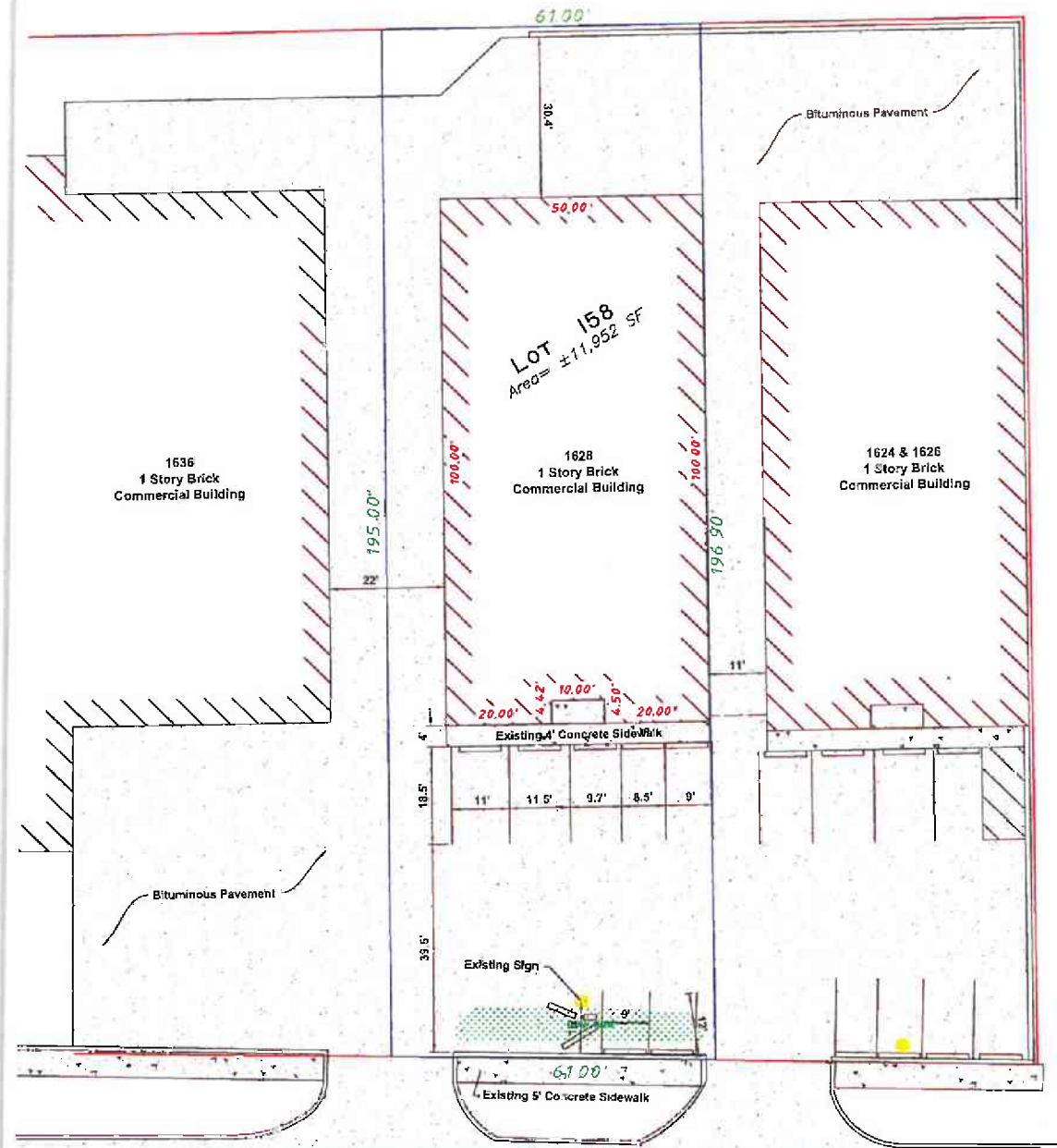
DRAWING NO: A-2



**EXISTING CONDITIONS**

**LEGAL DESCRIPTION**  
 ALL OF LOTS 158 AND 159 AND THE WEST ONE INCH (1") OF LOT 160 IN BURLINGTON HIGHLANDS, BEING A SUBDIVISION OF PART OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 26, 1953 AS DOCUMENT 893133, IN DUPAGE COUNTY, ILLINOIS.

