



# Village of Brookfield

8820 Brookfield Avenue • Brookfield, Illinois 60513-1688  
(708) 485-7344 • FAX (708) 485-4971  
www.brookfieldil.gov

VILLAGE PRESIDENT  
Kit P. Ketchmark

VILLAGE CLERK  
Catherine A. Colgrass-Edwards

BOARD OF TRUSTEES  
Ryan P. Evans  
Michael J. Garvey  
Nicole M. Gilhooly  
C.P. Hall, II  
Brian S. Oberhauser  
Michelle D. Ryan

VILLAGE MANAGER  
Riccardo F. Ginex

MEMBER OF  
Illinois Municipal League  
Proviso Township  
Municipal League  
West Central  
Municipal Conference

TREE CITY U.S.A. Since 1981

HOME OF THE CHICAGO  
ZOOLOGICAL SOCIETY

VILLAGE OF BROOKFIELD  
BROOKFIELD, ILLINOIS 60513

## BROOKFIELD VILLAGE BOARD MEETING AGENDA

Monday, February 24, 2014  
6:30 P.M.

Edward Barcal Hall  
8820 Brookfield Avenue  
Brookfield, IL 60513

I. **OPENING CEREMONIES:** Pledge of Allegiance to the Flag

II. Roll Call

III. **Appointments and Presentations**

Amy Coons – Conservation Commission	Term to expire February 24, 2015
Laura Hruska – Conservation Commission	Term to expire February 24, 2015
Mary Delbecq – Conservation Commission	Term to expire February 24, 2015
Peter Hostrawser - Parks and Recreation Commission	Term to be determined
Kenyon Duner - Parks and Recreation Commission	Term to be determined

IV. **PUBLIC COMMENT – LIMITED TO ITEMS ON OMNIBUS AND NEW BUSINESS ON TONIGHT'S AGENDA**

V. **OMNIBUS AGENDA**

A. **Approval of Minutes:** Village Board Meeting Monday, February 10, 2013; Committee of the Whole Meeting, Monday, February 10, 2013.

Individuals with a disability requiring a reasonable accommodation in order to participate in any meeting should contact the Village of Brookfield (708)485-7344 prior to the meeting. Wheelchair access may be gained through the police department (East) entrance of the Village Hall.

## VI. REPORTS OF SPECIAL COMMITTEES

Trustee Hall	Chamber of Commerce, Finance, Public Safety and DPW Warrant 2/24/2014
Trustee Oberhauser	Library, Conservation
Trustee Gilhooley	Recreation
Trustee Ryan	Special Events
Trustee Evans	Beautification, Administration
Trustee Garvey	Planning and Zoning Commission
President Ketchmark	Economic Development, Brookfield Zoo, WCMC, PZED
Clerk Edwards	Aging Well Liaison

## VII. New Business

- A. **RESOLUTION NO. 2014 – 943** A Resolution authorizing the Village President of the Village of Brookfield To Execute Stipulated Assessments on Behalf of the Village of Brookfield In Proceedings before the Illinois Property Tax Appeal Board for the VILLAGE OF BROOKFIELD, COOK COUNTY, ILLINOIS

## VIII. Managers Report

### IX. Executive Session – Land Acquisition and Sales, Litigation, and Negotiations

### X. Adjournment

VILLAGE OF BROOKFIELD  
BROOKFIELD, ILLINOIS 60513

JOURNAL OF THE PROCEEDINGS OF THE PRESIDENT AND THE BOARD OF TRUSTEES  
AT A REGULAR VILLAGE BOARD MEETING

HELD ON MONDAY, FEBRUARY 10, 2014  
IN THE BROOKFIELD MUNICIPAL BUILDING

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**MEMBERS PRESENT:** President Kit P. Ketchmark, Trustees Ryan Evans Michael Garvey Nicole Gilhooley, Brian Oberhauser, Michelle Ryan and C.P. Hall and Village Clerk Catherine Edwards.

**MEMBERS ABSENT:** None

**ALSO PRESENT:** Village Manager Riccardo F. Ginex, Assistant Village Manager Keith Sbiral and Village Attorney Richard Ramello

**OTHERS PRESENT:** None

On Monday, February 10, 2014, President Ketchmark called the Village Board of Trustees meeting to order at 6:30 P.M. and led the Pledge of Allegiance to the Flag.

**APPOINTMENTS AND PRESENTATIONS**

Brookfield Library Centennial Proclamation

Presentation - Eric Otten, Taylor Coating Sales – Brookfield's Water Tank inclusion on special commemorative calendar.

**PUBLIC COMMENT**

Resident questioned parking citation issued for not moving for snow removal and requested clarification. President Ketchmark addressed the resident's question and concern – stressing the need to enforce the ordinance during this time of extraordinarily inclement weather.

**OMNIBUS AGENDA**

Approval of Minutes: 2014 Appropriation Ordinance Public Hearing, Monday, January 27, 2014; Village Board Meeting Monday, January 27, 2014; Committee of the Whole Meeting, Monday, January 27, 2014.

Motion by Trustee Garvey, seconded by Trustee Oberhauser, to approve the Omnibus Agenda of the Regular Village Board meeting of February 10, 2013. Upon roll call, the motion carried as follows: Ayes: Trustees Evans, Garvey, Gilhooley, Oberhauser, Ryan and Hall. Nays: None. Absent: None.

**REPORTS OF SPECIAL COMMITTEES**

**Finance, Public Safety, Public Works & Chamber of Commerce – Trustee Hall**

Trustee Hall informed the Board of details regarding certain expenditures on the Warrant such as overtime for snow plowing and additional salt that needed to be purchased, as well as the last invoice for the Codification project and first installment of annual fee for SEASPAR.

⊗ **Corporate Warrant dated February 10, 2014 - \$920,350.28**

Motion by Trustee Hall, seconded by Trustee Oberhauser, to approve the Corporate Warrant dated February 10, 2014 in the amount of \$920,250.28. Upon roll call, the motion carried as follows: Ayes: Trustees Evans, Garvey, Gilhooley, Oberhauser, Ryan and Hall. Nays: None. Absent: None.

**Chamber of Commerce**

- ⊗ Chamber Business Luncheon Meeting scheduled for February 13, 2014 at The Sanctuary.
- ⊗ Chamber Board Meeting – February 20, 2014 at the Brookfield Library
- ⊗ Senior Valentine Party scheduled for February 16, 2014
- ⊗ Chamber After Hours – February 27, 2014 at the VFW

### Public Safety

- ☉ Public Safety – Meeting held January 28, 2014; next meeting scheduled for March 25, 2014.

### Public Works –

- ☉ President Ketchmark commended the work of the DWP staff during the recent storms and water-main breaks.

### Library & Conservation – Trustee Oberhauser

- ☉ Conservation Commission – Two members now trained and licensed to work with herbicide regarding maintenance of the Oak Savannah.
- ☉ Library

### Recreation – Trustee Gilhooley

- ☉ Meeting scheduled for February 18, 2014.

### Special Events – Trustee Ryan

- ☉ Special Events Committee met during the week of February 4, 2014
- ☉ Battle of the Bands scheduled for May 18, 2014.
- ☉ Murder Mystery Party scheduled for February 21 had to be cancelled.

### Beautification and Administration – Trustee Evans

- ☉ Beautification Commission scheduled to meet February 11, 2013 at 6:00 P.M.
- ☉ Planning & Zoning, WCMC – Trustee Garvey
- ☉ Planning & Zoning Commission meeting scheduled for February 11, 2014 at 6:30 P.M. to hear three cases.

### Aging Well Liaison – Village Clerk Edwards

- ☉ Senior Valentine Social

### Economic Development, Zoo, PZED - President Ketchmark

- ☉ Annual T.I.F. meeting scheduled for Thursday, February 20, 2014 at 10:00 A.M.

### NEW BUSINESS

#### Resolution 2014-941 – A Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code

Motion by Trustee Garvey, seconded by Trustee Evans, to approve Resolution 2014-941 – A Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code. Upon roll call, the motion carried as follows: Ayes: Trustees Evans, Garvey, Gilhooley, Oberhauser, Ryan and Hall. Nays: None. Absent: None.

#### Resolution 2014-942 – A Resolution to Approve and Authorize the Execution of a Professional Services Agreement by and between the Hitchcock Design, Inc. doing business as Hitchcock Design Group and the Village of Brookfield, Illinois, for the Open Space Plan Update

Motion by Trustee Gilhooley, seconded by Trustee Oberhauser, to approve Resolution 2014-942 – A Resolution to Approve and Authorize the Execution of a Professional Services Agreement by and between the Hitchcock Design, Inc. doing business as Hitchcock Design Group and the Village of Brookfield, Illinois, for the Open Space Plan Update. Upon roll call, the motion carried as follows: Ayes: Trustees Evans, Garvey, Gilhooley, Oberhauser, Ryan and Hall. Nays: None. Absent: None.

#### Ordinance 2014-07 – An Ordinance Amending the Village of Brookfield Schedule of Fees

Motion by Trustee Garvey, seconded by Trustee Evans, to approve Ordinance 2014-07 – An Ordinance Amending the Village of Brookfield Schedule of Fees. Upon roll call, the motion carried as follows: Ayes: Trustees Evans, Garvey, Gilhooley, Oberhauser, Ryan and Hall. Nays: None. Absent: None.

**Ordinance 2014-10 – An Ordinance Authorizing the purchase of two 2014 Ford Explorer Interceptors and the disposal of Surplus Property by the Village of Brookfield, Illinois**

Motion by Trustee Oberhauser, seconded by Trustee Ryan, to approve Ordinance 2014-10 – An Ordinance Authorizing the purchase of two 2014 Ford Explorer Interceptors and the disposal of Surplus Property by the Village of Brookfield, Illinois. Upon roll call, the motion carried as follows: Ayes: Trustees Evans, Garvey, Gilhooley, Oberhauser, Ryan and Hall. Nays: None. Absent: None.

**MANAGER'S REPORT**

☉ The Village has instituted a Flood Prevention Program and has sent out thirty packets; there are seventy-five people on the waiting list for 2014 and the budget is \$100,000.00. Dollar amount spend in 2013 was approximately \$110,000-\$115,000.

**EXECUTIVE SESSION – LITIGATION, NEGOTIATIONS, AND LAND ACQUISITION AND SALES**

Motion by Trustee Garvey, seconded by Trustee Evans, to adjourn the Regular Village Board of Trustees meeting of February 10, 2014 to conduct an Executive Session at 7:03 P.M. Upon roll call, the motion carried as follows: Ayes: Trustees Evans, Garvey, Gilhooley, Oberhauser, Ryan and Hall. Nays: None. Absent: None.

**RECONVENE REGULAR VILLAGE BOARD MEETING**

Motion by Trustee Garvey, seconded by Trustee Evans, to reconvene the Regular Village Board of Trustees Meeting of February 10, 2014 at 7:27 P.M. Upon roll call, the motion carried as follows: Ayes: Trustees Evans, Garvey, Gilhooley, Oberhauser, Ryan and Hall. Nays: None. Absent: None.

**ADJOURNMENT**

Motion by Trustee Ryan, seconded by Trustee Gilhooley, to adjourn the Regular Village Board meeting of February 10, 2014 at 7:27 P.M. Upon roll call, the motion carried as follows: Ayes: Trustees Evans, Garvey, Gilhooley, Oberhauser, Ryan and Hall. Nays: None. Absent: None.

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**Catherine Colgrass Edwards  
Village Clerk  
Village of Brookfield**

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**JOURNAL OF THE PROCEEDINGS OF THE PRESIDENT AND THE BOARD OF TRUSTEES  
AT A COMMITTEE OF THE WHOLE MEETING  
HELD ON MONDAY, FEBRUARY 10, 2014  
IN THE BROOKFIELD MUNICIPAL BUILDING**

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**MEMBERS PRESENT:** President Kit P. Ketchmark, Trustees Ryan Evans Michael Garvey Nicole Gilhooley, Brian Oberhauser, Michelle Ryan and C.P. Hall.

**MEMBERS ABSENT:** None

**ALSO PRESENT:** Village Manager Riccardo F. Ginex, Assistant Village Manager Keith Sbiral and Village Attorney Richard Ramello

**OTHERS PRESENT:** None

On Monday, February 10, 2014, President Ketchmark called the Committee of the Whole Meeting to order at 7:28 P.M.

**Discussion Items:**

**Brookfield Special Events Committee Presentation**

Mary Vyskocil, a Special Events Commissioner, made a presentation regarding the Party in the Park that will follow the Fourth of July parade. The event will be held in the southwest corner of Ehlert Park from 12:30 – 6:00pm. Bands will begin to play at 1:00pm. Public Works will assist with the set-up a day prior to the event. A vendor for food and liquor is still being sought. The Board discussed the budget for the event and staff will assist with any new expenditures.

**Brookfield Electric Aggregation Savings Program**

Staff reported the average savings residents who participated in the Electric Aggregation Savings Program have enjoyed since its inception in October 1, 2012. The two-year term agreement with FirstEnergy is about to expire and staff is recommending seeking competitive rates through the bid process with NIMEC and to renew the program. When bids are received, the award of the bid will come before the Board if it is lower than the ComEd rate prior to July 1, 2014. The Board gave the Village Manager consensus to seek competitive rates with NIMEC through the bid process as stated under Village Ordinance 2012-29.

**Major Care Assistance Team (MCAT) Emergency Mutual Aid Agreement**

Staff advised that they were tabling the draft agreement per the request of the MCAT Board. Staff will bring the agreement forward in 2015 with the proposed changes, improving the insurance provision. The present MCAT Mutual Aid Agreement will remain in place for the Brookfield Police Department as a participating agency.

**ADJOURN**

Motion by Trustee Gilhooley, seconded by Trustee Garvey, to adjourn the Committee of the Whole meeting of January 27, 2014 at 8:00 P.M. Upon roll call, the motion carried as follows: Ayes: Trustees Evans, Garvey, Gilhooley, Oberhauser, Ryan and Hall. Nays: None. Absent: None.

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**Catherine Colgrass Edwards  
Village Clerk  
Village of Brookfield**

# Corporate Warrant - 2/24/14

From Payment Date: 2/11/2014 - To Payment Date: 2/24/2014

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
PFC - PUBLIC FUND CHECKING									
<u>Check</u>									
13991	02/11/2014	Open			Utility Management Refund	BUREK, T, W	\$5.40		
13992	02/11/2014	Open			Utility Management Refund	LAWLER, L, M	\$75.12		
13993	02/11/2014	Open			Utility Management Refund	PK MANAGEMENT GROUP %PRESCIENT, INC	\$91.54		
13994	02/13/2014	Open			Utility Management Refund	CELESTIN*, C, K	\$45.00		
13995	02/13/2014	Open			Utility Management Refund	JOHNSON, E, A	\$56.44		
13996	02/13/2014	Open			Utility Management Refund	SZACHNITOWSKI, PAUL	\$75.12		
13997	02/13/2014	Open			Utility Management Refund	TWARDOWSKA*, ANNA	\$75.12		
13998	02/13/2014	Open			Accounts Payable	Village of Brookfield - petty cash	\$134.34		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	21214		02/13/2014		dpw petty cash		\$134.34		
13999	02/24/2014	Open			Accounts Payable	A & M Parts Inc.	\$449.34		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	429491		02/19/2014		air,fuel,oil filters;de-ice		\$109.55		
	427824		02/19/2014		seat/safety belt #28		\$55.04		
	428030		02/19/2014		powered belt		\$44.13		
	428377		02/19/2014		parts for #10		\$27.55		
	428156		02/19/2014		credit-return		(\$14.71)		
	427253		02/19/2014		misc parts & supplies		\$183.14		
	414157		02/19/2014		oil filter		\$44.64		
14000	02/24/2014	Open			Accounts Payable	Amador, Shawn	\$30.00		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	21014		02/19/2014		refund for cancelled program		\$30.00		
14001	02/24/2014	Open			Accounts Payable	American Solutions for Business	\$2,280.53		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	01682470		02/19/2014		4pt parking tickets		\$2,280.53		
14002	02/24/2014	Open			Accounts Payable	Ann Lenartson	\$559.69		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	21414		02/19/2014		dance program instructor		\$559.69		
14003	02/24/2014	Open			Accounts Payable	AT&T	\$4,990.47		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	2014-00000091		02/19/2014		708-485-3277		\$64.80		
	2014-00000092		02/19/2014		708-485-2266		\$65.64		
	2014-00000095		02/19/2014		708-387-1350		\$65.95		
	2014-00000096		02/19/2014		708-387-2561		\$194.37		
	2014-00000097		02/19/2014		708-387-2650		\$4,460.80		
	2014-00000098		02/19/2014		708-387-2733		\$66.08		
	2014-00000106		02/19/2014		708-485-2499		\$72.83		

# Corporate Warrant - 2/24/14

From Payment Date: 2/11/2014 - To Payment Date: 2/24/2014

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
14004	02/24/2014	Open			Accounts Payable	Atlas Companies	\$303.11		
	Invoice		Date	Description			Amount		
	ba1001		02/19/2014	misc parts			\$303.11		
14005	02/24/2014	Open			Accounts Payable	Blue Cross Blue Shield of IL	\$122,107.92		
	Invoice		Date	Description			Amount		
	2014-00000107		02/19/2014	medical insurance premiums-acct #051133			\$122,107.92		
14006	02/24/2014	Open			Accounts Payable	Bound Tree Medical, LLC	\$215.83		
	Invoice		Date	Description			Amount		
	81336547		02/19/2014	misc medical supplies			\$215.83		
14007	02/24/2014	Open			Accounts Payable	Brookfield True Value Hardware	\$116.82		
	Invoice		Date	Description			Amount		
	114		02/19/2014	dpw purchases			\$11.69		
	Jan14		02/19/2014	fire dept supplies			\$105.13		
14008	02/24/2014	Open			Accounts Payable	Brown-Luce, Michelle	\$55.06		
	Invoice		Date	Description			Amount		
	21214		02/19/2014	protective clothing reimbursement			\$55.06		
14009	02/24/2014	Open			Accounts Payable	Case Lots, Inc.	\$154.55		
	Invoice		Date	Description			Amount		
	054253		02/19/2014	misc janitorial supplies			\$154.55		
14010	02/24/2014	Open			Accounts Payable	Chicago Badge & Insignia Co.	\$115.30		
	Invoice		Date	Description			Amount		
	12721		02/19/2014	badge/traffic enforcement, w/wallet clip			\$115.30		
14011	02/24/2014	Open			Accounts Payable	Chicago Int'l Trucks, LLC	\$94.65		
	Invoice		Date	Description			Amount		
	10204817		02/19/2014	seal,oil for #80			\$94.65		
14012	02/24/2014	Open			Accounts Payable	Cintas Corp	\$201.04		
	Invoice		Date	Description			Amount		
	9002549828		02/19/2014	svc to eye wash station at dpw			\$201.04		
14013	02/24/2014	Open			Accounts Payable	College of Du Page	\$300.00		
	Invoice		Date	Description			Amount		
	4306		02/19/2014	class-Brian Jelinek			\$300.00		
14014	02/24/2014	Open			Accounts Payable	ComEd	\$344.01		
	Invoice		Date	Description			Amount		
	21914		02/19/2014	water meter @ 8652 Southview-0683030051			\$29.66		
	3314		02/19/2014	svc @ Burlington/Maple			\$314.35		
14015	02/24/2014	Open			Accounts Payable	Constellation NewEnergy, Inc.	\$14,826.94		
	Invoice		Date	Description			Amount		
	0012998541		02/19/2014	street lighting acct-1-1D7Y-573			\$14,826.94		
14016	02/24/2014	Open			Accounts Payable	Cook County Lions Club	\$30.00		
	Invoice		Date	Description			Amount		
	214		02/19/2014	replacement ck for picnic deposit refund-stale dated			\$30.00		
14017	02/24/2014	Open			Accounts Payable	CVS PHARMACY	\$52.82		
	Invoice		Date	Description			Amount		
	22214		02/19/2014	misc purchases			\$52.82		

# Corporate Warrant - 2/24/14

From Payment Date: 2/11/2014 - To Payment Date: 2/24/2014

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
14018	02/24/2014	Open			Accounts Payable	Daniels, Susan	\$36.00		
	Invoice		Date	Description		Amount			
	21014		02/19/2014	refund for cancelled program		\$36.00			
14019	02/24/2014	Open			Accounts Payable	Foster's Truck Repair	\$30.00		
	Invoice		Date	Description		Amount			
	28455		02/19/2014	safety inspection		\$30.00			
14020	02/24/2014	Open			Accounts Payable	Freeway Ford Truck Sales Inc.	\$108.28		
	Invoice		Date	Description		Amount			
	438076		02/19/2014	fuel gasket		\$5.03			
	437731		02/19/2014	fuel pump		\$103.25			
14021	02/24/2014	Open			Accounts Payable	Gagner, Andrew	\$164.00		
	Invoice		Date	Description		Amount			
	22414		02/19/2014	vision care reimbursement		\$164.00			
14022	02/24/2014	Open			Accounts Payable	Gould, Marilyn	\$10.00		
	Invoice		Date	Description		Amount			
	21114		02/19/2014	refund-cancelled program		\$10.00			
14023	02/24/2014	Open			Accounts Payable	Grainger	\$1,485.90		
	Invoice		Date	Description		Amount			
	9356732298		02/19/2014	pipe thawing kit		\$1,485.90			
14024	02/24/2014	Open			Accounts Payable	Groot Industries, Inc.	\$113,973.02		
	Invoice		Date	Description		Amount			
	9893943		02/19/2014	residential svc-Feb		\$92,121.05			
	9893944		02/19/2014	residential yard waste-Feb		\$21,851.97			
14025	02/24/2014	Open			Accounts Payable	Hancock Engineering	\$26,933.77		
	Invoice		Date	Description		Amount			
	14-0046		02/19/2014	MS4 annual report		\$210.00			
	14-0048-03		02/19/2014	Salt Creek berm evaluation		\$360.00			
	14-0048-5		02/19/2014	2013 annual water use audit form		\$360.00			
	14-0050		02/19/2014	mwrdoc sewer lining project		\$600.00			
	14-0044		02/19/2014	2014 street improvements		\$17,730.00			
	14-0047		02/19/2014	2013 bridge inspections		\$1,507.50			
	14-0051		02/19/2014	reconstruction Grand Blvd-Phase 3		\$3,678.35			
	14-0052		02/19/2014	Maple Ave resurfacing-phase 3		\$2,487.92			
14026	02/24/2014	Open			Accounts Payable	Hartnett, Kevin	\$318.25		
	Invoice		Date	Description		Amount			
	21414		02/19/2014	supplies for swat training		\$318.25			
14027	02/24/2014	Open			Accounts Payable	HD Supply Waterworks, Ltd	\$1,726.92		
	Invoice		Date	Description		Amount			
	c007619		02/19/2014	6x12.5 & 6x15 clamps		\$1,726.92			
14028	02/24/2014	Open			Accounts Payable	House of Doors, Inc.	\$189.10		
	Invoice		Date	Description		Amount			
	256711		02/19/2014	svc call - east overhead door at vig hall		\$189.10			
14029	02/24/2014	Open			Accounts Payable	Illinois Paper & Copier Co.	\$565.00		
	Invoice		Date	Description		Amount			
	90095		02/19/2014	8.5x11 copy paper		\$565.00			