**PROPOSED CONDITIONS**



OGDEN AVENUE

OGDEN AVENUE

**HEHAEGER ENGINEERING**  
 1628 OGDEN AVENUE, DOWNERS GROVE, ILLINOIS 60120  
 TEL: 630.581.1111 FAX: 630.581.1112  
 WWW.HEHAEGERENGINEERING.COM

**ENGINEERING**  
**SITE PLAN**  
 1628 OGDEN AVENUE  
 DOWNERS GROVE, ILLINOIS

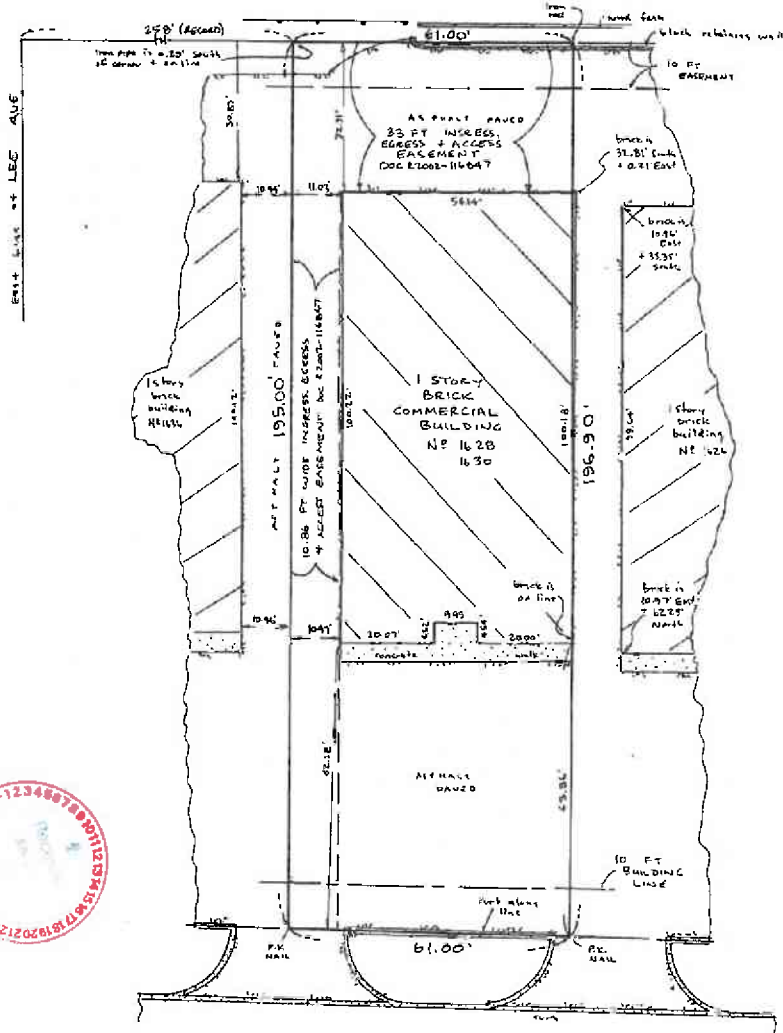
Project No. 14164  
 Date: 09/02/2014  
 L.A.K.  
 J.A.C.  
 1

JOSEPH M. DE CRAENE  
ILLINOIS LAND SURVEYOR  
8710 BUCKING DRIVE  
HINSDALE, IL 60527  
(630) 786-0868  
FAX (630) 786-0867

# Plat of Survey



LOT 158 IN BURLINGTON HIGHLANDS, BEING A SUBDIVISION OF PART OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 26, 1953 AS DOCUMENT 693133 IN DUPAGE COUNTY, ILLINOIS