# Corporate Warrant - 2/24/14

From Payment Date: 2/11/2014 - To Payment Date: 2/24/2014

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
14030	02/24/2014	Open			Accounts Payable	Illinois State Police-Bureau of Identification	\$94.50		
	<u>Invoice</u>			<u>Date</u>	<u>Description</u>		<u>Amount</u>		
	3740			02/19/2014	ori:ILL13562S-prints for new hires		\$94.50		
14031	02/24/2014	Open			Accounts Payable	Intelligent Solutions	\$45.00		
	<u>Invoice</u>			<u>Date</u>	<u>Description</u>		<u>Amount</u>		
	14-218			02/19/2014	add IP to firewall		\$45.00		
14032	02/24/2014	Open			Accounts Payable	IRMA	\$3,954.41		
	<u>Invoice</u>			<u>Date</u>	<u>Description</u>		<u>Amount</u>		
	8924			02/19/2014	storage tank program		\$2,863.20		
	13037			02/19/2014	January deductible		\$1,091.21		
14033	02/24/2014	Open			Accounts Payable	J.G. Uniforms, Inc.	\$858.79		
	<u>Invoice</u>			<u>Date</u>	<u>Description</u>		<u>Amount</u>		
	32984			02/19/2014	vest cover-Kudla;vest cover-Paton		\$330.00		
	32942			02/19/2014	vest cover-Palos		\$207.00		
	32941			02/19/2014	vest cover-Harrison		\$171.79		
	33016			02/19/2014	vest cover-Kissane		\$150.00		
14034	02/24/2014	Open			Accounts Payable	Koch, Chad	\$467.20		
	<u>Invoice</u>			<u>Date</u>	<u>Description</u>		<u>Amount</u>		
	140120			02/19/2014	fall session-yoga class		\$467.20		
14035	02/24/2014	Open			Accounts Payable	LA Fasteners Inc.	\$267.01		
	<u>Invoice</u>			<u>Date</u>	<u>Description</u>		<u>Amount</u>		
	2-62204			02/19/2014	brass pipe bushing		\$5.25		
	2-61875			02/19/2014	ball valve;steam cleaner hose 50'		\$217.50		
	2-61844			02/19/2014	metric socket head cap screw;t-bolt clamp;dual h air chuck		\$44.26		
14036	02/24/2014	Open			Accounts Payable	La Grange Materials, Inc.	\$943.00		
	<u>Invoice</u>			<u>Date</u>	<u>Description</u>		<u>Amount</u>		
	67655			02/19/2014	sand		\$943.00		
14037	02/24/2014	Open			Accounts Payable	La Grange Pk Ace Hardware	\$75.72		
	<u>Invoice</u>			<u>Date</u>	<u>Description</u>		<u>Amount</u>		
	Jan14			02/19/2014	misc supplies		\$75.72		
14038	02/24/2014	Open			Accounts Payable	Lange, Gloria	\$10.00		
	<u>Invoice</u>			<u>Date</u>	<u>Description</u>		<u>Amount</u>		
	21114			02/19/2014	refund-cancelled program		\$10.00		
14039	02/24/2014	Open			Accounts Payable	Lawson Products, Inc.	\$119.37		
	<u>Invoice</u>			<u>Date</u>	<u>Description</u>		<u>Amount</u>		
	9302209688			02/19/2014	misc supplies		\$119.37		
14040	02/24/2014	Open			Accounts Payable	Lehigh Hanson	\$93.24		
	<u>Invoice</u>			<u>Date</u>	<u>Description</u>		<u>Amount</u>		
	5401603			02/19/2014	binder		\$93.24		
14041	02/24/2014	Open			Accounts Payable	Leslie Heating & Cooling Inc.	\$244.00		
	<u>Invoice</u>			<u>Date</u>	<u>Description</u>		<u>Amount</u>		
	s-15894			02/19/2014	repairs @ 3840 Maple		\$244.00		

# Corporate Warrant - 2/24/14

From Payment Date: 2/11/2014 - To Payment Date: 2/24/2014

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
14042	02/24/2014	Open			Accounts Payable	LexisNexis Risk Data Management	\$100.00		
	Invoice		Date	Description		Amount			
	1465957-20140131		02/19/2014	monthly subscription-Jan		\$100.00			
14043	02/24/2014	Open			Accounts Payable	M.A.B.A.S. Division 10	\$7,750.00		
	Invoice		Date	Description		Amount			
	2014		02/19/2014	2014 dues		\$7,750.00			
14044	02/24/2014	Open			Accounts Payable	M.E. Simpson Co., Inc.	\$570.00		
	Invoice		Date	Description		Amount			
	24903		02/19/2014	leak locate-9424 Washington		\$570.00			
14045	02/24/2014	Open			Accounts Payable	Mc Allister Equipment Co.	\$1,107.76		
	Invoice		Date	Description		Amount			
	91407		02/19/2014	bolt on edge;square neck screw;flange nut		\$604.22			
	91336		02/19/2014	square new screws		\$24.48			
	91337		02/19/2014	bolt on edge		\$435.66			
	91368		02/19/2014	square new screw		\$43.40			
14046	02/24/2014	Open			Accounts Payable	Menards-Hodgkins	\$154.38		
	Invoice		Date	Description		Amount			
	53285		02/19/2014	ice melt		\$50.34			
	52584		02/19/2014	janitorial supplies		\$62.69			
	53123		02/19/2014	accent mat;led headlamp		\$21.36			
	53087		02/19/2014	hose rd med duty		\$19.99			
14047	02/24/2014	Open			Accounts Payable	Midwest Orthopaedics at Rush	\$363.00		
	Invoice		Date	Description		Amount			
	3671		02/19/2014	preemployment screenings-Kenning & Schumacher		\$124.00			
	3725		02/19/2014	preemployment screenings-Polich		\$147.00			
	3725a		02/19/2014	preemployment screenings-Fornalsky		\$92.00			
14048	02/24/2014	Open			Accounts Payable	New World Systems	\$600.00		
	Invoice		Date	Description		Amount			
	033547		02/19/2014	assist w/8.4 upgrade		\$600.00			
14049	02/24/2014	Open			Accounts Payable	NICOR	\$960.27		
	Invoice		Date	Description		Amount			
	3314		02/19/2014	svc @ 3840 Maple-83071800003		\$377.09			
	31014		02/19/2014	svc @ 4301 Elm-82999700006		\$134.14			
	3714		02/19/2014	svc @ 4523 Eberly-96099700005		\$449.04			
14050	02/24/2014	Open			Accounts Payable	North East Multi-Regional Training	\$400.00		
	Invoice		Date	Description		Amount			
	177414		02/19/2014	John Reid interviews & interrogations-Hartnett		\$400.00			
14051	02/24/2014	Open			Accounts Payable	Orkin Inc.	\$468.71		
	Invoice		Date	Description		Amount			
	2014-00000108		02/19/2014	pest control		\$468.71			
14052	02/24/2014	Open			Accounts Payable	Parcel Mail Service	\$37.34		
	Invoice		Date	Description		Amount			
	2199		02/19/2014	shipping charges		\$37.34			

Village of Brookfield

# Corporate Warrant - 2/24/14

From Payment Date: 2/11/2014 - To Payment Date: 2/24/2014

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
14053	02/24/2014	Open			Accounts Payable	Paul Conway Shields	\$118.50		
	Invoice		Date	Description		Amount			
	0335115		02/19/2014	short sleeve polo shirts		\$118.50			
14054	02/24/2014	Open			Accounts Payable	Pieta, Sharon	\$125.00		
	Invoice		Date	Description		Amount			
	3281		02/19/2014	reimbursement for plumbing charges @ 4624 Prairie		\$125.00			
14055	02/24/2014	Open			Accounts Payable	Portable John, Inc.	\$175.59		
	Invoice		Date	Description		Amount			
	A-190774		02/19/2014	rental fees @ Ehlert Park		\$175.59			
14056	02/24/2014	Open			Accounts Payable	RelaDyne, LLC	\$801.27		
	Invoice		Date	Description		Amount			
	0794678		02/19/2014	rlt prm pw hyd 32 bu		\$801.27			
14057	02/24/2014	Open			Accounts Payable	Riverside Manufacturing Co.	\$217.00		
	Invoice		Date	Description		Amount			
	5279228001		02/19/2014	navy trousers		\$108.50			
	5279229001		02/19/2014	navy trousers		\$108.50			
14058	02/24/2014	Open			Accounts Payable	Sam's Club	\$118.27		
	Invoice		Date	Description		Amount			
	1716		02/19/2014	let's win supplies		\$44.41			
	4585		02/19/2014	let's win supplies		\$30.42			
	7243		02/19/2014	let's win supplies		\$43.44			
14059	02/24/2014	Open			Accounts Payable	SBOC	\$1,000.00		
	Invoice		Date	Description		Amount			
	314		02/19/2014	59th annual training institute-Carol Bottari & Paul Trudeau		\$1,000.00			
14060	02/24/2014	Open			Accounts Payable	Special T Unlimited	\$78.00		
	Invoice		Date	Description		Amount			
	10751		02/19/2014	safety green tshirts/long sleeve tshirts		\$78.00			
14061	02/24/2014	Open			Accounts Payable	Staples Advantage	\$577.07		
	Invoice		Date	Description		Amount			
	3221712639		02/19/2014	office supplies		\$200.94			
	3220917301		02/19/2014	office supplies		\$187.39			
	3211297333		02/19/2014	credit-return		(\$41.69)			
	3221712640		02/19/2014	office supplies		\$113.97			
	3221712641		02/19/2014	office supplies		\$116.46			
14062	02/24/2014	Open			Accounts Payable	Suburban Laboratories, Inc.	\$440.00		
	Invoice		Date	Description		Amount			
	34750		02/19/2014	coliform tests/disinfectant byproducts		\$440.00			
14063	02/24/2014	Open			Accounts Payable	Suburban Truck Parts	\$379.80		
	Invoice		Date	Description		Amount			
	11563		02/19/2014	flange kit installed		\$379.80			
14064	02/24/2014	Open			Accounts Payable	Swan Cleaners	\$75.00		
	Invoice		Date	Description		Amount			
	Jan14		02/19/2014	pd laundry-blankets		\$75.00			

Village of Brookfield

# Corporate Warrant - 2/24/14

From Payment Date: 2/11/2014 - To Payment Date: 2/24/2014

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
14065	02/24/2014	Open			Accounts Payable	Third Millennium Associates, Inc	\$1,456.22		
	Invoice		Date	Description		Amount			
	16631		02/19/2014	processing B&D route water bills		\$535.41			
	16615		02/19/2014	cole taylor lock box svc		\$920.81			
14066	02/24/2014	Open			Accounts Payable	Treasurer, State of Illinois	\$47,666.47		
	Invoice		Date	Description		Amount			
	106685		02/19/2014	village share-Maple Ave		\$47,666.47			
14067	02/24/2014	Open			Accounts Payable	Unifirst Corporation	\$342.11		
	Invoice		Date	Description		Amount			
	931592		02/19/2014	dpw uniforms		\$166.21			
	930140		02/19/2014	dpw uniforms		\$175.90			
14068	02/24/2014	Open			Accounts Payable	Uniform Den East, Inc.	\$810.00		
	Invoice		Date	Description		Amount			
	33166		02/19/2014	navy-custom helix		\$810.00			
14069	02/24/2014	Open			Accounts Payable	VCG Uniform	\$82.74		
	Invoice		Date	Description		Amount			
	9418		02/19/2014	4 pocket pants-restocking/shipping fees		\$62.15			
	9419		02/19/2014	shipping charges for return		\$20.59			
14070	02/24/2014	Open			Accounts Payable	Village of Downers Grove	\$1,042.80		
	Invoice		Date	Description		Amount			
	091527		02/19/2014	medical ins premium-Ginex-March 14		\$1,042.80			
14071	02/24/2014	Open			Accounts Payable	Wednesday Journal	\$120.00		
	Invoice		Date	Description		Amount			
	21214		02/19/2014	summer camp ad		\$120.00			
14072	02/24/2014	Open			Accounts Payable	Wentworth Tire Service	\$141.22		
	Invoice		Date	Description		Amount			
	430650		02/19/2014	tires for #33		\$141.22			
14073	02/24/2014	Open			Accounts Payable	West Central Municipal Conference	\$405.00		
	Invoice		Date	Description		Amount			
	7682		02/19/2014	legislative breakfast-2/8/14		\$405.00			
14074	02/24/2014	Open			Accounts Payable	Zee Medical Inc.	\$222.10		
	Invoice		Date	Description		Amount			
	0100059535		02/19/2014	svc to 1st aid cabinet in police dept		\$222.10			
Type Check Totals:						84 Transactions	\$369,404.26		
EFT									
171	02/19/2014	Open			Accounts Payable	Village of Brookfield	\$323,874.85		
	Invoice		Date	Description		Amount			
	2014-00000109		02/19/2014	salaries-2/14/14		\$323,874.85			
172	02/19/2014	Open			Accounts Payable	Village of Brookfield	\$12,301.88		
	Invoice		Date	Description		Amount			
	2014-00000110		02/19/2014	fica/medicare-2/14/14		\$12,301.88			
173	02/19/2014	Open			Accounts Payable	Village of Brookfield	\$3,178.90		
	Invoice		Date	Description		Amount			
	2014-00000111		02/19/2014	payroll-sui-2/14/14		\$3,178.90			
Type EFT Totals:						3 Transactions	\$339,355.63		

# Corporate Warrant - 2/24/14

From Payment Date: 2/11/2014 - To Payment Date: 2/24/2014

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
PFC - PUBLIC FUND CHECKING Totals									
<b>Checks</b>									
		Status		Count		Transaction Amount		Reconciled Amount	
		Open		84		\$369,404.26		\$0.00	
		Reconciled		0		\$0.00		\$0.00	
		Voided		0		\$0.00		\$0.00	
		Stopped		0		\$0.00		\$0.00	
		<b>Total</b>		<b>84</b>		<b>\$369,404.26</b>		<b>\$0.00</b>	
<b>EFTs</b>									
		Status		Count		Transaction Amount		Reconciled Amount	
		Open		3		\$339,355.63		\$0.00	
		Reconciled		0		\$0.00		\$0.00	
		Voided		0		\$0.00		\$0.00	
		<b>Total</b>		<b>3</b>		<b>\$339,355.63</b>		<b>\$0.00</b>	
<b>All</b>									
		Status		Count		Transaction Amount		Reconciled Amount	
		Open		87		\$708,759.89		\$0.00	
		Reconciled		0		\$0.00		\$0.00	
		Voided		0		\$0.00		\$0.00	
		Stopped		0		\$0.00		\$0.00	
		<b>Total</b>		<b>87</b>		<b>\$708,759.89</b>		<b>\$0.00</b>	
<b>Grand Totals:</b>									
<b>Checks</b>									
		Status		Count		Transaction Amount		Reconciled Amount	
		Open		84		\$369,404.26		\$0.00	
		Reconciled		0		\$0.00		\$0.00	
		Voided		0		\$0.00		\$0.00	
		Stopped		0		\$0.00		\$0.00	
		<b>Total</b>		<b>84</b>		<b>\$369,404.26</b>		<b>\$0.00</b>	
<b>EFTs</b>									
		Status		Count		Transaction Amount		Reconciled Amount	
		Open		3		\$339,355.63		\$0.00	
		Reconciled		0		\$0.00		\$0.00	
		Voided		0		\$0.00		\$0.00	
		<b>Total</b>		<b>3</b>		<b>\$339,355.63</b>		<b>\$0.00</b>	
<b>All</b>									
		Status		Count		Transaction Amount		Reconciled Amount	
		Open		87		\$708,759.89		\$0.00	
		Reconciled		0		\$0.00		\$0.00	
		Voided		0		\$0.00		\$0.00	
		Stopped		0		\$0.00		\$0.00	
		<b>Total</b>		<b>87</b>		<b>\$708,759.89</b>		<b>\$0.00</b>	

RESOLUTION NO. R - 2014 - 11

**A RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT OF THE VILLAGE OF  
BROOKFIELD TO EXECUTE STIPULATED ASSESSMENTS ON BEHALF OF THE  
VILLAGE OF BROOKFIELD IN PROCEEDINGS BEFORE THE  
ILLINOIS PROPERTY TAX APPEAL BOARD**

PASSED AND APPROVED BY  
THE PRESIDENT AND BOARD OF TRUSTEES  
THE 24<sup>TH</sup> DAY OF FEBRUARY 2014

RESOLUTION NO. R - 2014 - 11

**A RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT OF THE VILLAGE OF BROOKFIELD TO EXECUTE STIPULATED ASSESSMENTS ON BEHALF OF THE VILLAGE OF BROOKFIELD IN PROCEEDINGS BEFORE THE ILLINOIS PROPERTY TAX APPEAL BOARD**

**WHEREAS**, the Village of Brookfield received notice that Polivka Trust #1 and Willow Farm Properties had filed appeals before the Illinois Property Tax Appeal Board, identified as Docket Numbers 09-33564 (2009 Appeal) and 10-24733 (2010 Appeal) (the "2009 and 2010 Appeals"), appealing the decisions of the Cook County Board of Review, with respect to the taxpayers' requests to change the assessed valuation of various properties located within the Village of Brookfield;

**WHEREAS**, the Village of Brookfield intervened in the Appeals before the Illinois Property Tax Appeal Board;

**WHEREAS**, the Village of Brookfield also received notice that Polivka Trust #1 and Willow Farm Properties had filed an appeal before the Illinois Property Tax Appeal Board, appealing the decision of the Cook County Board of Review, with respect to the taxpayers' requests to change the 2008 assessed valuation of various properties located within the Village of Brookfield;

**WHEREAS**, the Village of Brookfield and the Polivka Trust #1 and Willow Farm Properties have entered into settlement discussions, and each party desires to settle and terminate the issues regarding the assessed valuation of various properties located within the Village of Brookfield involved in the 2009 and 2010 Appeals described above, to resolve and discharge, as between Village of Brookfield and the Polivka Trust #1 and Willow Farm Properties all disputed issues and claims arising out of the 2009 and 2010

Appeals, to purchase peace, avoid further legal costs pursuant to the terms and provisions expressed in the Stipulations of Assessment by the Parties;

**WHEREAS**, provided that the Village of Brookfield stipulates to the assessed valuation of the properties in the 2009 and 2010 Appeals, the Polivka Trust #1 and Willow Farm Properties has agreed to voluntarily dismiss the appeal before the Illinois Property Tax Appeal Board, appealing the decision of the Cook County Board of Review, with respect to the taxpayers' requests to change the 2008 assessed valuation of various properties located within the Village of Brookfield;

**WHEREAS**, the President and Board of Trustees of Village of Brookfield deem it to be in the best interest of the Village of Brookfield to enter Stipulations of Assessment by the Parties to completely settle and resolve all claims being asserted in the 2009 and 2010 Appeals;

**NOW, THEREFORE, BE IT RESOLVED** by the Village President and Board of Trustees of the Village of Brookfield, Cook County, Illinois, as follows:

**Section 1:** Certain "Stipulations of Assessments by the Parties," attached hereto as Exhibit A, between the Village of Brookfield, Polivka Trust #1 and Willow Farm Properties, School District #103, School District #204, and the Cook County Board of Review are hereby approved.

**Section 2:** The Village President is hereby authorized and directed to execute said Stipulations of Assessment by the Parties on behalf of the Village of Brookfield.

**[THE REMAINDER OF THIS PAGE IS LEFT BLANK INTENTIONALLY.]**

**Section 3:** This Resolution shall be in full force and effect upon its passage and approval in accordance with law.

**ADOPTED** this 24<sup>th</sup> day of February 2014 pursuant to roll call vote as follows:

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**ABSTENTION:** \_\_\_\_\_

**APPROVED** by me this 24<sup>th</sup> day of February 2014.

\_\_\_\_\_  
Kit P. Ketchmark, President of the  
Village of Brookfield, Cook County, Illinois

ATTEST:

\_\_\_\_\_  
Catherine Colgrass-Edwards, Village Clerk  
Village of Brookfield, Cook County, Illinois

**EXHIBIT A**

**Stipulations of Assessment by the Parties  
In Property Tax Appeal Board  
Docket Numbers 09-33564 and 10-24733**



# Property Tax Appeal Board

## Stipulation of Assessment(s) by the Parties

Date: January, 2014

Appellant(s): Polivka Trust #1 and Willow Farm Properties

Docket Number(s): 09-33564.001- I-3 thru 09-33564.017-I-3 See attached

PIN(s): 18-03-424-014-0000 plus 16 addl PIN, see attached

### Stipulated Assessment:

Land, Improvement, and Total assessments must be completed for each parcel. Multiple parcels must be completed on page 2 or on multiple pages and the aggregate figure indicated below.

Docket	PIN	Land	Improvement	Total
09-33564.001	18-03-424-014-0000	69,115	59,440	128,555
<b>TOTAL</b>		310157	364,843	675,000

### ACCEPTED:

The undersigned have reviewed the file in the above-captioned matter and find that the assessments should be adjusted and that a hearing is not necessary. The parties further agree that the "**Stipulated Assessment(s)**" should be applied in the Property Tax Appeal Board's decision.

*George Michael Keane, Jr.*  
Acceptance for Appellant/Attorney

\_\_\_\_\_  
Acceptance for Board of Review

\_\_\_\_\_  
Acceptance for Intervenor

\_\_\_\_\_  
Acceptance for Board of Review

\_\_\_\_\_  
Acceptance for Intervenor

\_\_\_\_\_  
Acceptance for Board of Review

### **Dissenting:**

Attorney Name: George Michael Keane, Jr

Bd. of Review Attn. Code: 1756

Address: 225 W Washington St. #1701

Chicago, IL 60606

\_\_\_\_\_  
Dissenting Board of Review Member/Commissioner

Please submit original stipulation as follows.

**STATE OF ILLINOIS  
PROPERTY TAX APPEAL BOARD  
ROOM 402 STRATTON OFFICE BUILDING  
401 SOUTH SPRING STREET  
SPRINGFIELD, IL 62706-4001  
(217) 782-6076**



DETAILED LISTING

APPELLANT NAME PROPERTY IDENTIFICATION NUMBER	DOCKET NUMBER
Polivka Trust #1 & Willow Farm Prop. 18-03-424-014-0000	09-33564.001-I-3
Polivka Trust #1 & Willow Farm Prop. 18-03-424-016-0000	09-33564.002-I-3
Polivka Trust #1 & Willow Farm Prop. 18-03-424-018-0000	09-33564.003-I-3
Polivka Trust #1 & Willow Farm Prop. 18-03-424-019-0000	09-33564.004-I-3
Polivka Trust #1 & Willow Farm Prop. 18-03-424-020-0000	09-33564.005-I-3
Polivka Trust #1 & Willow Farm Prop. 18-03-424-021-0000	09-33564.006-I-3
Polivka Trust #1 & Willow Farm Prop. 18-03-424-022-0000	09-33564.007-I-3
Polivka Trust #1 & Willow Farm Prop. 18-03-424-026-0000	09-33564.008-I-3
Polivka Trust #1 & Willow Farm Prop. 18-03-424-027-0000	09-33564.009-I-3
Polivka Trust #1 & Willow Farm Prop. 18-03-424-030-0000	09-33564.010-I-3
Polivka Trust #1 & Willow Farm Prop. 18-03-424-031-0000	09-33564.011-I-3
Polivka Trust #1 & Willow Farm Prop. 18-03-424-032-0000	09-33564.012-I-3
Polivka Trust #1 & Willow Farm Prop. 18-03-424-033-0000	09-33564.013-I-3
Polivka Trust #1 & Willow Farm Prop. 18-03-424-034-0000	09-33564.014-I-3
Polivka Trust #1 & Willow Farm Prop. 18-03-424-035-0000	09-33564.015-I-3
Polivka Trust #1 & Willow Farm Prop. 18-03-425-036-0000	09-33564.016-I-3
Polivka Trust #1 & Willow Farm Prop. 18-03-424-037-0000	09-33564.017-I-3



Property Tax Appeal Board

Stipulation of Assessment(s) by the Parties

Date: January , 2014

Appellant(s): Polivka Trust #1 and Willow Farm Properties

Docket Number(s): 10-24733.001-I-2 thru 10-24733.017-I-2 See attached

PIN(s): 18-03-424-014-0000 plus 16 addl PIN, see attached

Stipulated Assessment:

Land, Improvement, and Total assessments must be completed for each parcel. Multiple parcels must be completed on page 2 or on multiple pages and the aggregate figure indicated below.

Table with 5 columns: Docket, PIN, Land, Improvement, Total. Row 1: 10-24733.001, 18-03-424-014-0000, 69,115, 82,900, 152,015. Row 2: TOTAL, 310157, 364,843, 675,000.

ACCEPTED:

The undersigned have reviewed the file in the above-captioned matter and find that the assessments should be adjusted and that a hearing is not necessary. The parties further agree that the "Stipulated Assessment(s)" should be applied in the Property Tax Appeal Board's decision.

George Michael Keane, Jr.
Acceptance for Appellant/Attorney

Acceptance for Board of Review

Acceptance for Intervenor

Acceptance for Board of Review

Acceptance for Intervenor

Acceptance for Board of Review

Dissenting:

Attorney Name: George Michael Keane, Jr

Bd. of Review Attn. Code: 1756

Address: 225 W Washington St, #1701

Chicago, IL 60606

Dissenting Board of Review Member/Commissioner

Please submit original stipulation as follows.

STATE OF ILLINOIS
PROPERTY TAX APPEAL BOARD
ROOM 402 STRATTON OFFICE BUILDING
401 SOUTH SPRING STREET
SPRINGFIELD, IL 62706-4001
(217) 782-6076

**ADDENDUM**

<b>Docket</b>	<b>PIN</b>	<b>Land</b>	<b>Improvement</b>	<b>Total</b>
10-24733.002	18-03-424-016-0000	37,125	10,318	47,443
10-24733.003	18-03-424-018-0000	66,893	115,637	182,530
10-24733.004	18-03-424-019-0000	9,375	1,084	10,459
10-24733.005	18-03-424-020-0000	9,375	1,084	10,459
10-24733.006	18-03-424-021-0000	8,984	20,504	29,488
10-24733.007	18-03-424-022-0000	8,984	36,419	45,403
10-24733.008	18-03-424-026-0000	8,984	348	9,332
10-24733.009	18-03-424-027-0000	13,784	662	14,446
10-24733.010	18-03-424-030-0000	10,631	47,596	58,227
10-24733.011	18-03-424-031-0000	4,475	11,839	16,314
10-24733.012	18-03-424-032-0000	24,141	1,446	25,587
10-24733.013	18-03-424-033-0000	7,756	20,424	28,180
10-24733.014	18-03-424-034-0000	9,405	805	10,210
10-24733.015	18-03-424-035-0000	7,756	12,630	20,386
10-24733.016	18-03-424-036-0000	12,216	1,047	13,263
10-24733.017	18-03-424-037-0000	1,158	100	1,258
		<b>TOTAL</b>	<b>310,157</b>	<b>364,843</b>
				<b>675,000</b>

DETAILED LISTING

APPELLANT NAME PROPERTY IDENTIFICATION NUMBER	DOCKET NUMBER
Polivka Trust #1 & Willow Farm Propertie 18-03-424-014-0000	10-24733.001-I-2
Polivka Trust #1 & Willow Farm Propertie 18-03-424-016-0000	10-24733.002-I-2
Polivka Trust #1 & Willow Farm Propertie 18-03-424-018-0000	10-24733.003-I-2
Polivka Trust #1 & Willow Farm Propertie 18-03-424-019-0000	10-24733.004-I-2
Polivka Trust #1 & Willow Farm Propertie 18-03-424-020-0000	10-24733.005-I-2
Polivka Trust #1 & Willow Farm Propertie 18-03-424-021-0000	10-24733.006-I-2
Polivka Trust #1 & Willow Farm Propertie 18-03-424-022-0000	10-24733.007-I-2
Polivka Trust #1 & Willow Farm Propertie 18-03-424-026-0000	10-24733.008-I-2
Polivka Trust #1 & Willow Farm Propertie 18-03-424-027-0000	10-24733.009-I-2
Polivka Trust #1 & Willow Farm Propertie 18-03-424-030-0000	10-24733.010-I-2
Polivka Trust #1 & Willow Farm Propertie 18-03-424-031-0000	10-24733.011-I-2
Polivka Trust #1 & Willow Farm Propertie 18-03-424-032-0000	10-24733.012-I-2
Polivka Trust #1 & Willow Farm Propertie 18-03-424-033-0000	10-24733.013-I-2
Polivka Trust #1 & Willow Farm Propertie 18-03-424-034-0000	10-24733.014-I-2
Polivka Trust #1 & Willow Farm Propertie 18-03-424-035-0000	10-24733.015-I-2
Polivka Trust #1 & Willow Farm Propertie 18-03-425-036-0000	10-24733.016-I-2
Polivka Trust #1 & Willow Farm Propertie 18-03-424-037-0000	10-24733.017-I-2



# Village of Brookfield

8820 Brookfield Avenue • Brookfield, Illinois 60513-1688  
(708) 485-7344 • FAX (708) 485-4971  
www.brookfieldil.gov

VILLAGE PRESIDENT  
Kit P. Ketchmark

VILLAGE CLERK  
Catherine A. Colgrass-Edwards

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TREE CITY U.S.A. Since 1981

HOME OF THE CHICAGO  
ZOOLOGICAL SOCIETY

VILLAGE OF BROOKFIELD  
BROOKFIELD, ILLINOIS 60513

**BROOKFIELD VILLAGE BOARD  
COMMITTEE OF THE WHOLE MEETING  
Monday, February 24, 2014**

**7:00 p.m. or Immediately following Village Board Meeting  
Edward Barcal Hall  
8820 Brookfield Avenue  
Brookfield, IL 60513**

## AGENDA

- A. Discussion -- Parking Variation – Advanced Auto Parts
- B. Discussion -- Special Use Planned Development – Fairview Avenue
- C. Discussion -- Lot Split – Congress Park 8819
- D. Discussion -- Lot Split – Congress Park 8834
- E. Discussion – Intersection Drainage Study – Prairie & Washington
- F. Discussion – Brookfield/North Rivers Water Commission Supplemental Water Supply
- G. Discussion - IDNR Trails Grant
- H. **Addresses from the Audience** – Any member of the audience who wishes to address the President and Village Board may do so at this time
- I. **Adjournment**

Individuals with a disability requiring a reasonable accommodation in order to participate in any meeting should contact the Village of Brookfield (708)485-7344 prior to the meeting. Wheelchair access may be gained through the police department (East) entrance of the Village Hall.



# COMMITTEE ITEM MEMO

---

**ITEM:** PC CASE 14-01 9310-20 OGDEN AVENUE – ADVANCE AUTO  
**COMMITTEE DATE:** February 24, 2014  
**PREPARED BY:** Keith Sbiral, AICP  
**PURPOSE:** Consideration of Variations for Parking at New Commercial Development.  
**BUDGET AMOUNT:** N/A

## **BACKGROUND:**

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Attached to this memo are the Staff Report, Planning and Zoning Commission (PZC) packet, and notice requirements for the Variation Application presented by John Murphey at the February 11, 2014 PZC Hearing.

Staff found that the application meets the standards for approving a variation subject to conditions outlined in the staff report and analysis. The PZC conducted the public hearing for the variation request on February 11, 2014. The PZC recommended approval of the request by a vote of 7-0 and adopted the findings noted in the staff report as their own.

Staff has been working for nearly a year with Advance Auto to locate in Brookfield. After consideration of a previous plan, the developer determined it was in the best interest of the project to seek the variation. Staff concurs that the proposed design is preferable to the previous design. Further, Staff will discuss improvements to the alley.

## **ATTACHMENTS:**

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1. Staff Report, dated February 11, 2014
2. Public Notice
3. PZC Packet (Bookmarked PDF)

## **STAFF RECOMMENDATION:**

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Based on the discussion included in the Staff Report staff recommends that the Board of Trustees concur with the PZC and approve the request for variation subject to the standards outlined in the staff report.

## **REQUESTED COURSE OF ACTION:**

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The Board of Trustees should review and discuss the request for variation. An ordinance approving the variation will be presented at the first March meeting.



# Village of Brookfield

## Planning and Zoning Commission Staff Report

**TO:** Village of Brookfield Planning and Zoning Commission

**HEARING DATE:** February 11, 2014

**FROM:** Building and Planning Department

**PREPARED BY:** Keith R. Sbiral, AICP, Assistant Village Manager

A handwritten signature in black ink, appearing to be "K. Sbiral", written over the name in the "PREPARED BY" line.

### TITLE

**PZC 14-01 – 9310-20 W. Ogden Avenue;** John Murphey, Attorney for the owner of the subject property, requests a variation from Section 62-269 Access, to allow alley access to the parking area at 9310-20 Ogden Avenue, and a variation from Section 62-290 Required Parking Spaces to allow a reduction in the number of required parking spaces.

### GENERAL INFORMATION

**APPLICANT:** Andrea Ragona or John Murphey  
Sansom Property Group, LLC  
200 West Madison St  
Suite 400  
Chicago, IL 60606

**APPLICATION/NOTICE:** The application has been filed in conformance with applicable procedural and public notice requirements.

### PROPERTY INFORMATION

**EXISTING ZONING:** C-1 General Service District  
**EXISTING LAND USE:** Redevelopment Parcel  
**PROPERTY SIZE:** 23,216 square feet  
**PINs:** 18-03-109-021 (-027)

**SURROUNDING ZONING AND LAND USES:**

North: A-1 Single Family Residence District; Single Family Home  
South: C-1 General Service District; Commercial (Quality Sleep Shop)  
East: C-1 General Service District; Commercial (VFW)  
West: C-1 General Service District; Commercial (Gas Station)

## ANALYSIS

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### SUBMITTALS

This report is based on the following documents, which are on file with the Building and Planning Department:

1. Application for Public Hearing and Required Fees
2. Certification of Legal Notice Published January 22, 2014 in the Landmark
3. Petitioner Project Submittal Including:
  - a. Application
  - b. Proof of Ownership
  - c. Project Summary
  - d. Site Plan
  - e. Architectural Renderings

### DESCRIPTION

The applicant requests a variation from Section 62-269 Access, to allow alley access to the parking area at 9310-20 Ogden Avenue, and a variation from Section 62-290 Required Parking Spaces to allow a reduction in the number of required parking spaces.

### BACKGROUND

The applicant acquired the subject property on Ogden Avenue in 2013. Prior to the change of ownership, the property was a restaurant and a vacant property with ongoing property maintenance issues. Since acquiring the property, the applicant has completed permitted demolition of the restaurant use and cleaned up the property maintenance issues. The property remains fenced for redevelopment to the proposed auto parts store.

The owner proposed a redevelopment including an auto parts store with conforming parking. After further consideration the overall design of the parking and constraints on building size, the owner has submitted for a variation for the proposed parking and design.

The property is located in the Ogden Avenue Tax Increment Finance district.

### ZONING

The property is currently zoned C-1 General Service and is unimproved and ready for redevelopment. The applicant is in the process of redeveloping the property for a retail auto parts store, which is a conforming use in the C-1 District.

### PUBLIC COMMENT

To date, staff has not received written comments from the public concerning the requested variations.

### DISCUSSION

#### Request for Alley Access

Section 62-269 Access of the Zoning Ordinance states the following: "Parking facilities shall be designed with appropriate means of vehicular access to a street."

The subject property is an existing property with both street access and alley access. The property's access to the parking area is from both the alley and the street.

### Request for Reduction in Parking

Section 62-290 of the Zoning Ordinance requires Retail Sales uses to have 1 parking space for each 250 feet of gross floor area. The proposed structure has 8,004 gross square feet of floor area and is required to have 32 parking spaces per code.

The proposed project has 20 on site parking spaces. The petitioner is requesting a 12 space variation. The project also contains one loading space as code requires.

Staff recommended the applicant request the variation to have a well designed project with sufficient parking. Staff believes the project can have both better overall site design as well as sufficient parking for the proposed use. Based on engineering review, this option also allows for sufficient storm water retention.

### **STANDARDS FOR GRANTING ZONING VARIANCES**

With respect to Zoning Variance review, Section 62-760 of the Village Zoning Ordinance (Appeals) notes, "The following standards shall be met and proved by the applicant before any positive consideration is to be made granting of a variation" (*Staff Review in Italics*):

1. The hardship alleged as the basis for the variation must be derived from difficulties pertaining to the property itself which prevent full use of the property of the same extent other properties in close proximity in the same zoning district can be used;

*The subject property is an existing redevelopment site within the confines of the shallow Ogden Avenue subdivisions. The access and parking availability exists as a result of the previous use and subdivision and not to modern depth standards. In order to bring a modern use and utilize the property variances for access and parking configuration are necessary.*

2. The hardship alleged as the basis for a variation must not be self-created or self-imposed by the applicant or his agent nor by unauthorized and unpermitted acts of any prior owner;

*The existing subdivision depth of the lot requiring the proposed parking configuration was not created or imposed by the current owner and was permitted under the previous use of the property.*

3. That there is no other means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the property;

*The existing property is insufficient for parking area. Any other configuration of the parking area will require a variance for reduction of aisle width, stall length, stall width, or number of spaces provided.*

4. That the variation sought will not impair an adequate supply of light or air to adjacent property;

*The proposed variances do not affect the property's access to air and light.*

5. That the variation sought will not unreasonably diminish the values of adjacent property;

*The requested variances will allow the subject property to be occupied with a conforming use, and therefore will not diminish adjacent property values. In fact the proposed project will improve the overall block in the TIF district.*

6. That the variation sought will not unreasonably increase congestion in the public streets or otherwise endanger public safety;

*The requested variances will allow a land use consistent with other uses in the C-1 district and access to the structure from the alley, and therefore will not unreasonably increase congestion or endanger public safety. Staff believes the 20 spaces are sufficient for the proposed retail use.*

7. That the variation is in harmony with the general purpose and intent of this ordinance.

*The requested variance generally supports the purpose and intent of the zoning ordinance by making it possible to use an existing structure for a conforming use in the C-1 district.*

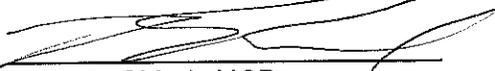
## RECOMMENDATIONS

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Based on the analysis above, Staff believes the request meets the standards for granting zoning variances, as well as the intent of the Ogden Avenue redevelopment goals outlined in the 2020 Master Plan and TIF Redevelopment Plan. The Planning and Zoning Commission should discuss the requested variations and determine whether the request should be recommended for approval when presented to the Village Board of Trustees.

The Planning and Zoning Commission should use the standards for review found above and in Section 62-760 of the Village Zoning Ordinance.

Staff Report Approved By:



Keith R. Sbiral, AICP  
Assistant Village Manager

VILLAGE OF BROOKFIELD  
NOTICE OF PUBLIC HEARING  
PLAN COMMISSION 14-01  
February 11, 2014 | 6:30 p.m.

The Village of Brookfield Plan Commission will hold a public hearing at a Special Meeting on Tuesday, February 11, 2014 at 6:30 p.m. in the Edward Barcal Hall located at 8820 Brookfield Avenue, Brookfield, Illinois for the purpose of considering and hearing request for a Variation from the parking requirements of the Zoning Code, for the property located at 9310-9320 Ogden Avenue, in Brookfield, Illinois. The property is zoned C-1 (Commercial) and the applicant requests the variation in order to construct a retail facility with accessory parking.

Legal Description: Lots 14 through 20 in Block 77 in S.E. Gross' Third Addition to Grossdale; Being a Subdivision of that part of the West ½ of the Northeast ¼ and the East ½ of the Northwest ¼ lying North of Ogden avenue (except railroad) and the East ½ of the Northeast ¼ lying South of Ogden Avenue in Section 3, Township 38 North, Range 12 East of the Third Principal Meridian, In Cook County, Illinois.

PINS: 18-03-109-021 thru -027.

Application materials may be viewed at the Village of Brookfield Village Hall. Comments, if any, should be provided in writing prior to the date of the public hearing to: Village of Brookfield, Plan Commission c/o Keith R. Sbiral, AICP, 8820 Brookfield Avenue, Brookfield IL 60513, or in person during the public hearing. Please reference PC Case No. 14-01.

Individuals with a disability requiring a reasonable accommodation in order to participate in any meeting should contact the Village of Brookfield (708)485-7344 prior to the meeting. Wheelchair access may be gained through the front (South) entrance of the Village Hall.

By the Order of Charles Grund, Plan Commission Chairman



Village of Brookfield  
Zoning Board of Appeals Application Packet

**Zoning Variance Application**

**Applicant Information:**

- 1. Name and Phone Number of contact person for application process Andrea Ragona 312.332.4172 or John Murphey 312.541.1072
- 2. Petitioner's Name Sansom Property Group, L.L.C.
- 3. Petitioner's Address 200 West Madison Street, Suite 4200, Chicago, IL 60606
- 4. Phone Number 312.332.4172
- 5. Email Address andrea@nationalplazas.com
- 6. Fax Number 312.332.0389
- 7. Owner of Record Name Sansom Property Group, L.L.C.
- 8. Owner of Record Address same as Petitioner's

**Property Information:**

- 9. Common Street Address 9310-20 West Ogden Avenue, Brookfield, Illinois
- 10. Legal Description see attached
- 11. Permanent Tax Index Number 18-03-109-021 thru -027
- 12. When did the owner acquire the property? September 2013

13. Is the petitioner in the process of purchasing the property? Yes \_\_\_ No X  
 If so, is the purchase contingent on approval of variation? Yes \_\_\_ No \_\_\_

14. Is your property use presently (check one): Conforming X Non-conforming \_\_\_

15. If the property is a non-conforming use, please explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**16. Surrounding Zoning and Land Use:**

	Zoning District	Land Use
North	A-1	residential
South	C-1	retail sales
East	C-1	restaurant
West	C-1	auto repair

**Zoning Variance Application, continued**

17. What is the Zoning Classification of the subject property? C-1

18. List the variance(s) you are requesting:

(1) Section 30- 7.03 Variance requested to Parking Requirements

(2) Section 30- \_\_\_\_\_ Variance requested to \_\_\_\_\_

(3) Section 30- \_\_\_\_\_ Variance requested to \_\_\_\_\_

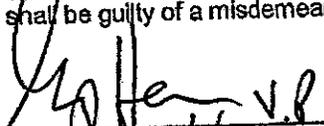
19. What is the proposed use of or improvement to the property? \_\_\_\_\_

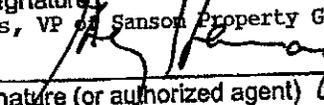
Retail sales of auto parts and accessories

20. Is the building for (Check one): Personal Use  Rental  Resale

Please provide responses for the standards for granting zoning variances (attached).

Any person who shall knowingly make or cause to be made, or conspire, combine, aid or assist in, agree to, arrange for, or in any way procure the making of a false or fraudulent application, affidavit, certificate, or statement, shall be guilty of a misdemeanor as provided by statute by the State of Illinois.

 v.p. 1/6/14  
Petitioners Signature Date  
George Hanus, VP of Sansom Property Group, L.L.C.

 1/6/14  
Owner's Signature (or authorized agent) Date  
George Hanus, VP of Sansom Property Group, L.L.C.

CHICAGO TITLE INSURANCE COMPANY

OWNER'S POLICY (2006)  
SCHEDULE A (CONTINUED)

POLICY NUMBER: 1401-008932290-D2

5. THE LAND REFERRED TO IN THIS POLICY IS DESCRIBED AS FOLLOWS:

LOTS 14 THROUGH 20 IN BLOCK 77 IN S.E. GROSS' THIRD ADDITION TO GROSSDALE; BEING A SUBDIVISION OF THAT PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 AND THE EAST 1/2 OF THE NORTHWEST 1/4 LYING NORTH OF OGDEN AVENUE (EXCEPT RAILROAD) AND THE EAST 1/2 OF THE NORTHEAST 1/4 LYING SOUTH OF OGDEN AVENUE IN SECTION 3, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

THIS POLICY VALID ONLY IF SCHEDULE B IS ATTACHED



**STANDARDS FOR GRANTING ZONING VARIANCES**

Village Code Section 30-11.03 C

Please provide responses to the best of your ability

1. The hardship alleged as the basis for the variation must be derived from difficulties pertaining to the property itself which prevent full use of the property of the same extent other properties in close proximity in the same zoning district can be used;  
The property itself is constrained by a building to the east and limited off-street parking to the west. Without a parking variance, the property cannot be developed for an appropriate retail use.
  