OGDEN AVENUE

STATE OF ILLINOIS }  
COUNTY OF DU PAGE } 63

I HEREBY CERTIFY THAT I HAVE SURVEYED  
PROPERTY DESCRIBED HEREON

DATE: MAY 14, A.D. 2002

*Joseph M. De Craene*  
ILLINOIS LAND SURVEYOR NO 2476  
LIC EXP 11-30-2007

ORDERED BY: DONATELLI + COULBE LTD

ORDER NO: 020441

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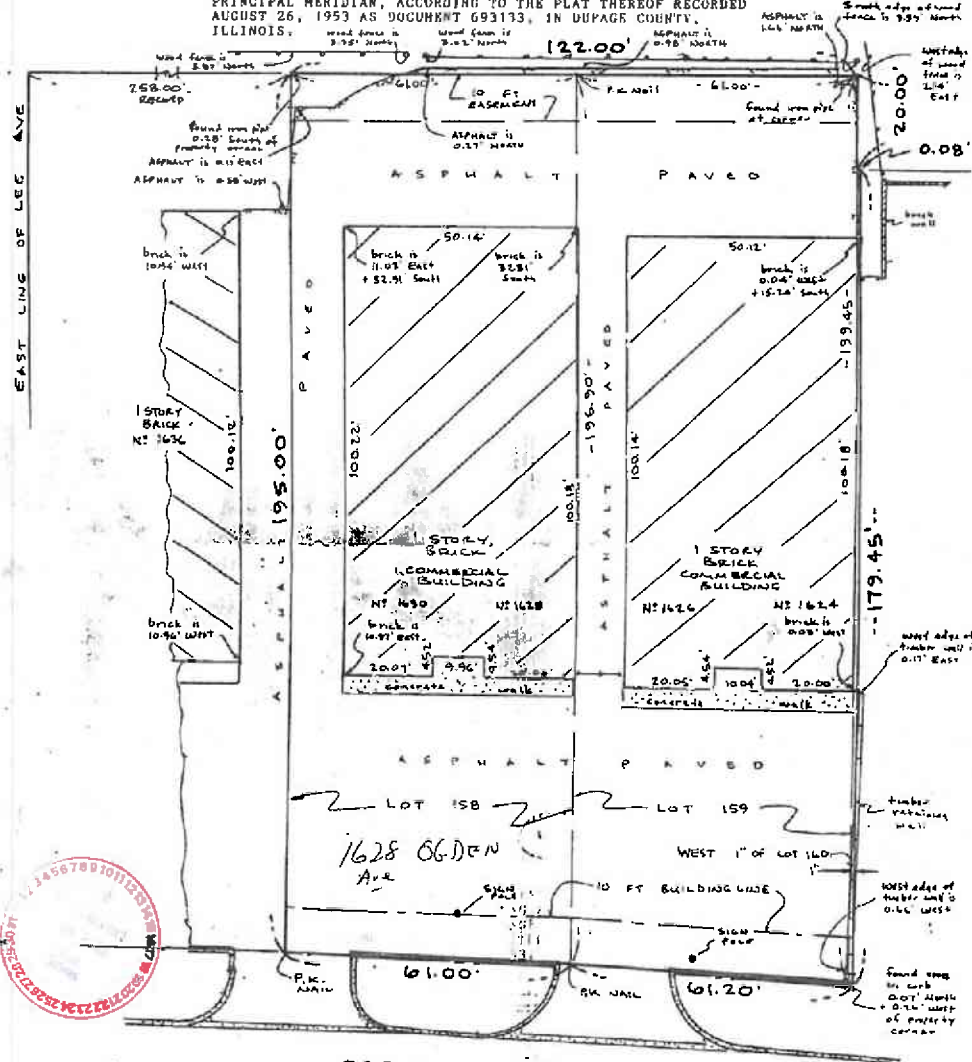
- NOTE:
- Check for easements, building lines and other restrictions, if any, not shown hereon.
  - Check legal description hereon against deed.
  - Scale hereon may be approximate in certain areas, do not scale from plat.
  - Compare all information shown before use.
  - Consult with surveyor prior to using this plat for any construction purpose.
  - Survey plat not valid unless embossed impression of surveyor's seal is affixed hereon.

JOSEPH M. DE CRAENE  
ILLINOIS LAND SURVEYOR  
8710 BUCKING DRIVE  
HINSDALE, IL 60527  
(708) 786-0868

# Plat of Survey



ALL OF LOTS 158 AND 159 AND THE WEST ONE INCH (1") OF LOT 160 IN BURLINGTON HIGHLANDS, BEING A SUBDIVISION OF PART OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 26, 1953 AS DOCUMENT 693133, IN DUPAGE COUNTY, ILLINOIS.



OGDEN AVE

STATE OF ILLINOIS }  
COUNTY OF DU PAGE } 63

I HEREBY CERTIFY THAT I HAVE SURVEYED  
PROPERTY DESCRIBED HEREON

DATE: APRIL 18, A.D. 1996

*Richard Jordan*  
ILLINOIS LAND SURVEYOR NO. 5476

ORDERED BY: RICHARD JORDAN

ORDER NO: 960415



- NOTE:
- Check for easements, building lines and other restrictions, if any, not shown hereon.
  - Check legal description hereon against deed.
  - Scale hereon may be approximate in certain areas, do not scale from plat.
  - Compare all information shown before use.
  - Survey plat not valid unless embossed impression of surveyor's seal is affixed hereon.