2. The hardship alleged as the basis for a variation must not be self-created or self-imposed by the applicant or his agent nor by unauthorized and unpermitted acts of any prior owner;  
The hardship in question is a result of the demolition of the old site and no area for expansion.
  
3. That there is no other means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the property;  
Because there is no area for expansion, the variance is necessary to allow for the construction of a modern retail building.
  
4. That the variation sought will not impair an adequate supply of light or air to adjacent property;  
The parking area will still be open and will not interfere with any nearby property.
  
5. That the variation sought will not unreasonably diminish the values of adjacent property;  
By granting this variation, the value of nearby property will be improved because the new facility will upgrade this neighborhood.
  
6. That the variation sought will not unreasonably increase congestion in the public streets or otherwise endanger public safety;  
The proposed use in question is not a large traffic generator. It is a pre-existing commercial site and the parking variance will not impair the traffic circulation/ingress or egress.
  
7. That the variation is in harmony with the general purpose and intent of this ordinance.  
If this variation is granted, it will allow for the construction of a new commercial building which in turn will increase property tax and sales tax to the Village. Both of these goals are consistent with the purpose and intent of the Zoning Ordinance.

**AFFADAVIT OF OWNERSHIP**

COUNTY OF    Cook    )  
  ) SS

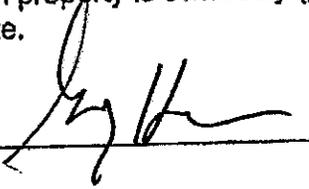
STATE OF ILLINOIS )

I, (print name)    George Hanus   , under oath, state that I am (check one):

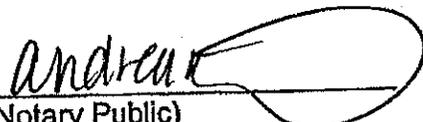
- the sole owner of the property
- an owner of the property
- an authorized officer for the owner of the property

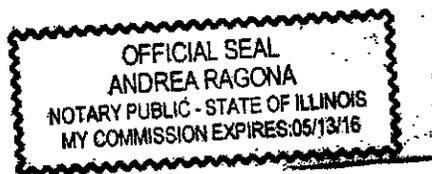
commonly described as (full address):    9310-20 West Ogden, Brookfield, IL   

and that such property is owned by (print owner's name)    Sansom Property Group, L.L.C.     
as of this date.

  
(Signature)  
George Hanus, VP of Sansom Property Group, L.L.C.

SUBSCRIBED AND SWORN TO BEFORE ME THIS  
   6<sup>th</sup>    DAY OF    January   ,    2014   

  
(Notary Public)





1 WEST ELEVATION  
SCALE: 3/32" = 1'-0"



2 SOUTH ELEVATION  
SCALE: 3/32" = 1'-0"

KMA PROJECT No.1234\_01

1/27/14

## PROPOSED RETAIL DEVELOPMENT

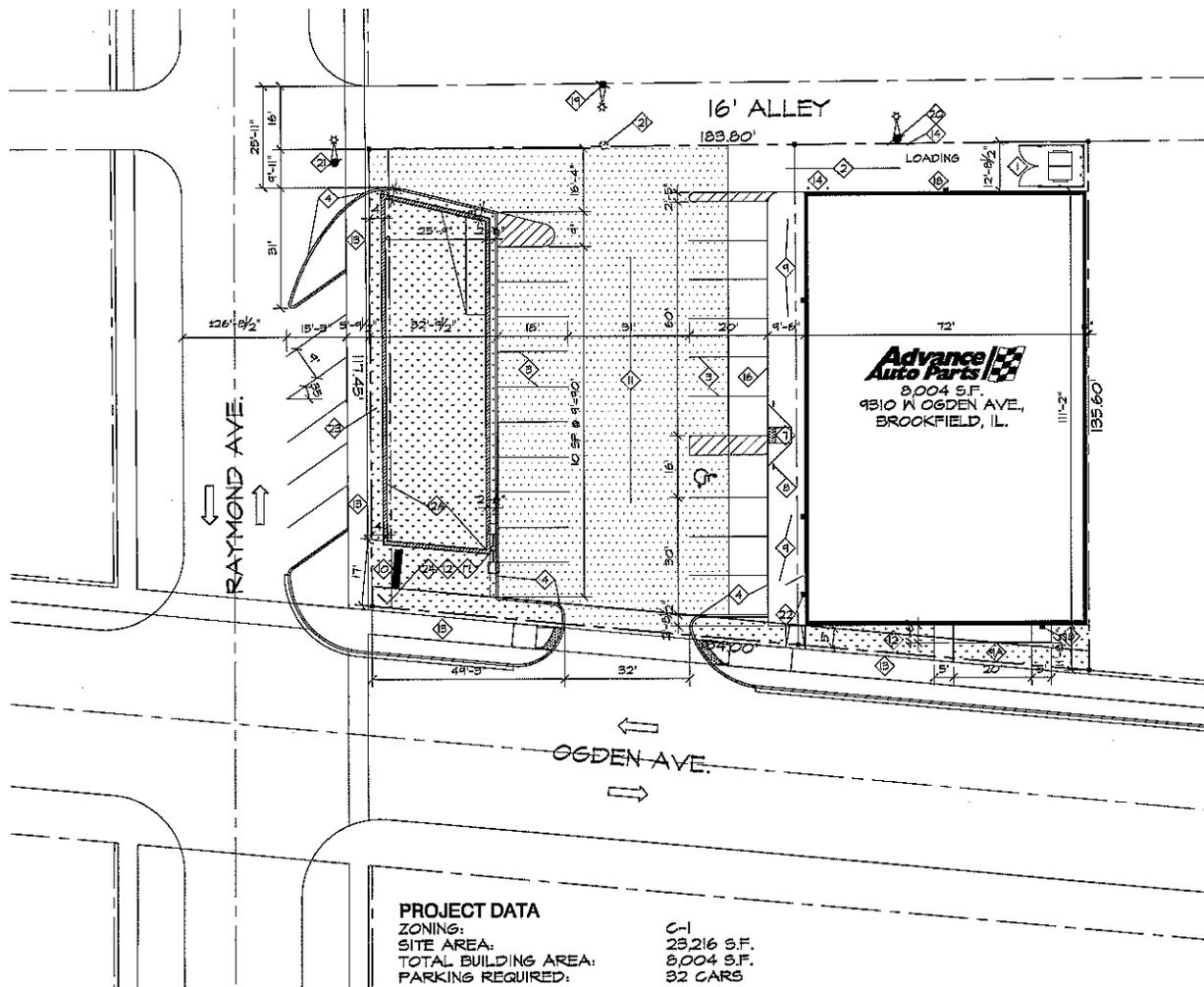
N.E.C. OGDEN AND RAYMOND AVENUES  
BROOKFIELD, ILLINOIS

AETNA DEVELOPMENT CORPORATION  
200 W. MADISON STREET SUITE 4200  
CHICAGO, ILLINOIS

KMA & ASSOCIATES, INC. ARCHITECTS  
1161 LAKE COOK ROAD, SUITE C  
DEERFIELD, ILLINOIS



3



**PROJECT DATA**

ZONING:	C-1
SITE AREA:	23,216 S.F.
TOTAL BUILDING AREA:	8,004 S.F.
PARKING REQUIRED:	32 CARS
(8,004 S.F./250)	
PARKING AVAILABLE:	20 CARS
LOADING	1 SPACE

◇ **SITE PLAN KEY NOTES:**

- 1 6' HIGH TREATED WOOD TRASH ENCLOSURE. PAINT TO MATCH BUILDING. REFER TO DETAIL SHEET 3/AO2.
- 2 INSTALL NEW 6" THICK CONCRETE LOADING PAD OF 4000 PSI CONCRETE W/ 6"x6" X 1/8" MWF STEEL REINFORCEMENT. SLOPE AWAY FROM BUILDING FOR POSITIVE DRAINAGE. REFER TO DETAIL SHEET 3/AO2.
- 3 ASPHALT PAVEMENT PARKING LINES 4" WIDE PAINTED WHITE W/ TWO (2) COATS OF SHERWIN WILLIAMS "HOTLINE" FAST DRYING TRAFFIC MARKING PAINT. HANDICAP PARKING & HANDICAP SYMBOL TO BE PAINTED COLOR & SIZE AS REQUIRED BY THE GOVERNING ACCESSIBILITY CODE. CONCRETE PAVEMENT PARKING LINES FOR ACCESSIBLE SPACES SHALL BE THE SAME AS ABOVE EXCEPT USE YELLOW PAINT.
- 4 CONCRETE CURB AND GUTTER - SEE CIVIL DRAWINGS.
- 5 NOT USED.
- 6 NOT USED.
- 7 PROVIDE HANDICAP RAMP @ ENTRY SIDEWALK PER ADA & ILLINOIS ACCESSIBILITY CODE REQUIREMENTS. SEE SHEET 2/AO2 AND CIVIL DRAWINGS.
- 8 HANDICAP PARKING SIGN FOR SPACES ADJACENT TO BUILDING ENTRANCE. REFER TO DETAIL 1/AO2.
- 9 NEW 6" THICK BROOM FINISHED CONCRETE SIDEWALK W/CURB SLOPED AWAY FROM BUILDING 1/8" FT. FOR POSITIVE DRAINAGE. REFER TO CIVIL DRAWINGS.
- 9A NEW CONCRETE WALK. REFER TO CIVIL DRAWINGS.
- 10 NEW PYLON SIGN BY AAP - NOT IN CONTRACT - GENERAL CONTRACTOR TO PROVIDE ELECTRICAL. VERIFY ACTUAL LOCATION.
- 11 HEAVY DUTY ASPHALT PAVEMENT. DESIGN AS PER CIVIL DRAWINGS.
- 12 LANDSCAPED AREA. REFER TO LANDSCAPING PLAN.
- 12A RETAINING WALL. REFER TO CIVIL DRAWINGS FOR GRASSED DETENTION BASIN AREA.
- 13 EXIST. CONCRETE WALK. PROVIDE NEW CONC. WALKS AS REQUIRED BY CONSTRUCTION ACTIVITIES - SEE CIVIL AND STRUCTURAL DRAWINGS.
- 14 PROVIDE 4" BOLLARDS AT ALL EXTERIOR MOUNTED METERING DEVICES. (GAS, WATER, ELECTRIC) MIN. (2) TNO AS REQUIRED. SEE DETAIL 3/AO2.
- 15 NOT USED.
- 16 CONCRETE APRON SHALL BE 6" THICK W/ 6"x6" X 1/8" MWF STEEL REINFORCEMENT. CONCRETE TO BE A 4000# MIX; DO NOT USE SLAG OR FLY ASH AS CEMENTITIOUS MATERIAL.
- 17 POLE MOUNTED SITE LIGHTING - SEE ELEC. DRAWINGS FOR MORE INFORMATION.
- 18 BLDG. MOUNTED SITE LIGHTING - SEE ELECTRICAL DRAWINGS.
- 19 NEW UTILITY POLE - SEE ELECTRICAL DRAWINGS.
- 20 EXISTING STREET LIGHT TO REMAIN
- 21 EXISTING UTILITY POLE TO BE RELOCATED - SEE ELEC. DRAWINGS.
- 22 MAILBOX - SEE SITE GENERAL NOTE# THIS SHEET.
- 23 AREA OF PERVIOUS PAVEMENT BACKFILL - REFER TO CIVIL AND LANDSCAPE DWGS FOR MORE INFORMATION.
- 24 COMING SOON SIGN BY AAP - N.I.G.



KMA PROJECT No. 1234.01 Site8A

1/22/14

# PROPOSED RETAIL DEVELOPMENT

N.E.C. OGDEN AND RAYMOND AVENUES  
BROOKFIELD, ILLINOIS

## AETNA DEVELOPMENT CORPORATION

200 W. MADISON STREET SUITE 4200  
CHICAGO, ILLINOIS

## KMA & ASSOCIATES, INC. ARCHITECTS

1161 LAKE COOK ROAD, SUITE C  
DEERFIELD, ILLINOIS





## COMMITTEE ITEM MEMO

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**ITEM:** PC CASE 14-02 8934 FAIRVIEW AVENUE – SU/PPD  
**COMMITTEE DATE:** February 24, 2014  
**PREPARED BY:** Keith Sbiral, AICP  
**PURPOSE:** Consideration of Special Use for a Preliminary Planned Development.  
**BUDGET AMOUNT:** N/A

### **BACKGROUND:**

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Attached to this memo are the Staff Report, Planning and Zoning Commission packet, and notice requirements for the Special Use as a Preliminary Planned Development presented by Ken Rathje and Michael Gatto at the February 11, 2014 Planning and Zoning Commission Hearing.

Staff found that the application meets the standards for approving the request subject to conditions outlined in the staff report and analysis. The Planning and Zoning Commission conducted the public hearing for the Special Use as a Preliminary Planned Development request on February 11, 2014. The Planning and Zoning Commission recommended approval of the request by a vote of 7-0 and adopted the findings noted in the staff report as their own. The Planning and Zoning Commission also adopted the following conditions for Final Planned Development Approval:

1. Petitioner must provide a color rendering of the building in the environment.
2. Material selections and sample boards must be submitted.
3. A shadow study must be submitted.
4. A revised landscape plan with final detail must be submitted.
5. Stormwater engineering plans indicating final stormwater requirements can be attained must be submitted and approved by staff.
6. There should be further study to the parking area in the front of the building. A parking ratio between 1 and 1.5 spaces per unit should be considered.
7. Revise the front face of the west wall for setback considerations if not structural.
8. There should be further study to the 29 foot west side zero setback portion of the building and consideration of building location.

Staff has been working with the petitioner and will review and provide analysis of all modified documents prior to final consideration.

### **ATTACHMENTS:**

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1. Staff Report, dated February 11, 2014
2. Public Notice
3. Planning and Zoning Commission Packet (Bookmarked PDF)

**STAFF RECOMMENDATION:**

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Based on the discussion included in the Staff Report staff recommends that the Board of Trustees concur with the Planning and Zoning Commission and approve the request for Special Use as a Preliminary Planned Development subject to the standards outlined in the staff report and amended by the Plan Commission.

**REQUESTED COURSE OF ACTION:**

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The Board of Trustees should review and discuss the request for variation. An ordinance approving the variation will be presented at the first March meeting.



# Village of Brookfield

## Planning and Zoning Commission Staff Report

**TO:** Village of Brookfield Planning and Zoning Commission

**HEARING DATE:** February 11, 2014

**FROM:** Building and Planning Department

**PREPARED BY:** Keith R. Sbiral, AICP, Assistant Village Manager

A handwritten signature in black ink, appearing to be "K. Sbiral", written over the name of the preparer.

### TITLE

**PC 14-02 – RMG Realty Group, LLC;** Michael Gatto, owner of the subject property, requests recommendation of approval of a special use for a Preliminary Planned Development in order to construct a 9-unit multi-family development on the vacant lot at 8934 Fairview Avenue.

### GENERAL INFORMATION

**APPLICANT:** RMG Realty Group, LLC  
Michael Gatto  
17w728 Butterfield Road  
Suite 105  
Oak Brook Terrace, Illinois 60181

**PUBLIC HEARING NOTICE:** The notice for this hearing was published in *The Landmark* on January 22, 2014 in accordance with the Village Zoning Ordinance. A sign was posted on the subject property, and the petitioner notified neighboring property owners within 250' of the subject property 15-30 days prior to the date of the hearing.

### PROPERTY INFORMATION

**EXISTING ZONING:** C-3 Centralized Commercial District  
**EXISTING LAND USE:** Vacant Redevelopment Site  
**PROPERTY SIZE:** 9,375 square feet  
**PINs:** 15-34-420-017; ; -018; -019  
**SURROUNDING ZONING AND LAND USES:**  
North: C-3 Centralized Commercial District – Mixed Use  
South: C-3 Centralized Commercial District – Right of Way  
East: C-3 Centralized Commercial District – Mixed Use  
West: C-3 Centralized Commercial District - Residential

## ANALYSIS

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### PURPOSE

The applicant requests a special use permit for a Planned Development and Preliminary Planned Development approval in order to construct a 9-unit multi-family building adjacent to the downtown commercial district. Proposed improvements include a 3-story building with 14 parking spaces. The development is proposed as a zero lot line development and has vehicular access both from the alley and Fairview Avenue via a new curb cut.

### SUBMITTALS

This analysis is based on the following submittal documents:

- a) Public Notice Documentation
- b) Application for Preliminary Planned Development
- c) Preliminary Project Plan Set dated December 12, 2013
- d) Affidavit of Ownership and Trust Disclosure
- e) ALTA Land Title Survey dated December 11, 2013

### DESCRIPTION

The applicant proposes a special use for a planned development in order to construct a new multifamily development on an existing vacant lot located at 8934 Fairview Avenue in a C-3 district in close proximity to the downtown and Brookfield train station. The development would be built on a 9,375 square foot lot and would contain a 3-story building comprised of 9 dwelling units. The total size of the building would be 10,816 square feet and would have a unit mix of 3 one bedroom and 6 two bedroom units with size ranging from 693 square feet to 1287 square feet with all units having private balconies.

The multifamily residential project will have a full fire sprinkler suppression system.

### BACKGROUND

The property has been vacant and unimproved for more than ten years. Staff wishes to emphasize that the construction of multifamily units adjacent to the downtown and train station area is preferable to the underlying implication of the commercial zoning. While the C-3 district is clearly a more intense use district than most in Brookfield, further expansion of additional commercial property in the downtown would be detrimental to the core Grand Boulevard corridor area.

The addition of multifamily units is consistent with the 2020 Master Plan.

The developer is seeking a Planned Development as the proposed project seeks variations from code relative to a first floor commercial requirement, side yard setback requirement, and parking requirement. Each of these variations is outlined below.

### ZONING

The property is currently zoned C-3 (Centralized Commercial District). The property is surrounded by C-3 zoning. Chapter 62-94(d) of the Zoning Ordinance states, "The C-3 Centralized Commercial Districts are intended to provide for the development of a concentrated pedestrian oriented commercial shopping area. This type of district provides a symbiotic relationship with public transportation and public services in the immediate vicinity. This district is intended to encourage the preservation of the historic characteristics of the district while encouraging the establishment of planned commercial and residential development."

The project seeks a variation from 62-95 Permitted and Special Uses. While multi-family having 5-21 units is permitted, the ordinance calls residential uses on the first floor special uses. While the

ordinance is unclear if one use listing trumps another, Staff has suggested the use exception be included in the preliminary planned development.

The petitioner is requesting a zero side yard setback and other bulk regulation variations. Section 62-99 Bulk, Yard and Space Requirements state that C-3 construction must have 25 feet of lot width and 2,178 square feet of lot area as well as a 20% side yard setback. The proposed development has only 75 feet in lot width and 1,041 square feet in lot area per unit while the side yard setback is proposed to be zero.

Finally, Section 62-290 Required Parking Spaces, requires 2 parking spaces for each residential unit. The proposed development requires 18 spaces. The development currently has 14 spaces or a parking ratio of 1.55 including one ADA accessible space.

### **2020 MASTER PLAN**

The 2020 Master Plan includes the subject property in the Brookfield Station Sub Area Plan. The Master Plan calls for the following considerations related to this property:

- Encouraging residential development in the study area;
- Establish parking regulations unique to transit oriented areas;
- The plan states that while residential should be limited on the first floor in the core Grand area, "on side streets this type of residential development should be encouraged." The plan specifically includes Fairview.

### **DISCUSSION**

Staff reviewed the application and submittal documents and feel the submittals are satisfactory for a preliminary consideration. The final planned development will require several additions to the plans, but can be considered at that time. The Staff review is primarily focused on the preliminary review of the use and concept. In general, the following are proposed changes that require minor or no changes from the proposed site plan, landscape plan, and elevations:

#### ➤ Site Circulation:

A circulation plan includes access from both the street and alley. While rear parking is preferred Staff believes the front parking can be softened with proposed landscaping.

#### ➤ Photometric Plan:

Staff recommends the provision of photometric of any parking lighting proposed.

#### ➤ Elevations:

Staff does not recommend any revisions to the preliminary elevations.

Overall, Staff finds that the proposed project can meet the standards for granting a Planned Development, provided that the improvements are executed with a high quality and consistent site design and construction. In order to do so, Staff recommends materials be specifically reviewed and called out for the final planned development.

#### ➤ Provision of Drainage:

All storm water review and engineering will be reviewed prior to final planned development. Staff does not foresee significant issues relative to storm water design on this site.

#### ➤ Consolidation of Lots/other Final PD items:

It should be noted that any signage alterations, specific façade and roof materials, and final engineering will be required to be included as a part of Final Planned Development review, should the Preliminary be approved. Staff additionally recommends that the existing zoning lot, consisting of three PINs, be consolidated into a single lot with a single PIN with a Plat of Lot Consolidation at the time of Final Planned Development approval.

## ANALYSIS OF STANDARDS

Section 62-822(6) of the Village Code (Special Uses) states that the Plan Commission shall utilize the following standards for reviewing and developing a recommendation regarding Preliminary Planned Development applications (*staff review in italics*):

1. Is the proposal compatible with the goals and objectives of the Brookfield 2020 Master Plan?

*The proposal is compatible with the goals and objectives of the 2020 Master Plan.*

2. Does the proposal promote high standards in design, site planning, and construction?

*Staff believes the proposal is consistent with development in Brookfield. Staff recommends the Plan Commission recommend any modifications to design and landscaping necessary.*

3. Does the proposal provide a safe and desirable environment?

*The proposal provides a safe and desirable environment.*

4. Does the proposal provide for adequate open space for recreation and other community and/or development needs?

*The proposal provides for minimal open space and landscape in terms of community development needs. The proposal can provide adequate landscaping by properly curbing landscape islands, implementing a landscape treatment.*

5. Does the proposal present a creative and workable approach in land development?

*The proposal has great potential to present a creative and workable approach in land development. The proposed plan is very close to demonstrating creativity and workability. The construction of multifamily housing adjacent to the downtown core is a proposal that we have not seen for several years and is consistent with land development planning.*

6. Is the design compatible with adjacent properties and adjacent neighborhoods?

*The site design is compatible with adjacent properties and adjacent neighborhoods. Once concern is the zero lot line development, however this development is not uncommon in the C-3 district.*

7. Does the development provide for land uses, both initial and potential, which will be compatible with the existing surrounding land uses?

*The proposed development is consistent with the existing land use, which is compatible with surrounding land uses.*

8. By virtue of its benefits to the Village and unique and creative design, does the proposal justify the intended variations from the strict interpretation of the Zoning Ordinance and justify any special uses requested?

*The proposal as shown does demonstrate creativity and uniqueness in design.*

9. Are any additional conditions required to meet the intent, purpose, and standards established for the zoning district(s) in which it is located?

*Staff recommends approval of the request with the conditions outlined below. Said conditions should be addressed prior to Board approval of an Ordinance; therefore no additional conditions are recommended beyond those noted below.*

10. Does the proposal protect the public health, safety, convenience, and general welfare of the community?

*The proposal serves the general welfare of the community by providing development in accordance with the 2020 Master Plan.*

## RECOMMENDATIONS

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Based on the discussion above, Staff recommends that the Plan Commission discuss the proposed development, as well as the issues outlined in this report. Staff recommends approval of the request for a special use for a Preliminary Planned Development and Preliminary Planned Development approval, with the following conditions:

- a. The petitioner revises the submittal documents to provide proper drainage as required by the Village Code and;
- b. Final Building Construction Plans and completes all final planned development requirements;

The Plan Commission may concur with the Staff recommendation, continue the case in order to request revisions or additional information, recommend denial of the case, or recommend approval of the case.

Should the Plan Commission concur with the Staff recommendation and recommend approval of the request, but not concur with the conditions for approval recommended by Staff, the Plan Commission should, through their discussion, amend the responses to the Standards for approval Preliminary Planned Development Applications.

Staff Report Approved By:



Keith R. Sbiral, AICP  
Assistant Village Manager

VILLAGE OF BROOKFIELD  
NOTICE OF PUBLIC HEARING  
PLAN COMMISSION 14-01  
February 11, 2014 | 6:30 p.m.

The Village of Brookfield Plan Commission will hold a public hearing at a Special Meeting on Tuesday, February 11, 2014 at 6:30 p.m. in the Edward Barcal Hall located at 8820 Brookfield Avenue, Brookfield, Illinois for the purpose of considering and hearing request for a Preliminary Planned Development including Variations from the Zoning Code, for the property located at 8932-8936 Fairview Avenue, in Brookfield, Illinois. The property is zoned C-3 (Commercial) and the applicant requests the Preliminary Planned Development to construct a 9 Unit residential building with accessory parking.

Legal Description: Lots 37, 38, 39, 40 AND 41 in Block 19 In Grossdale, A Subdivision in the Southeast Quarter of Section 34, Township 39 North, Range 12 East of the Thrid Principal Meridian, In Cook County, Illinois.

PINS: 15-34-420-07 thru -019.

Application materials may be viewed at the Village of Brookfield Village Hall. Comments, if any, should be provided in writing prior to the date of the public hearing to: Village of Brookfield, Plan Commission c/o Keith R. Sbiral, AICP, 8820 Brookfield Avenue, Brookfield IL 60513, or in person during the public hearing. Please reference PC Case No. 14-02.

Individuals with a disability requiring a reasonable accommodation in order to participate in any meeting should contact the Village of Brookfield (708)485-7344 prior to the meeting. Wheelchair access may be gained through the front (South) entrance of the Village Hall.

By the Order of Charles Grund, Plan Commission Chairman

February 10, 2014

Village of Brookfield

Re: Proposed 9-Unit Apartment Building  
at 8932-36 Fairview Avenue

I am one of four property owners whose townhouse will face this large building and will be directly impacted by the construction of this 9-unit apartment building.

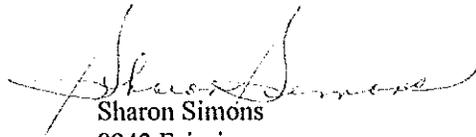
First of all, a 3 story building will not blend with the rest of the neighborhood since most of it is comprised mainly of single family dwellings with one or two floors. It will also dwarf our building limiting the amount of sunshine we will receive. I am also concerned about the impact it will have on the drainage problem we have in that when we have heavy rainfall our basements flood. Last year that property next door was so full of water it could have been called a "lake" – what assurance do we have that this is not going to make our problems worse in the future.

Secondly, building this from lot to lot is totally unacceptable to the existing property owners adjacent to the property. It would greatly affect our property values having this building literally on our doorstep and it would reduce our privacy. We feel that there must be some type of easement between the properties if this building is built.

I understand that the Village wants to have something done with this property but it's not the fault of current property owners that other ideas have fallen through and nothing has come to fruition to date nor that there are properties in the downtown area vacant.

I know that we are only a few taxpayers being affected by this building but we are long time Brookfield residents and should have our issues heard. We live here because it is a nice, quiet town. You are now proposing to put in a 3 story, 9 unit building for transients, built and maintained by an absentee owner. How would you feel if you were the property owner that this was being built next door to it?

Sincerely,



Sharon Simons  
8942 Fairview  
Brookfield

PC case # 14-02

Proposed building is too large, tall + obtrusive to our townhomes.

- 1) Building would be 3 story brick wall without side easements facing South would immed. reduce our property values as it would block all natural light / view of our East facing townhomes, whose largest windows face East.
- 2) In past few years this area has had serious flooding of our basements - with proposed building + adjacent parking lots this will decrease further any possibility of ground water drainage, further reducing our property conditions + values
- 3) There would be decreased street parking available and an increase of traffic on Fairview
- 4) It will also overburden the alley with more traffic - the alley is used by businesses for deliveries and is also our only parking area
- 5) Living in homes that we have purchased that face a 3-story brick wall would be impossible and it would be equally impossible to sell our homes.

6) Rental units, as opposed to, condos, townhomes, houses etc. also change the demographics and dynamics of any neighborhood.

A smaller building project - not 3 stories tall could be entertained but not with a right angle orientation to our homes.

I would feel like I was incarcerated!

Paula Montgomery - Andy  
8938 1/2 Fairview



Village of Brookfield  
Plan Commission Application Packet

# Preliminary PD Application

**Applicant Information:**

- 1. Name and Phone Number of contact person for application process Michael Gatto 847.778.9626
- 2. Petitioner's Name RMG Realty Group, LLC
- 3. Petitioner's Address 17w728 Butterfield Rd. Suite 105. OakBrook Terrace 60181
- 4. Phone Number 847.778.9626
- 5. Email Address Mikegatto@gmail.com
- 6. Fax Number \_\_\_\_\_
- 7. Owner of Record Name \_\_\_\_\_
- 8. Owner of Record Address \_\_\_\_\_

**Property Information:**

- 9. Common Street Address 8932-8936 Fairview Ave. Brookfield, IL
- 10. Legal Description Lots 39,40 and 41 in block 19 in Grossdale. A subdivision of the south east 1/4 of section 34, township 39 north, Range 12 east of the third principal meridian, in Cook County, Illinois
- 11. Permanent Tax Index Number (PIN) PINs: 15-34-420-017:019
- 12. When did the owner acquire the property? Contract purchaser. Closing date is 12/17/13
- 13. Is the petitioner in the process of purchasing the property? Yes X No \_\_\_\_\_  
If so, is the purchase contingent on approval of variation? Yes \_\_\_\_\_ No X
- 14. Is your property use presently (check one): Conforming X Non-conforming \_\_\_\_\_
- 15. If the property is a non-conforming use, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**16. Surrounding Zoning and Land Use:**

	Zoning District	Land Use
North	C-3	Commerical Retail
South	C-3	Commercial Office
East	C-3	Multi-use (residential and Office)
West	C-3	Multi-family

**Preliminary Planned Development Application, continued**

17. What is the current Zoning Classification of the subject property? C-3

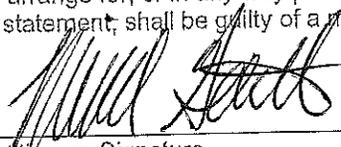
18. List any variations from the zoning code requested in conjunction with the planned development:

- (1) Section 30-5.04 Variation requested to First Floor Residential
- (2) Section 30-6.02 F Variation requested to Zero Side Yard Setback
- (3) Section 30-7.03 Variation requested to 1.5 Parking Spaces per Dwelling Unit
- (4) Section 30-\_\_\_\_\_ Variation requested to \_\_\_\_\_
- (5) Section 30-\_\_\_\_\_ Variation requested to \_\_\_\_\_

19. Describe the proposed development, including land uses, square footages, and number of units:  
RMG Realty Group is seeking approval to create a new multi-family development on an existing vacant lot located at 8934 Fairview Ave. in a C-3 district in close proximity to the downtown/Brookfield train station. The development would be built on a 9,375 sf. lot, and would contain a 3 story building comprised of 9-dwelling units. The total size of the building would be 10,816 sf. and will have a unit mix of 3-one bedrooms and 6 two-bedrooms. The one-bedrooms will have an approx size of 693 to 700 sf. The two-bedrooms will range from 1017 to 1287 sf. All units will have their own private balcony/patio.

Please provide responses for the standards for approving Preliminary Planned Developments (attached).

Any person who shall knowingly make or cause to be made, or conspire, combine, aid or assist in, agree to, arrange for, or in any way procure the making of a false or fraudulent application, affidavit, certificate, or statement, shall be guilty of a misdemeanor as provided by statute by the State of Illinois.

  
\_\_\_\_\_  
Petitioners Signature

12/12/13  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner's Signature (or authorized agent)

\_\_\_\_\_  
Date

**STANDARDS FOR APPROVING  
PRELIMINARY PLANNED DEVELOPMENTS**

**Village Code Section 30-12.03 – C**

Please attach your responses to the application.

1. How is the proposal compatible with the goals and objectives of the Brookfield 2020 Master Plan?
2. How does the proposal promote high standards in design, site planning, and construction?
3. How does the proposal provide a safe and desirable environment?
4. How does the proposal provide for adequate open space for recreation and other community and/or development needs?
5. How does the proposal present a creative and workable approach in land development?
6. How is the design compatible with adjacent properties and adjacent neighborhoods?
7. How does the development provide for land uses, both initial and potential, which will be compatible with the existing surrounding land uses?
8. By virtue of its benefits to the Village and unique and creative design, how does the proposal justify the intended variations from the strict interpretation of the Zoning Ordinance and justify any special uses requested?
9. How do any conditions offered allow the proposal to meet the intent, purpose, and standards established for the zoning district(s) in which it is located?
10. How does the proposal protect the public health, safety, convenience, and general welfare of the community?

Standards for Approving Preliminary Planned Developments  
Property Located at 8932-8936 Fairview Avenue Brookfield, IL

**1. How is the proposal compatible with the goals and objectives of the Brookfield 2020 Master Plan?**

The petitioner's development team obtained and carefully reviewed the Brookfield 2020 Master Plan even before potential properties were identified. The development team understands and appreciates the fact that a successful development needs to meet the objectives of the developer/owner as well as of the host community.

The petitioner is of the opinion that the proposed multi-family development is compatible with and furthers the goals and objectives of the Village's Master Plan in the following ways.

On page 20 of the Master Plan, Goal 3 states, "Revitalization of the Eight Corners area and the Downtown/Brookfield Metra Station area as the Village's primary mixed-use pedestrian environments."

The proposed development furthers this goal by establishing a new multiple-family residential building on a currently vacant parcel of land that due to its excellent location is able to take full advantage of Brookfield Metra Station located within easy walking distance from the development site. The proposed building will add to the desired mutually reinforcing mix of commercial, retail, restaurant, entertainment and multi-family uses, which make up this neighborhood. The proposed building, although having only 9 dwelling units will add to the customer base of the existing and future businesses located adjacent to the Metra Station.

On page 20 of the Master Plan, Goal 4 states, "Develop aesthetically pleasing and functionally well-designed retail and commercial areas."

The petitioner clearly understands that the proposed development is neither retail nor is it commercial in nature, however there were several objectives stated under this goal, which the development team determined, should apply to this project. The objectives state that development should among other things "encourage high-quality site development amenities," and that "new development and redevelopment of private property is designed in scale with, and complimentary to, existing development." The petitioner shares the philosophy of these objectives and is of the opinion that the proposed site plan and building elevations clearly depict that the proposed building will once built, further these objectives.

On page 27 of the Master Plan, careful consideration was given to the section entitled Multi-Family Residential.

The petitioner is of the opinion that the proposed development furthers the objectives described under this section as follows. First, new multi-family residential development adds to the range of multi-family residential by adding to the stock of upscale dwellings and will do so by taking advantage of a desirable in-fill parcel within convenient walking distance to the Brookfield Metra Station.

The proposed development is being designed to be architecturally refined and will upon its completion to be pleasant and interesting in appearance. Specification for the proposed building call first quality building materials that will meet or exceed the Village's building and life safety code standards.

With respect to parking, the proposed building is being designed with 1.5 parking spaces per dwelling unit. Given the convenient location of the property to the Brookfield Metra Station, perhaps one parking space per dwelling unit would be adequate, however in order to both provide a quality living experience and to be competitive 1.5 spaces per unit is being proposed.

## **2. How does the proposal promote high standards in design, site planning and construction?**

This standard is best responded to with the suggestion that the drawings do a far better job of illustrating that high standards of design and site planning have been achieved than can be described in text. That said, it was a key objective of the developer to construct a building that will have classic and clean architectural lines, which will continue to be attractive and current well into the future. As this building will be built and held by the petitioner for some time into the future, the goal is to construct the building of course to the Village's life safety and building code standards, but beyond that to a standard which maximizes the longevity of the building and minimizes the need for repetitive maintenance due to the utilization of lesser cost materials.

The petitioner has approached the development of the proposed multi-family residence by first assembling a team of consultants including an architect, a land planner, a civil engineer, legal counsel and financial experts. The next step was to meet with the Village's Staff to determine what type of development is desired and what were the rules, regulations and guidelines governing new development. Finally, an appropriate parcel of land was secured which met the objectives of the Village and the needs and the goals of the petitioner. Every effort has been made to design a residential product, which would be appealing to future residents in terms of quality of construction, thoughtfulness of design, and desirability as to location.

### **3. How does the proposal provide a safe and desirable environment?**

With respect to safety, the proposed residences are being designed so that they may be constructed consistent with current building and life safety codes. This includes the provision of a fire alarm and sprinklering system, a security access system and appropriate exterior lighting. Additionally, the dwelling units are being designed to be spacious with condominium quality finishes and appointments with each dwelling unit having its' own private exterior deck.

### **4. How does the proposal provide for adequate open space for recreation and other community and/or development needs?**

As this is a compact site at the edge of the Brookfield Station commercial area, the opportunities to provide open space and recreational opportunities are by nature very limited. For a project like this, active recreational and open space opportunities for the residents would most likely be satisfied either at public park lands or at private or semi-private recreational facilities. Nonetheless, occupants of this residence will each have their own private semi-enclosed deck or balcony area in order to enjoy the outside during the clement periods of the year. Additionally, the plan has been designed to provide attractive landscaping in the front yard area, alongside the parking areas and in foundation planting areas as such are depicted on the plans.

### **5. How does the proposal present creative and workable approach in land development?**

The subject site is located within a C-3 Centralized Commercial District near the westerly section of the Brookfield Station area. As the C-3 zoning district is a mixed use zoning district which authorizes retail and service uses along with multiple family residential uses, consideration was given as to how best site a multiple family residential dwelling onto the subject land which would be compatible with both existing uses and potential future land uses that may be developed adjacent to the subject property.

The proposed building was designed with a zero lot line for a portion of the building with no windows on the east and west sides of the proposed structure, as it is possible and likely that there may be commercial uses abutting the subject site. Commercial buildings may according to the zoning ordinance be built with a zero side yard, even when located on property containing residential dwellings.

The proposed building is to sited on the parcel with a setback of slightly more than 33 feet from the front property line and has a proposed rear yard of slightly more than 28 feet along the rear. Also, as this building is to be an exclusively residential, a design approach was taken of elevating the lowest residential floor by a distance of 3.33 feet above front grade in order to provide a greater degree of privacy and

security over what an at-grade or nearly at-grade first floor elevation would afforded.

**6. How is the design compatible with adjacent properties and adjacent neighborhoods?**

Every effort has been made to insure that the proposed development will fit in and will be an asset to the Village of Brookfield in general and to the specific site in specific. As previously noted careful consideration has been given to the fact that the subject site is zoned C-3 and accommodations were made to the likelihood that there might be non-residential buildings and uses neighboring the future building. The height of the building was limited to three stories, which appears to be consistent with both residential buildings and commercial buildings in the neighborhood. Additionally, off-street parking at the rate of 1.5 spaces per dwelling is being provided for the convenience of the residents.

**7. How does the development provide for land uses, both initial and potential, which will be compatible with the existing surrounding land uses?**

Mention was made in previous sections regarding the attention given to the design and location of the proposed building in consideration of the mixed-use nature of the underlying C-3 zoning district. More from a land use perspective, the addition to premium multiple family residences in the proposed location is a supportive land use action to the commercial uses of the Brookfield Station business area. Additional population living within walking area of the retail, commercial and hospitality uses will present more potential patrons. Additionally, new development in any given geographic area tends to generate additional interest from the development community to also give consideration to possible additional development or to re-development.

**8. By virtue of its benefit to the Village and unique and creative design, how does the proposal justify the intended variations from the strict implementation of the Zoning Ordinance and justify any special uses requested?**

The proposed planned development has three variations which are being sought in order for the development to be built as designed.

First, is a variation is being sought to permit residences on the first floor of the building. The C-3 zoning district specifies that multi-family residential dwellings are authorized as a special use above the first floor (Section 30-6.02 A. Uses), however the Comprehensive Plan recognizes that multiple family residences are a viable and desirable land use with the statement; "Upper residential units are permitted by right in this district, but first floor residential development requires planned development approval." (2020 Master Plan Page 57, under heading "Zoning")

The proposed building is located some distance west of the store-front style buildings located on the north side of Fairview west of Grand, had been designed with a setback of approximately 33 feet and has been designed with a finished floor elevation of approximately 3.33 feet above grade in order to provide privacy as well as separation.

Second, a variation is being sought to reduce the side yard setback on both the east and west side of the proposed building from 10% of the lot width or 7.5 feet each. This variation is being sought especially in light of the fact, as the C-3 zoning district is a mixed-use district it has different standards for different land uses. In the case of a residential use, the ordinance asks for a 10% or 7.5 foot side yard, however if a commercial non-residential use were to be proposed, the ordinance indicates that no side yard is required. The proposed building is of such scale that all light and ventilation can be provided via fenestration along the north and south sides of the building and the sidewalls of the building can be designed and built without doors or windows. This approach protects both the rights of the tenants and owner of the proposed subject building from future new development or redevelopment which may build up to the common property line and also relieves the neighboring property owners from any obligations to provide a side yard to the proposed residential structure in order to safeguard resident's views, security and light and ventilation concerns.

Finally, a variation is being sought from the parking requirement of 2 parking spaces per dwelling unit to 1.56 parking spaces per dwelling unit. The proposed 9 unit multi-family dwelling proposes to provide a total of 14 spaces, which includes one handicap, sized parking space.

The 2020 Master Plan recognizes that properties within the Brookfield Station area are desirable to transient oriented Downtown Chicago workers who do not need to depend on a car to travel back and forth to work. The 2020 Master Plan page 64, second column under the heading "Establish Parking Regulations Unique to a Mixed-Use, Transit -Oriented Area" states the following: "The current code requires two off-street parking spaces per residential unit regardless of the unit's size (number of bedrooms). One space per one- or two-bedroom unit is more appropriate. In a transit-oriented pedestrian friendly downtown, different standards should be applied than if the same square footage of development occurred elsewhere in the community."

The petitioner is in agreement that 2 spaces per dwelling unit is a bit excessive, however providing 1.56 spaces per dwelling provides for a few extra spaces to accommodate future residents who may start out riding the train to their employment in Downtown Chicago and then change employment which requires them to drive to an area not served by a mass transit service. The slightly greater number of spaces also permits some potential for a limited amount of off-street parking for guests.

**9. How do any conditions offered allow the proposal to meet the intent, purpose, and standards established for the zoning district(s) in which it is located?**

The stated purpose of the C-3 zoning district is as follows. "The C-3 Centralized Commercial Districts are intended to provide for the development of a concentrated pedestrian oriented commercial shopping area. This type of district provides a symbiotic relationship with public transportation and public services in the immediate vicinity. This district is intended to encourage the preservation of the historic characteristics of the district while encouraging the establishment of planned commercial and residential development."

The proposed 9-unit multiple-family residential clearly satisfies the intention of the C-3 districts objective of encouraging residential development. The close proximity of the subject site to the Brookfield Station will appeal to a substantial population of professionals who work in the downtown Chicago market area and will therefore take advantage of the commuter trains resulting in pedestrian movement between the proposed residences and the Brookfield Station. The additional people who will move into and become residents of this neighborhood will become customers and patrons of the restaurants, entertainment establishments, retail and service uses fulfilling the symbiotic relationship of a mixed use residential and commercial pedestrian oriented living environment.

**10. How does the proposal protect the public health, safety, convenience, and general welfare of the community?**

The proposed development is being proposed in a manner that will be consistent with the building and life safety codes of the Village of Brookfield. It has been designed with appropriate site access for emergency services. The proposed site will have adequate off-street parking facilities for residents' use while being so located as to take advantage of the commuter railroad facilities that are within easy waling distance from the proposed building. Finally, this building if approved will add to the diversity of the housing stock of the Village of Brookfield.

**AFFIDAVIT OF OWNERSHIP AND TRUST DISCLOSURE**

COUNTY OF Cook )  
 ) SS

STATE OF ILLINOIS )

I, (print name) Michael Gatto, under oath, state that I am (check one):

- the sofe owner of the property
- an owner of the property
- an authorized officer for the owner of the property

commonly described as (full address): 8934 Fairview Ave. Brookfield, IL

and that such property is owned by (print owner's name) \_\_\_\_\_ as of this date.

Further, the property to which this application relates is/is not the subject of a land trust as defined in Section 765 ILCS 405 of the Illinois Compiled Statutes, "The Land Trust Beneficial Interest Disclosure Act." If the foregoing statement was completed in the affirmative, the following statement shall be completed and verified:

I, \_\_\_\_\_, as trustee/beneficiary of  
\_\_\_\_\_ Trust Number \_\_\_\_\_,

pursuant to Section 765 ILCS 405 of the Illinois Compiled Statutes, being first duly sworn, hereby state and represent that the person/persons, Body/Bodies Politic, corporation/corporations or other entity/entities below designated is/are the beneficiary/beneficiaries of said land trust, that the beneficiary/beneficiaries designated by a checkmark hold/holds the power of direction created therein, and that no beneficiary holds a beneficial interest as nominee for a person, Body Politic, corporation or other entity not named herein.

Name	Address	Interest

\_\_\_\_\_  
(Signature)

SUBSCRIBED AND SWORN TO BEFORE ME THIS

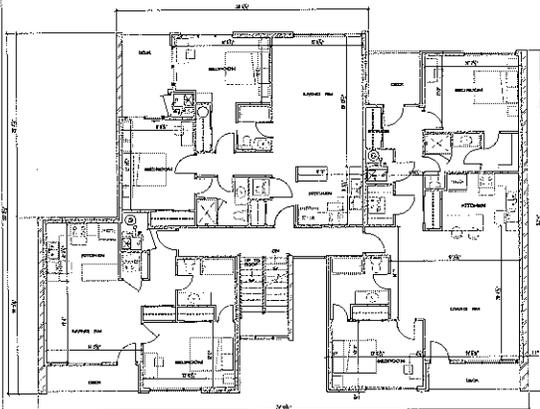
\_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
(Notary Public)

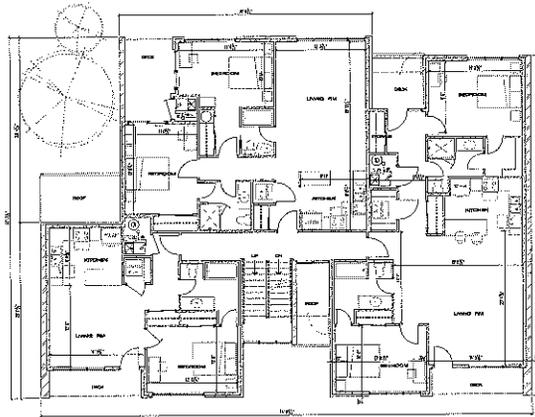




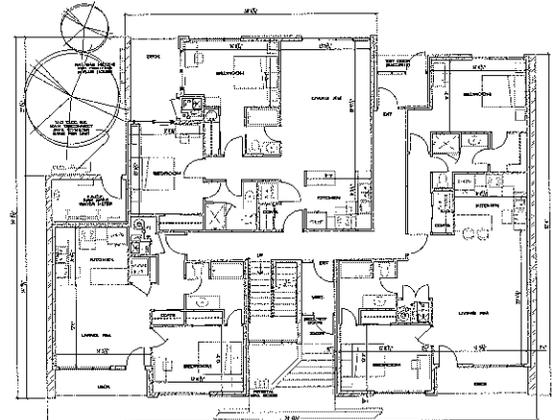




THIRD FLOOR  
 AS SHOWN ON  
 SCALE: 1/8" = 1'-0"



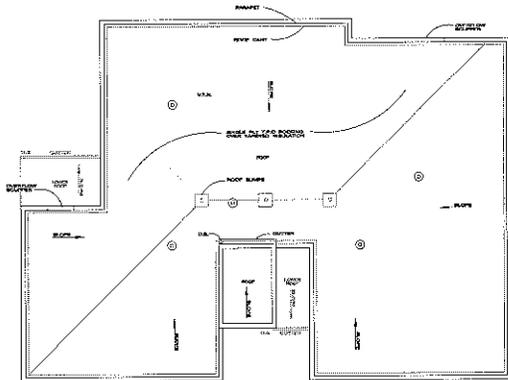
SECOND FLOOR  
 AS SHOWN ON  
 SCALE: 1/8" = 1'-0"



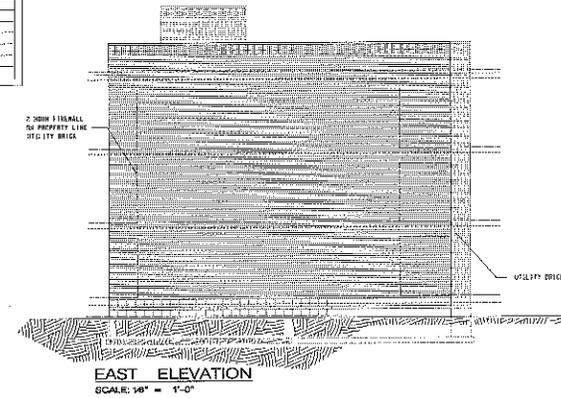
FIRST FLOOR  
 AS SHOWN ON  
 SCALE: 1/8" = 1'-0"

APARTMENT SUMMARY DATA:

	APT. GROSS AREA	DECK GROSS AREA	S.T. GROSS AREA
<b>FIRST FLOOR</b>			
1 BEDROOM APARTMENT	603 SQ. FT.	86 SQ. FT.	729 SQ. FT.
2 BEDROOM APARTMENT	1017 SQ. FT.	104 SQ. FT.	1321 SQ. FT.
2 BEDROOM APARTMENT	1143 SQ. FT.	89 SQ. FT.	1252 SQ. FT.
<b>SECOND FLOOR</b>			
1 BEDROOM APARTMENT	700 SQ. FT.	88 SQ. FT.	768 SQ. FT.
2 BEDROOM APARTMENT	920 SQ. FT.	124 SQ. FT.	1024 SQ. FT.
2 BEDROOM APARTMENT	927 SQ. FT.	134 SQ. FT.	1421 SQ. FT.
<b>THIRD FLOOR</b>			
1 BEDROOM APARTMENT	729 SQ. FT.	66 SQ. FT.	795 SQ. FT.
2 BEDROOM APARTMENT	1020 SQ. FT.	104 SQ. FT.	1124 SQ. FT.
2 BEDROOM APARTMENT	1287 SQ. FT.	134 SQ. FT.	1421 SQ. FT.



ROOF  
 AS SHOWN ON  
 SCALE: 1/8" = 1'-0"



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

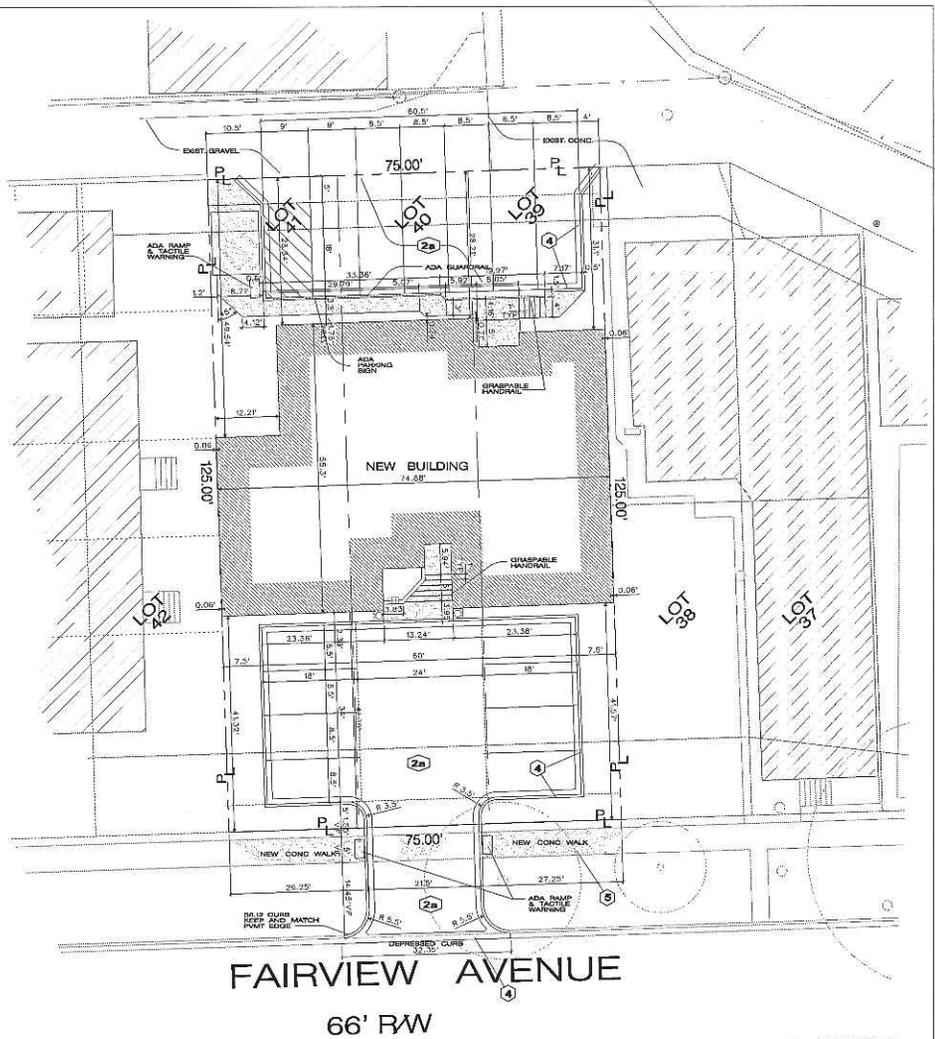
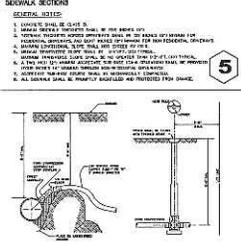
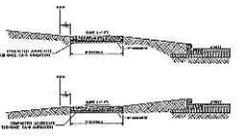
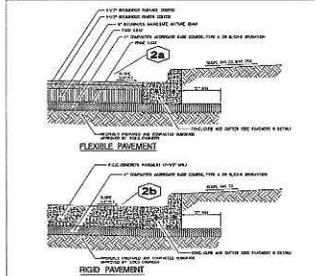
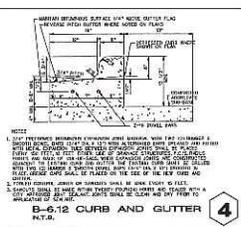
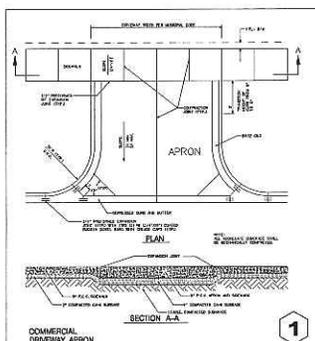
DEAN M. POZANZICKI P.A.  
 ARCHITECT  
 4720 N. MAIN STREET, DOWNERS GROVE, IL  
 CHICAGO, ILL. 60412  
 TEL: 630-980-1444  
 FAX: 630-980-1444

Ratjke Planning Services, Inc.  
 401 CHERRY AVENUE  
 DOWNERS GROVE, ILL. 60515  
 PHONE: 630-980-1091 FAX: 630-980-8181 (ext)  
 WWW.RATJKE.COM

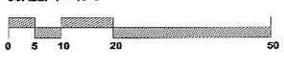
DATE: 08-20-2012  
 TIME: 10:52:00 AM  
 PROJECT: SIGNATURE APARTMENTS  
 SHEET: A-3

SIGNATURE APARTMENTS  
 8834 FAIRVIEW AVENUE  
 (LOTS 30, 40, 50, 60, 70, 80, 90, 100, 110, 120)  
 BROOKFIELD, ILLINOIS  
 R.M.G. REALTY GROUP  
 15725 S. HAWTHORNE, CHICAGO, ILL.

PRELIMINARY  
 SHEET TITLE  
 FLOOR PLANS  
 PROJECT NO: D-024-13  
 SHEET  
**A-3**  
 001 OF 6 WITH TYPED



**PRELIMINARY SITE GEOMETRICS PLAN**  
SCALE: 1" = 10'-0"



REFER TO SHEET A-1 FOR ADDITIONAL INFORMATION  
 \* DIMENSIONS AND DIMENSIONS SHALL BE TO CENTER UNLESS OTHERWISE NOTED.  
 \* THE CIVIL ENGINEER HAS NOT BEEN RETAINED AT THIS TIME BY SIGNER FOR THESE REASONS:  
 \* THE CIVIL ENGINEER HAS NOT BEEN RETAINED AT THIS TIME BY SIGNER FOR THESE REASONS:  
 \* THE CIVIL ENGINEER HAS NOT BEEN RETAINED AT THIS TIME BY SIGNER FOR THESE REASONS:  
 \* THE CIVIL ENGINEER HAS NOT BEEN RETAINED AT THIS TIME BY SIGNER FOR THESE REASONS:



**PRELIMINARY**

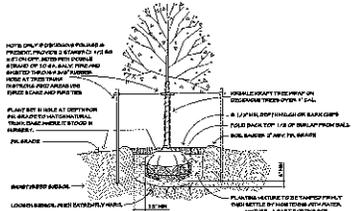
**SIGNATURE APARTMENTS**  
 (LOTS 36, 37, 38) 41 CHICAGO AVENUE  
 BROOKFIELD, ILLINOIS  
**F.M.G. BELLY GROUP**  
 1747288, Murfreesboro, TN, Chattanooga, TN, IL

**Rathje Planning Services, Inc.**  
 417 CHICAGO AVENUE  
 DOWNERS GROVE, IL 60526  
 (630) 953-8811  
 info@rathje.com

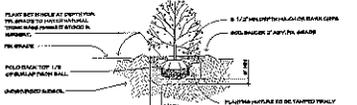
**DEAN M. POZARCYK, P.E.**  
 ARCHITECT  
 4728 W. MAN STREET  
 DOWNERS GROVE, IL 60526  
 (630) 953-1443

PROJECT NO. D-024-13  
**A-4**  
 SHEET 4 OF 6 TOTAL SHEETS

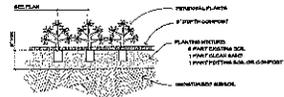




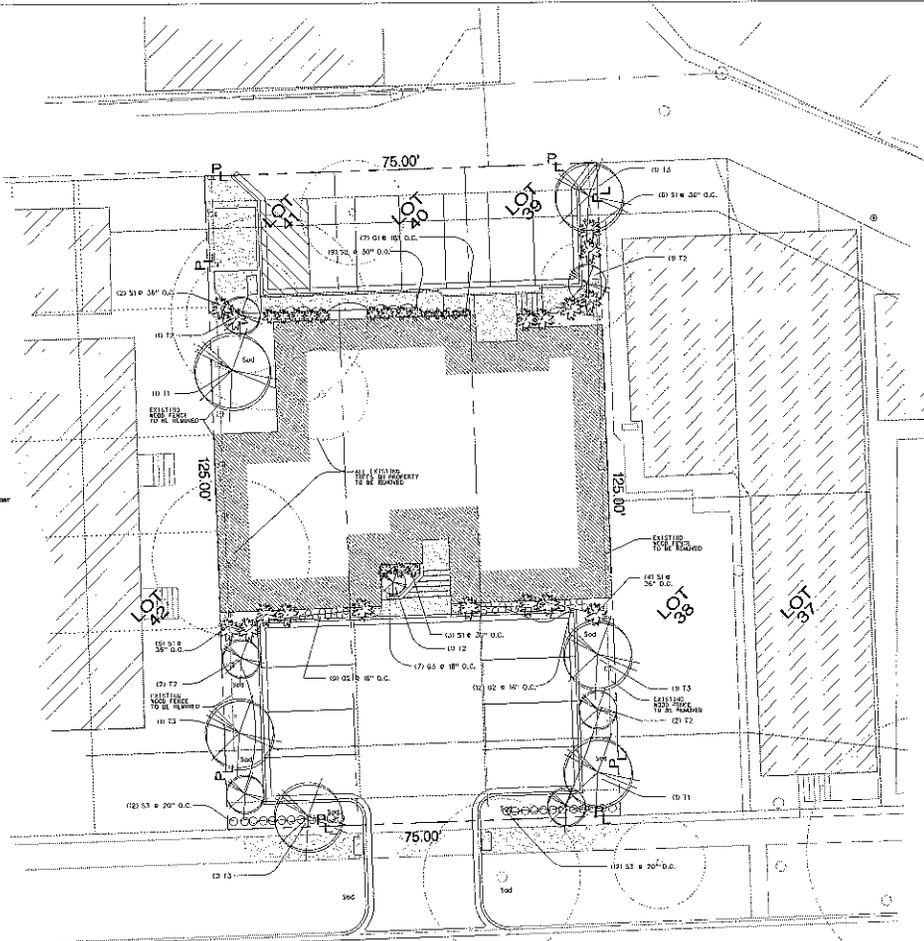
**BALL & BURLAP**  
**Deciduous & Evergreen Tree Planting**  
 NOT TO SCALE



**BALL & BURLAP**  
**Shrubs Planting**  
 NOT TO SCALE



**Perennial Planting**  
 NOT TO SCALE



**FAIRVIEW AVENUE**  
 66' RW

**PROPOSED NEW PLANTINGS LEGEND**  
 The actual size shall be indicated by letter which indicates from readily available information the name, size, growth pattern, color, appearance, and relevant to this planting zone.

KEY	SYMBOL	QTY	SIZE	PLANT	PLACEMENT	NOTES	PLANT NAME
T-1	ACD	2	24"	24"	24"	24"	Acacia
T-2	JOPAF	1	36"	36"	36"	36"	Jacobsen
T-3	SLTR	4	36"	36"	36"	36"	Sliver
S-1	JZD94	30	24"	24"	24"	24"	Juniper
S-2	JLJ26	3	24"	24"	24"	24"	Juniper
S-3	RUSE2	24	20"	20"	20"	20"	Rose
P-1	PER	7	12"	12"	12"	12"	Perennial
P-2	SE43 / S24	21	12"	12"	12"	12"	Seaside
P-3	CA176	7	12"	12"	12"	12"	Canna

**PRELIMINARY LANDSCAPE PLAN**  
 SCALE: 1" = 10'-0"



REFER TO SHEET A-1 FOR ADDITIONAL INFORMATION



DEAN M. POZDZICKI, P.E.  
 ARCHITECTURE & LAND USE PLANNING  
 400 CHICAGO AVENUE  
 SUITE 1000  
 CHICAGO, ILLINOIS 60601-1000  
 PHONE: (312) 467-1000  
 FAX: (312) 467-1001  
 WWW: WWW.DMPA.COM

**Rathje Planning Services, Inc.**  
 400 CHICAGO AVENUE  
 SUITE 1000  
 CHICAGO, ILLINOIS 60601-1000  
 PHONE: (312) 467-1000  
 FAX: (312) 467-1001  
 WWW: WWW.RATHJE.COM

DATE REVISION  
 11/11/11 1.0  
 11/11/11 1.0  
 11/11/11 1.0  
 11/11/11 1.0

**SIGNATURE APARTMENTS**  
 1747238 Elmwood Park, Cedarbrook, Tennessee, IL  
 (LOTS 38, 40 AND 41 OF GRASSDALE SUBDIVISION)  
**R.M.G. REALTY GROUP**

**PRELIMINARY LANDSCAPE PLAN /DETAILS /LEGEND**

PROJECT NO. D-024-11  
 SHEET NO. **A-6**

PRELIMINARY



# COMMITTEE ITEM MEMO

---

**ITEM:** PC CASE 14-03 8819 CONGRESS PARK – LOT SPLIT WITH EXCEPTION  
**COMMITTEE DATE:** February 24, 2014  
**PREPARED BY:** Keith R. Sbiral, AICP  
**PURPOSE:** Consideration of Variation for Lot Split.  
**BUDGET AMOUNT:** N/A

**BACKGROUND:**

---

Attached to this memo are the Staff Report, Planning and Zoning Commission (PZC) packet, and notice requirements for the Lot Split with Exception Application presented by Sam Memeti at the February 11, 2014 PZC Hearing.

Staff found that the application meets the standards for approving a variation subject to conditions outlined in the staff report and analysis. The PZC conducted the public hearing for the variation request on February 11, 2014. The PZC recommended approval of the request by a vote of 7-0 and adopted the findings noted in the staff report as their own.

The property in question has been previously subject to property maintenance issues. The two proposed lots are consistent with the majority of lots on the block. Alternatively a larger structure that could be build if the lot is left as one could be out of character with the neighborhood. The two resulting lots will maintain a 50 foot width and only have an area exception.

**ATTACHMENTS:**

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1. Staff Report, dated February 11, 2014
2. Public Notice
3. PZC Packet (Bookmarked PDF)

**STAFF RECOMMENDATION:**

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Based on the discussion included in the Staff Report staff recommends that the Board of Trustees concur with the PZC and approve the request for variation and subdivision subject to the standards outlined in the staff report.

**REQUESTED COURSE OF ACTION:**

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The Board of Trustees should review and discuss the request for variation. An ordinance approving the variation and resolution approving the subdivision will be presented at the first March meeting.



# Village of Brookfield

## Planning and Zoning Commission Staff Report

**TO:** Village of Brookfield Planning and Zoning Commission

**HEARING DATE:** February 11, 2014

**FROM:** Building and Planning Department

**PREPARED BY:** Keith R. Sbiral, AICP, Assistant Village Manager

A handwritten signature in black ink, appearing to be "KS", written over the name Keith R. Sbiral.

### TITLE

**PZC 14-03 – 8819 Congress Park;** Sam Memeti and Nick Memeti, representatives for the owner of the subject property, request a variation from Section 62-12 Minimum Residential Lot Size, to allow two lots to be created from one lot with the resulting lots having a substandard lot area. All future construction is required to meet all other aspects of the zoning regulations of the Village.

### GENERAL INFORMATION

**APPLICANT:** Sam and Nick Memeti  
8815 Congress Park  
Brookfield, IL 60513

**APPLICATION/NOTICE:** The application has been filed in conformance with applicable procedural and public notice requirements.

### PROPERTY INFORMATION

**EXISTING ZONING:** A-2 Single Family Residential  
**EXISTING LAND USE:** Single Family Home (With property maintenance violations)  
**PROPERTY SIZE:** 11,400 square feet  
**PINs:** 18-03-410-005

**SURROUNDING ZONING AND LAND USES:**

North: A-2 Single Family Residential – School Property  
South: A-2 Single Family Residential – Single Family  
East: A-2 Single Family Residential – Single Family  
West: A-2 Single Family Residential – Single Family

## ANALYSIS

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### SUBMITTALS

This report is based on the following documents, which are on file with the Building and Planning Department:

1. Application for Public Hearing and Required Fees
2. Certification of Legal Notice Published January 22, 2014 in the Landmark
3. Petitioner Project Submittal Including:
  - a. Application
  - b. Proof of Ownership
  - c. Project Summary
  - d. Site Plan
  - e. Lot Split Plats

### DESCRIPTION

The applicants request a variation from Section 62-12 Minimum Residential Lot Size, to allow two lots to be created from one lot with the resulting lots having a substandard lot area. All future construction is required to meet all other aspects of the zoning regulations of the Village.

### BACKGROUND

The applicant is in the process of acquiring the subject property for future construction of two homes. The applicant lives adjacent to the existing property. The subject property has been subject to property maintenance violations over the past 8 years and is not consistent with the surrounding property improvements.

The owner is proposing splitting the 100-foot lot into two 50-foot lots for single-family home redevelopment. The resulting lots would each be 5700 square feet; 500 square feet less than the ordinance required 6200 square feet. The resulting 5700 square foot lots would be consistent with the surrounding property improvements and would maintain the 50-foot width that has been consistently applied to these cases over the past 10-15 years.

### ZONING

The property is currently zoned A-2 Single Family and is improved with a single family home and ready for redevelopment. The zoning is proposed to remain the same and resulting construction will have to comply with all setback, height, area, and zoning requirements. The property will be required to comply with storm water and green space regulations as well.

### PUBLIC COMMENT

To date, staff has received no written comments from the public and one verbal (anonymous) comment in favor of the requested variations.

### DISCUSSION

#### Request for Lot Area Exception

Section 62-12 Minimum Residential Lot Size states, "The minimum zoning lot allowed for residential building purposes shall have a width and street frontage of not less than 50 feet and contain not less than 6,200 square feet in area. For the purpose of this chapter, zoning lots less than 50 feet in width and/or containing less than 6,200 square feet in area shall be deemed substandard. Use of a zoning lot with less than said frontage or area for residential building purposes may be authorized as specifically allowed in section 62-73, or by authorization of the president and board of trustees of the village after the receipt of the report and recommendation of

the planning and zoning commission, in the manner and form prescribed by this chapter after it has been determined that such lot was of public record on or before November 19, 1924; that ownership of the lot by the petitioner was of public record on or before November 19, 1924; and that at that time the owner did not own sufficient adjacent property which would have established a legal zoning lot meeting minimum requirements; and that said lot cannot reasonably be enlarged by acquisition of adjoining land or cannot reasonably be disposed of to the owners of adjoining land. Such authorization may be made only after the denial of a permit, proper taking of appeal and holding of a public hearing; all in conformity with the requirements of the state revised statutes and this chapter. Consideration shall be given in each case to an authoritative ownership record of the lots involved and adjoining since November 19, 1924.

*(Code 1964, § 30-5.05; Ord. No. 2013-69, § 20, 12-16-2013)*

### **STANDARDS FOR GRANTING ZONING VARIANCES**

With respect to Zoning Variance review, Section 62-760 of the Village Zoning Ordinance (Appeals) notes, "The following standards shall be met and proved by the applicant before any positive consideration is to be made granting of a variation" (*Staff Review in Italics*):

1. The hardship alleged as the basis for the variation must be derived from difficulties pertaining to the property itself which prevent full use of the property of the same extent other properties in close proximity in the same zoning district can be used;

*The property has been subdivided in the past and the 44<sup>th</sup> Place street results in a narrow block that does not contain ally right of way. The resulting properties are typically 114 feet deep. The typical single family home in this block is a 50-foot lot resulting in 5700 square feet. This block is not typical for Brookfield and without this variation consistent development of similarly sized homes would be difficult.*

2. The hardship alleged as the basis for a variation must not be self-created or self-imposed by the applicant or his agent nor by unauthorized and unpermitted acts of any prior owner;

*The existing subdivision depth of the lot requiring the proposed configuration was not created or imposed by the current owner and was permitted under the previous use of the property.*

3. That there is no other means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the property;

*While the property could conceivably be developed with one larger home the inconsistency with the surrounding properties would be more apparent than the proposed lot width exception.*

4. That the variation sought will not impair an adequate supply of light or air to adjacent property;

*The proposed variances do not affect the property's access to air and light. The petitioner currently owns property and lives adjacent to the subject property.*

5. That the variation sought will not unreasonably diminish the values of adjacent property;

*Property values will not be negatively impacted but likely will be positively impacted by this proposal.*

6. That the variation sought will not unreasonably increase congestion in the public streets or otherwise endanger public safety;

*The requested variances will allow a land use consistent with other uses in the A-2 district and therefore will not unreasonably increase congestion or endanger public safety.*

7. That the variation is in harmony with the general purpose and intent of this ordinance.

*The requested variance generally supports the purpose and intent of the zoning ordinance and the A-2 district.*

## RECOMMENDATIONS

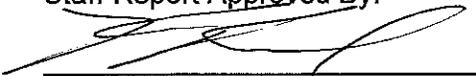
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Based on the analysis above, Staff believes the request meets the standards for granting zoning variations and lot area exceptions. The Planning and Zoning Commission should discuss the requested variations and determine whether the request should be recommended for approval when presented to the Village Board of Trustees.

The Planning and Zoning Commission should use the standards for review found above and in Section 62-760 of the Village Zoning Ordinance.

Staff recommends approval of the Lot Split with area exception petition.

Staff Report Approved By:



Keith R. Sbiral, AICP  
Assistant Village Manager

VILLAGE OF BROOKFIELD  
NOTICE OF PUBLIC HEARING  
PLAN COMMISSION 14-01  
February 11, 2014 | 6:30 p.m.

The Village of Brookfield Plan Commission will hold a public hearing at a Special Meeting on Tuesday, February 11, 2014 at 6:30 p.m. in the Edward Barcal Hall located at 8820 Brookfield Avenue, Brookfield, Illinois for the purpose of considering and hearing request for a Lot Split with land area variation, for the property located at 8819 Congress Park, in Brookfield, Illinois. The property is zoned A-2 (Single Family) and the applicant requests the variation in order to construct two new homes.

Legal Description: Lot 58 in Arthur T. McIntosh Plainfield Road Addition, A Subdivision of the North 813 Feet of that part of the Southwest  $\frac{1}{4}$ , Lying west of the East 48 Rods Thereof, of Section 2, Township 38 North, Range 12, East of the Third Principal Meridian, Also the North 813 feet of the East  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 3, Township 38 North, Range 12 East of the Third Principal Meridian, According to the Plat Thereof Recorded May 22, 1918 As Document Number 6328132, In Cook County, Illinois.

PINS: 18-03-410-005-0000.

Application materials may be viewed at the Village of Brookfield Village Hall. Comments, if any, should be provided in writing prior to the date of the public hearing to: Village of Brookfield, Plan Commission c/o Keith R. Sbiral, AICP, 8820 Brookfield Avenue, Brookfield IL 60513, or in person during the public hearing. Please reference PC Case No. 14-03.

Individuals with a disability requiring a reasonable accommodation in order to participate in any meeting should contact the Village of Brookfield (708)485-7344 prior to the meeting. Wheelchair access may be gained through the front (South) entrance of the Village Hall.

By the Order of Charles Grund, Plan Commission Chairman

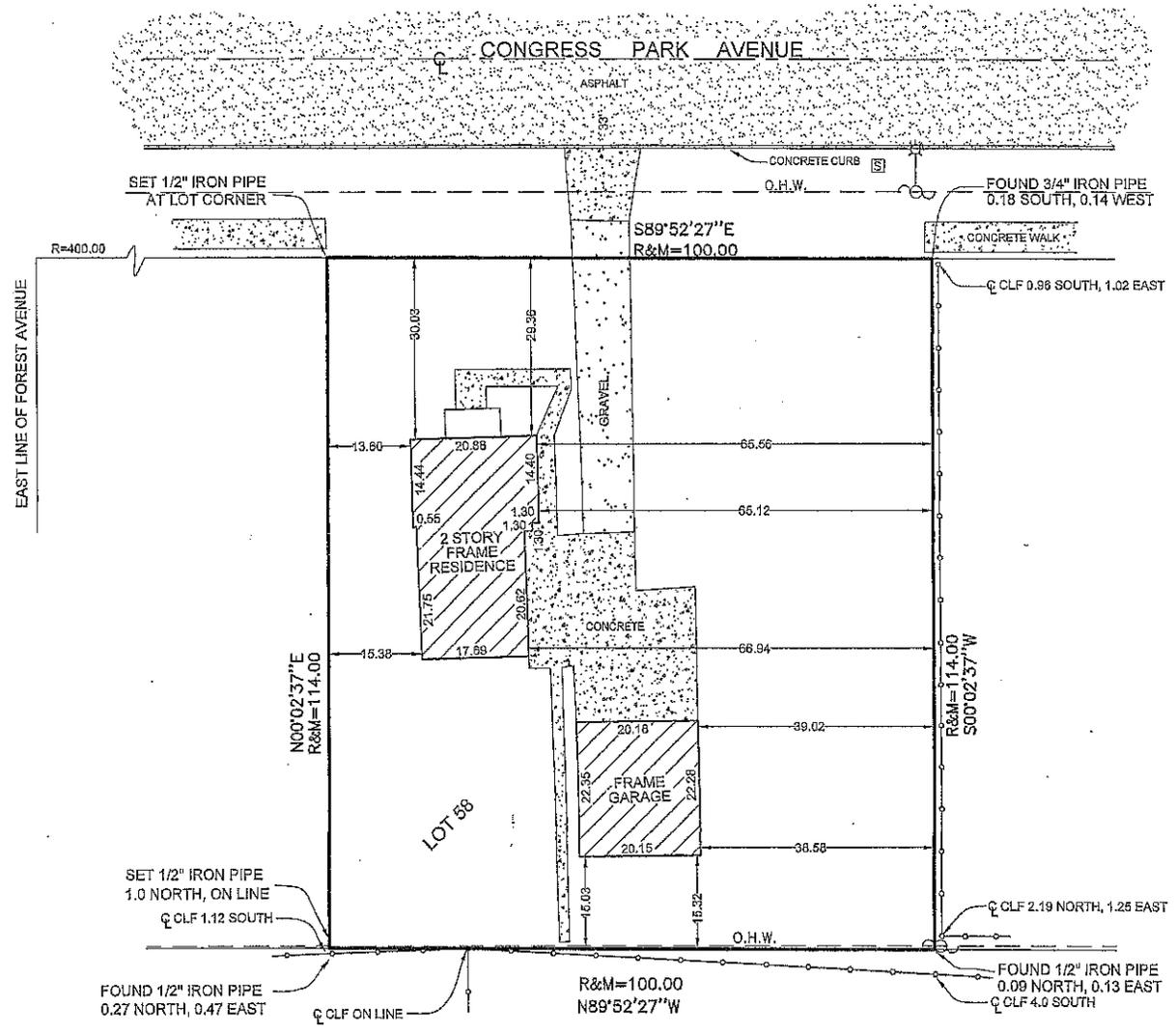


# SCHOMIG LAND SURVEYORS, LTD. PLAT OF SURVEY

909 EAST 31ST STREET  
LA GRANGE PARK, ILLINOIS 60526  
SCHOMIG-SURVEY@SBGGLOBAL.NET  
WWW.LAND-SURVEY-NOW.COM  
PHONE: 708-352-1452  
FAX: 708-352-1454

LOT 58 IN ARTHUR T. MC INTOSH PLAINFIELD ROAD ADDITION, A SUBDIVISION OF THE NORTH 813 FEET OF THAT PART OF THE SOUTHWEST 1/4; LYING WEST OF THE EAST 48 RODS THEREOF, OF SECTION 2, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO THE NORTH 813 FEET OF THE EAST 1/2 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 22, 1918 AS DOCUMENT NUMBER 6328132, IN COOK COUNTY, ILLINOIS.

COMMON ADDRESS: 8819 CONGRESS PARK AVENUE, BROOKFIELD.



THE CUSTOMER LISTED BELOW PROVIDED THE LEGAL DESCRIPTION SHOWN HEREON. WE DO NOT GUARANTEE THAT THIS IS THE CORRECT LEGAL DESCRIPTION FOR THE TRANSACTION INTENDED.

IMPORTANT: COMPARE LEGAL DESCRIPTION TO DEED OR TITLE POLICY AND REPORT ANY DISCREPANCY FOR CLARIFICATION OR CORRECTION IMMEDIATELY. UNLESS OTHERWISE NOTED, THIS PLAT DOES NOT SHOW BUILDING LINES OR OTHER RESTRICTIONS ESTABLISHED BY LOCAL ORDINANCES.

DO NOT SCALE DIMENSIONS FROM THIS PLAT; THE LOCATION OF SOME FEATURES MAY BE EXAGGERATED FOR CLARITY. NO EXTRAPOLATIONS MAY BE MADE FROM THE INFORMATION SHOWN WITHOUT THE WRITTEN PERMISSION OF SCHOMIG LAND SURVEYORS LTD. ONLY PLATS WITH AN EMBOSSED SEAL ARE OFFICIAL DOCUMENTS. FIELD WORK WAS COMPLETED PER SURVEY DATE LISTED BELOW. © COPYRIGHT, ALL RIGHTS RESERVED.

SURVEY DATE: FEBRUARY 13TH, 2013.

BUILDING LOCATED: FEBRUARY 13TH, 2013.

ORDERED BY: REMAX CITY

PLAT NUMBER: 130227 & H20-188 SCALE: 1" = 20'

- LEGEND
- M. = MEASURED DIMENSION
  - R. = RECORDED DIMENSION
  - B.L. = BUILDING LINE
  - P.U.E. = PUBLIC UTILITY EASEMENT
  - D.E. = DRAINAGE EASEMENT
  - C.L. = CENTER LINE
  - C.L.F. = CHAIN LINK FENCE
  - = POWER POLE
  - O.H.W. = OVERHEAD WIRES
  - = LIGHT POLE
  - ⊠ = SIGN
- LOT AREA: 11,400 SQUARE FEET.

STATE OF ILLINOIS )  
COUNTY OF COOK ) ss.  
WE, SCHOMIG LAND SURVEYORS, LTD. AS AN ILLINOIS PROFESSIONAL DESIGN FIRM, LAND SURVEYOR CORPORATION, DO HEREBY CERTIFY THAT WE HAVE SURVEYED THE PROPERTY DESCRIBED HEREON.

ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS OF A FOOT. DIMENSIONS SHOWN ON BUILDINGS ARE TO THE OUTSIDE OF BUILDINGS, THE BASIS OF BEARINGS, IF SHOWN AND UNLESS OTHERWISE NOTED, ARE ASSUMED AND SHOWN TO INDICATE ANGULAR RELATIONSHIP OF LOT LINES.

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

BY: Russell W. Schomig  
PROFESSIONAL ILLINOIS LAND SURVEYOR LICENSE # 035-002446



LICENSE EXPIRATION 11-30-2014



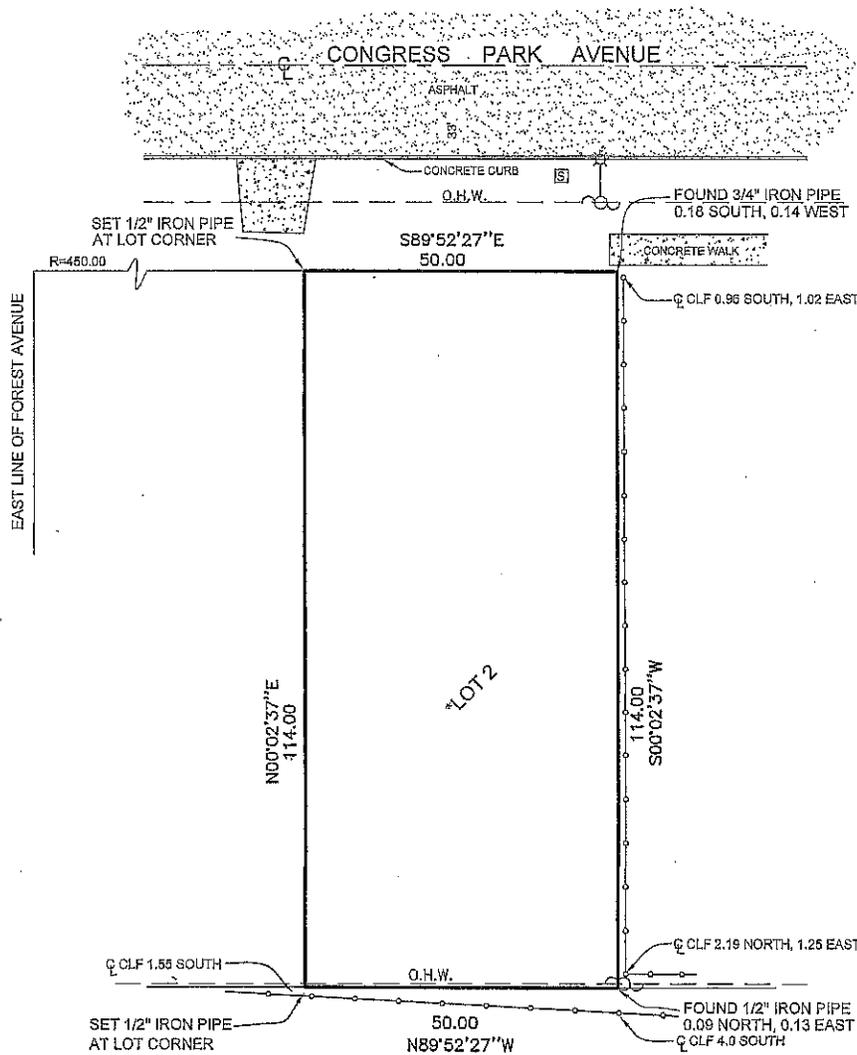
\*BOUNDARY TOPOGRAPHICAL \* SUBDIVISIONS \* ALTA/ACSM \* CONDOMINIUMS \* SITE PLANS \* CONSTRUCTION \* FEMA CERTIFICATES \*

# SCHOMIG LAND SURVEYORS, LTD.

## PLAT OF SURVEY

909 EAST 31ST STREET  
LA GRANGE PARK, ILLINOIS 60526  
SCHOMIG-SURVEY@SBCGLOBAL.NET  
WWW.LAND-SURVEY-NOW.COM  
PHONE: 708-352-1452  
FAX: 708-352-1454

LOT 2 IN MEMET'S SECOND RESUBDIVISION OF LOT 58 IN ARTHUR T. MC INTOSH PLAINFIELD ROAD ADDITION, A SUBDIVISION OF THE NORTH 813 FEET OF THAT PART OF THE SOUTHWEST 1/4, LYING WEST OF THE EAST 48 RODS THEREOF, OF SECTION 2, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO THE NORTH 813 FEET OF THE EAST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 22, 1918 AS DOCUMENT NUMBER 6328132, IN COOK COUNTY, ILLINOIS.



\*ALL IMPROVEMENTS ARE NOT SHOWN DUE TO DEMOLITION.

THE CUSTOMER LISTED BELOW PROVIDED THE LEGAL DESCRIPTION SHOWN HEREON. WE DO NOT GUARANTEE THAT THIS IS THE CORRECT LEGAL DESCRIPTION FOR THE TRANSACTION INTENDED.

IMPORTANT: COMPARE LEGAL DESCRIPTION TO DEED OR TITLE POLICY AND REPORT ANY DISCREPANCY FOR CLARIFICATION OR CORRECTION IMMEDIATELY. UNLESS OTHERWISE NOTED, THIS PLAT DOES NOT SHOW BUILDING LINES OR OTHER RESTRICTIONS ESTABLISHED BY LOCAL ORDINANCES.

DO NOT SCALE DIMENSIONS FROM THIS PLAT; THE LOCATION OF SOME FEATURES MAY BE EXAGGERATED FOR CLARITY. NO EXTRAPOLATIONS MAY BE MADE FROM THE INFORMATION SHOWN WITHOUT THE WRITTEN PERMISSION OF SCHOMIG LAND SURVEYORS LTD. ONLY PLATS WITH AN EMBOSSED SEAL ARE OFFICIAL DOCUMENTS. FIELD WORK WAS COMPLETED PER SURVEY DATE LISTED BELOW. © COPYRIGHT, ALL RIGHTS RESERVED.

SURVEY DATE: FEBRUARY 13TH, 2013.

BUILDING LOCATED: \*VACANT

ORDERED BY: REMAX CITY

PLAT NUMBER: 130227-2 & H20-188 SCALE: 1" = 20'

### LEGEND

- M. = MEASURED DIMENSION
- R. = RECORDED DIMENSION
- B.L. = BUILDING LINE
- P.U.E. = PUBLIC UTILITY EASEMENT
- D.E. = DRAINAGE EASEMENT
- ⊙ = CENTER LINE
- C.L.F. = CHAIN LINK FENCE
- ⊙ = POWER POLE
- O.H.W. = OVERHEAD WIRES
- ⊙ = LIGHT POLE
- ⊞ = SIGN

STATE OF ILLINOIS ) ss.  
COUNTY OF COOK )

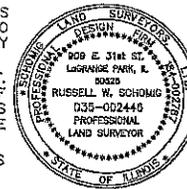
LOT AREA: 5,699 SQUARE FEET.

WE, SCHOMIG LAND SURVEYORS, LTD. AS AN ILLINOIS PROFESSIONAL DESIGN FIRM, LAND SURVEYOR CORPORATION, DO HEREBY CERTIFY THAT WE HAVE SURVEYED THE PROPERTY DESCRIBED HEREON.

ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS OF A FOOT. DIMENSIONS SHOWN ON BUILDINGS ARE TO THE OUTSIDE OF BUILDINGS, THE BASIS OF BEARINGS, IF SHOWN AND UNLESS OTHERWISE NOTED, ARE ASSUMED AND SHOWN TO INDICATE ANGULAR RELATIONSHIP OF LOT LINES.

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

BY: Russell W. Schomig  
PROFESSIONAL ILLINOIS LAND SURVEYOR LICENSE # 035-002446



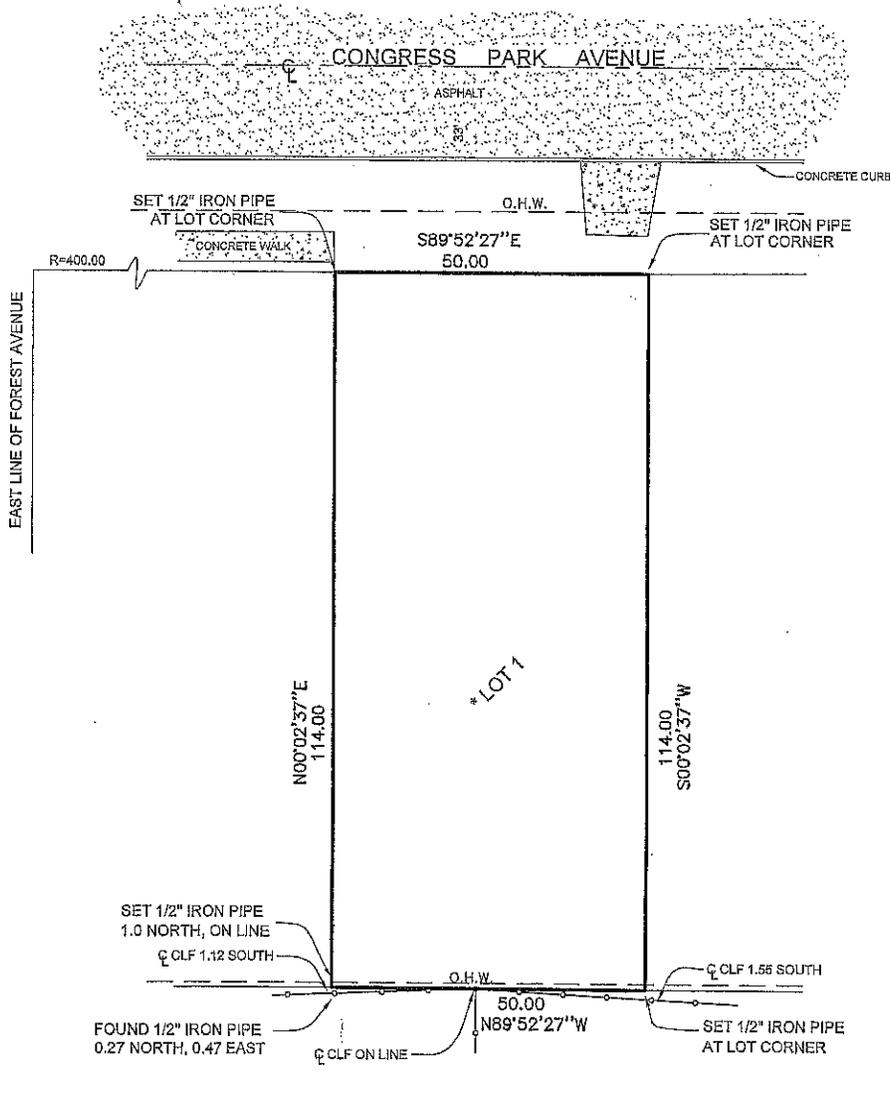


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SURVEY DATE: FEBRUARY 13TH, 2013.

BUILDING LOCATED: \*VACANT

ORDERED BY: REMAX CITY

PLAT NUMBER: 130227-1 & H20-188 SCALE: 1" = 20'

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By: *Russell W Schomig*

PROFESSIONAL ILLINOIS LAND SURVEYOR LICENSE # 035-002446





Village of Brookfield  
Zoning Board of Appeals Application Packet

# Zoning Variance Application

**Applicant Information:**

- 1. Name and Phone Number of contact person for application process SAM MEHETI 708-267-7728
- 2. Petitioner's Name SAM & NICK MEHETI
- 3. Petitioner's Address 8815 CONGRESS PARK BROOKFIELD
- 4. Phone Number 708 267 7728 or 708 267 7200
- 5. Email Address SAMEDIN@AOL.COM
- 6. Fax Number 312 386 5958
- 7. Owner of Record Name JOSHUA MARTIN
- 8. Owner of Record Address 2817 BRINDLE, NORTHBROOK IL 60062

**Property Information:**

- 9. Common Street Address 8819 CONGRESS PARK BROOKFIELD
- 10. Legal Description \_\_\_\_\_

- 11. Permanent Tax Index Number 18-03-410-005-0000
- 12. When did the owner acquire the property? 4/22/13

- 13. Is the petitioner in the process of purchasing the property? Yes \_\_\_\_\_ No
- If so, is the purchase contingent on approval of variation? Yes \_\_\_\_\_ No \_\_\_\_\_

- 14. Is your property use presently (check one): Conforming  Non-conforming \_\_\_\_\_

- 15. If the property is a non-conforming use, please explain: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**16. Surrounding Zoning and Land Use:**

	Zoning District	Land Use
North		
South		
East		
West		

STANDARDS FOR GRANTING ZONING VARIANCES

Village Code Section 30-11.03 C

Please provide responses to the best of your ability

- 1. The hardship alleged as the basis for the variation must be derived from difficulties pertaining to the property itself which prevent full use of the property of the same extent other properties in close proximity in the same zoning district can be used;

The entire block consists of single family homes on single lots. This property is 2 lots with a single ramshackle house. To best suit the neighborhood it would be best to demolish the house and erect 2 single family homes. To not allow this would be to cause an eyesore and unused land on this block.

- 2. The hardship alleged as the basis for a variation must not be self-created or self-imposed by the applicant or his agent nor by unauthorized and unpermitted acts of any prior owner;

The double lot causing the hardship as it presently stands is a result of village zoning that is inconsistent with the rest of the block limiting development, causing an eyesore, decreasing home values, and reducing village tax revenue.

- 3. That there is no other means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the property;

None

- 4. That the variation sought will not impair an adequate supply of light or air to adjacent property;

There will be no impairment to adjacent properties

- 5. That the variation sought will not unreasonably diminish the values of adjacent property;

The variation will increase property values

- 6. That the variation sought will not unreasonably increase congestion in the public streets or otherwise endanger public safety;

The variation will cause no noticeable change in congestion or impair public safety

- 7. That the variation is in harmony with the general purpose and intent of this ordinance.

The variation will serve the purpose of the ordinance by allowing the property to be used consistent with all neighbors. I would like to build a house for me and another for my mother

AFFADAVIT OF OWNERSHIP

COUNTY OF Cook )  
 ) SS

STATE OF ILLINOIS )

I, (print name) Justin Martin, under oath, state that I am (check one):

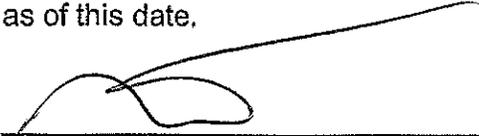
the sole owner of the property

an owner of the property

an authorized officer for the owner of the property

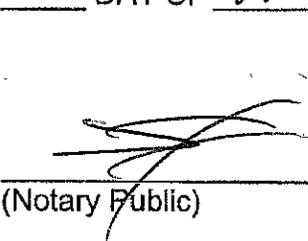
commonly described as (full address): \_\_\_\_\_

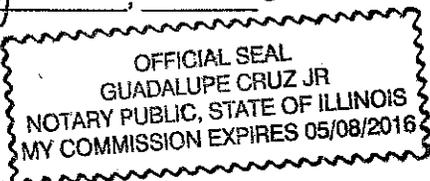
and that such property is owned by (print owner's name) \_\_\_\_\_  
as of this date.

  
\_\_\_\_\_  
(Signature)

SUBSCRIBED AND SWORN TO BEFORE ME THIS

28<sup>th</sup> DAY OF May, 2013

  
\_\_\_\_\_  
(Notary Public)



**SAMPLE LOCATION MAP**  
Applicants may use other mapping tools such as  
tax parcel maps or mapping programs.

**Cook County Assessor's Office Parcel Mapping**



Property boundaries and other Map Information indicated are provided as a courtesy for general locational purposes only.

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**Zoning Variance Application, continued**

17. What is the Zoning Classification of the subject property? \_\_\_\_\_

18. List the variance(s) you are requesting:

(1) Section 30-\_\_\_\_\_ Variance requested to \_\_\_\_\_

(2) Section 30-\_\_\_\_\_ Variance requested to \_\_\_\_\_

(3) Section 30-\_\_\_\_\_ Variance requested to \_\_\_\_\_

19. What is the proposed use of or improvement to the property? \_\_\_\_\_

Subdivide into two lots for the construction of 2 luxury homes

20. Is the building for (Check one): Personal Use  Rental \_\_\_\_\_ Resale \_\_\_\_\_

Please provide responses for the standards for granting zoning variances (attached).

Any person who shall knowingly make or cause to be made, or conspire, combine, aid or assist in, agree to, arrange for, or in any way procure the making of a false or fraudulent application, affidavit, certificate, or statement, shall be guilty of a misdemeanor as provided by statute by the State of Illinois.

  
\_\_\_\_\_  
Petitioners Signature

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Owner's Signature (or authorized agent)

5/15/2013  
Date



# OWNER'S POLICY OF TITLE INSURANCE

ISSUED BY

## *First American Title Insurance Company*

**Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at the address shown in Section 18 of the Conditions.**

### COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a California corporation (the "Company") insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

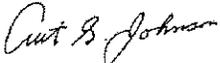
1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
  - (a) A defect in the Title caused by
    - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
    - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
    - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
    - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
    - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
    - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
    - (vii) a defective judicial or administrative proceeding.
  - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
  - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
  - (a) the occupancy, use, or enjoyment of the Land;
  - (b) the character, dimensions, or location of any improvement erected on the Land;
  - (c) the subdivision of land; or
  - (d) environmental protectionif a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
6. An enforcement action based on the exercise of a governmental

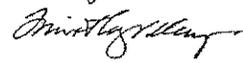
police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.

7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.
9. Title being vested other than as stated in Schedule A or being defective
  - (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or
  - (b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records
    - (i) to be timely, or
    - (ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this policy, but only to the extent provided in the Conditions.

*First American Title Insurance Company*

BY  PRESIDENT

ATTEST  SECRETARY



## EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
  - (i) the occupancy, use, or enjoyment of the Land;
  - (ii) the character, dimensions, or location of any improvement erected on the Land;
  - (iii) the subdivision of land; or
  - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
  - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
  - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - (c) resulting in no loss or damage to the Insured Claimant;
  - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risks 9 and 10); or
  - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
  - (a) a fraudulent conveyance or fraudulent transfer; or
  - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

## CONDITIONS

### 1. DEFINITION OF TERMS

The following terms when used in this policy mean:

- (a) "Amount of Insurance": The amount stated in Schedule A, as may be increased or decreased by endorsement to this policy, increased by Section 8(b), or decreased by Sections 10 and 11 of these Conditions.
- (b) "Date of Policy": The date designated as "Date of Policy" in Schedule A.
- (c) "Entity": A corporation, partnership, trust, limited liability company, or other similar legal entity.
- (d) "Insured": The Insured named in Schedule A.
  - (i) The term "Insured" also includes
    - (A) successors to the Title of the Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;
    - (B) successors to an Insured by dissolution, merger, consolidation, distribution, or reorganization;
    - (C) successors to an Insured by its conversion to another kind of Entity;
    - (D) a grantee of an Insured under a deed delivered without payment of actual valuable consideration conveying the Title
      - (1) if the stock, shares, memberships, or other equity interests of the grantee are wholly-owned by the named Insured,
      - (2) if the grantee wholly owns the named Insured,
      - (3) if the grantee is wholly-owned by an affiliated Entity of the named Insured, provided the affiliated Entity and the named Insured are both wholly-owned by the same person or Entity, or
      - (4) if the grantee is a trustee or beneficiary of a trust created by a written instrument established by the Insured named in Schedule A for estate planning purposes.

(ii) With regard to (A), (B), (C), and (D) reserving, however, all rights and defenses as to any successor that the Company would have had against any predecessor Insured.

- (e) "Insured Claimant": An Insured claiming loss or damage.
- (f) "Knowledge" or "Known": Actual knowledge, not constructive knowledge or notice that may be imputed to an Insured by reason of the Public Records or any other records that impart constructive notice of matters affecting the Title.
- (g) "Land": The land described in Schedule A, and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is insured by this policy.
- (h) "Mortgage": Mortgage, deed of trust, trust deed, or other security instrument, including one evidenced by electronic means authorized by law.
- (i) "Public Records": Records established under state statutes at Date of Policy for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge. With respect to Covered Risk 5(d), "Public Records" shall also include environmental protection liens filed in the records of the clerk of the United States District Court for the district where the Land is located.
- (j) "Title": The estate or interest described in Schedule A.
- (k) "Unmarketable Title": Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or lender on the Title to be released from the obligation to purchase, lease, or lend if there is a contractual condition requiring the delivery of marketable title.

### 2. CONTINUATION OF INSURANCE

The coverage of this policy shall continue in force as of Date of Policy in favor of an Insured, but only so long as the Insured retains an estate or interest in the Land, or holds an obligation secured by a purchase money Mortgage given by a purchaser from the Insured, or only so long as the Insured shall have liability by reason of warranties in any transfer or conveyance of the Title. This policy shall not continue in force in favor of any purchaser from the Insured of either (i) an estate or interest in the Land, or (ii) an obligation secured by a purchase money Mortgage given to the Insured.

### 3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT

The Insured shall notify the Company promptly in writing (i) in case of any litigation as set forth in Section 5(a) of these Conditions, (ii) in case Knowledge shall come to an Insured hereunder of any claim of title or interest that is adverse to the Title, as insured, and that might cause loss or damage for which the Company may be liable by virtue of this policy, or (iii) if the Title, as insured, is rejected as Unmarketable Title. If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under the policy shall be reduced to the extent of the prejudice.

### 4. PROOF OF LOSS

In the event the Company is unable to determine the amount of loss or damage, the Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, or other matter insured against by this policy that constitutes the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage.

### 5. DEFENSE AND PROSECUTION OF ACTIONS

- (a) Upon written request by the Insured, and subject to the options contained in Section 7 of these Conditions, the Company, at its own cost and without unreasonable delay, shall provide for the defense of an Insured in litigation in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters insured against by this policy. The Company shall have the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those stated causes of action. It shall not be liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of those causes of action that allege matters not insured against by this policy.
- (b) The Company shall have the right, in addition to the options contained in

Section 7 of these Conditions, at its own cost, to institute and prosecute any action or proceeding or to do any other act that in its opinion may be necessary or desirable to establish the Title, as insured, or to prevent or reduce loss or damage to the Insured. The Company may take any appropriate action under the terms of this policy, whether or not it shall be liable to the Insured. The exercise of these rights shall not be an admission of liability or waiver of any provision of this policy. If the Company exercises its rights under this subsection, it must do so diligently.

- (c) Whenever the Company brings an action or asserts a defense as required or permitted by this policy, the Company may pursue the litigation to a final determination by a court of competent jurisdiction, and it expressly reserves the right, in its sole discretion, to appeal any adverse judgment or order.

#### **6. DUTY OF INSURED CLAIMANT TO COOPERATE**

- (a) In all cases where this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding and any appeals, the Insured shall secure to the Company the right to so prosecute or provide defense in the action or proceeding, including the right to use, at its option, the name of the Insured for this purpose. Whenever requested by the Company, the Insured, at the Company's expense, shall give the Company all reasonable aid (i) in securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement, and (ii) in any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title or any other matter as insured. If the Company is prejudiced by the failure of the Insured to furnish the required cooperation, the Company's obligations to the Insured under the policy shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation, with regard to the matter or matters requiring such cooperation.
- (b) The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, at such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium maintained, including books, ledgers, checks, memoranda, correspondence, reports, e-mails, disks, tapes, and videos whether bearing a date before or after Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all of these records in the custody or control of a third party that reasonably pertain to the loss or damage. All information designated as confidential by the Insured Claimant provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Insured Claimant to submit for examination under oath, produce any reasonably requested information, or grant permission to secure reasonably necessary information from third parties as required in this subsection, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this policy as to that claim.

#### **7. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS; TERMINATION OF LIABILITY**

In case of a claim under this policy, the Company shall have the following additional options:

- (a) To Pay or Tender Payment of the Amount of Insurance.  
To pay or tender payment of the Amount of Insurance under this policy together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay. Upon the exercise by the Company of this option, all liability and obligations of the Company to the Insured under this policy, other than to make the payment required in this subsection, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.
- (b) To Pay or Otherwise Settle With Parties Other Than the Insured or With the Insured Claimant.
- (i) To pay or otherwise settle with other parties for or in the name of an Insured Claimant any claim insured against under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay; or
- (ii) To pay or otherwise settle with the Insured Claimant the loss or damage provided for under this policy, together with any costs,

attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

Upon the exercise by the Company of either of the options provided for in subsections (b)(i) or (ii), the Company's obligations to the Insured under this policy for the claimed loss or damage, other than the payments required to be made, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

#### **8. DETERMINATION AND EXTENT OF LIABILITY**

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred by the Insured Claimant who has suffered loss or damage by reason of matters insured against by this policy.

- (a) The extent of liability of the Company for loss or damage under this policy shall not exceed the lesser of
- (i) the Amount of Insurance; or
- (ii) the difference between the value of the Title as insured and the value of the Title subject to the risk insured against by this policy.
- (b) If the Company pursues its rights under Section 5 of these Conditions and is unsuccessful in establishing the Title, as insured,
- (i) the Amount of Insurance shall be increased by 10%, and
- (ii) the Insured Claimant shall have the right to have the loss or damage determined either as of the date the claim was made by the Insured Claimant or as of the date it is settled and paid.
- (c) In addition to the extent of liability under (a) and (b), the Company will also pay those costs, attorneys' fees, and expenses incurred in accordance with Sections 5 and 7 of these Conditions.

#### **9. LIMITATION OF LIABILITY**

- (a) If the Company establishes the Title, or removes the alleged defect, lien, or encumbrance, or cures the lack of a right of access to or from the Land, or cures the claim of Unmarketable Title, all as insured, in a reasonably diligent manner by any method, including litigation and the completion of any appeals, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused to the Insured.
- (b) In the event of any litigation, including litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals, adverse to the Title, as insured.
- (c) The Company shall not be liable for loss or damage to the Insured for liability voluntarily assumed by the Insured in settling any claim or suit without the prior written consent of the Company.

#### **10. REDUCTION OF INSURANCE; REDUCTION OR TERMINATION OF LIABILITY**

All payments under this policy, except payments made for costs, attorneys' fees, and expenses, shall reduce the Amount of Insurance by the amount of the payment.

#### **11. LIABILITY NONCUMULATIVE**

The Amount of Insurance shall be reduced by any amount the Company pays under any policy insuring a Mortgage to which exception is taken in Schedule B or to which the Insured has agreed, assumed, or taken subject, or which is executed by an Insured after Date of Policy and which is a charge or lien on the Title, and the amount so paid shall be deemed a payment to the Insured under this policy.

#### **12. PAYMENT OF LOSS**

When liability and the extent of loss or damage have been definitely fixed in accordance with these Conditions, the payment shall be made within 30 days.

#### **13. RIGHTS OF RECOVERY UPON PAYMENT OR SETTLEMENT**

- (a) Whenever the Company shall have settled and paid a claim under this policy, it shall be subrogated and entitled to the rights of the Insured Claimant in the Title and all other rights and remedies in respect to the claim that the Insured Claimant has against any person or property, to the extent of the amount of any loss, costs, attorneys' fees, and expenses paid by the Company. If requested by the Company, the Insured Claimant shall execute documents to evidence the transfer to the Company of these rights and remedies. The Insured Claimant shall permit the Company to sue, compromise, or settle in the name of the Insured Claimant and to use the name of the Insured Claimant in any transaction or litigation involving these rights and remedies.
- If a payment on account of a claim does not fully cover the loss of the Insured Claimant, the Company shall defer the exercise of its right to recover until after the Insured Claimant shall have recovered its loss.

- (b) The Company's right of subrogation includes the rights of the Insured to indemnities, guaranties, other policies of insurance, or bonds, notwithstanding any terms or conditions contained in those instruments that address subrogation rights.

#### 14. ARBITRATION

Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured. All arbitrable matters when the Amount of Insurance is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction.

#### 15. LIABILITY LIMITED TO THIS POLICY; POLICY ENTIRE CONTRACT

- (a) This policy together with all endorsements, if any, attached to it by the Company is the entire policy and contract between the Insured and the Company. In interpreting any provision of this policy, this policy shall be construed as a whole.
- (b) Any claim of loss or damage that arises out of the status of the Title or by any action asserting such claim shall be restricted to this policy.
- (c) Any amendment of or endorsement to this policy must be in writing and authenticated by an authorized person, or expressly incorporated by Schedule A of this policy.

- (d) Each endorsement to this policy issued at any time is made a part of this policy and is subject to all of its terms and provisions. Except as the endorsement expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsement, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance.

#### 16. SEVERABILITY

In the event any provision of this policy, in whole or in part, is held invalid or unenforceable under applicable law, the policy shall be deemed not to include that provision or such part held to be invalid, but all other provisions shall remain in full force and effect.

#### 17. CHOICE OF LAW; FORUM

- (a) Choice of Law: The Insured acknowledges the Company has underwritten the risks covered by this policy and determined the premium charged therefore in reliance upon the law affecting interests in real property and applicable to the interpretation, rights, remedies, or enforcement of policies of title insurance of the jurisdiction where the Land is located. Therefore, the court or an arbitrator shall apply the law of the jurisdiction where the Land is located to determine the validity of claims against the Title that are adverse to the Insured and to interpret and enforce the terms of this policy. In neither case shall the court or arbitrator apply its conflicts of law principles to determine the applicable law.
- (b) Choice of Forum: Any litigation or other proceeding brought by the Insured against the Company must be filed only in a state or federal court within the United States of America or its territories having appropriate jurisdiction.

#### 18. NOTICES, WHERE SENT

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at 1 First American Way, Santa Ana, CA 92707, Attn: Claims Department.

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## POLICY OF TITLE INSURANCE



**First American Title Insurance Company  
ALTA Owner's Policy  
Schedule A**

**File No.** 2402051

**Amount of Insurance**

\$75,000.00

**Date of Policy**

April 22, 2013  
or the date of recording of the  
Vesting Deed, whichever is later

**Name of Insured:**

Joshua M. Martin

1. **The estate or interest in the land described herein and which is covered by this policy is:**

Fee Simple

2. **Title to the estate or interest in the land is vested in:**

Joshua M. Martin

3. **The land referred to in this policy is described as follows:**

LOT 58 IN ARTHUR T. MCINTOSH'S PLAINFIELD ROAD ADDITION, BEING A SUBDIVISION OF THE NORTH 813 FEET OF THAT PART OF THE SOUTH WEST QUARTER LYING WEST OF THE EAST 48 RODS THEREOF OF SECTION 2, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN ALSO THE NORTH 813 FEET OF THE EAST HALF OF THE EAST HALF OF THE SOUTH EAST QUARTER OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED MAY 22, 1918 AS DOCUMENT 6328132, IN COOK COUNTY, ILLINOIS.

Issuing Agent:

William W. Mohr, P.C.  
400 E. Diehl Road, Suite 310  
Naperville, IL 60563  
(630)505-1001

**First American Title Insurance Company  
ALTA Owner's Policy  
Schedule B**

**File No.** 2402051

**This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:**

**A. STANDARD EXCEPTIONS:**

- (1) Rights or claims of parties in possession not shown by the public records.
- (2) Easements, or claims of easements, not shown by the public records.
- (3) Encroachments, encumbrance, violation, variation or adverse circumstance affecting title that would be disclosed by an accurate survey pursuant to the "minimum Standards of Practice," 68 Ill. Admin Code, Sec. 1270.56(b)(6)(P) for residential property or the ALTA/ACSM land title survey standards for commercial/industrial property.
- (4) Any lien, or right to a lien, for services, labor, or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.
- (5) Taxes, or special assessments, if any, not shown as existing liens by the public records.
- (6) Loss or damage by reason of there being recorded in the public records, any deeds, mortgages, lis pendens, liens or other title encumbrances subsequent to the Commitment date and prior to the effective date of the final Policy.

**B. SPECIAL EXCEPTIONS:**

1. General taxes and assessments for the year 2012 2nd Installment, 2013 and subsequent years which are not yet due and payable.

Tax identification no.: 18-03-410-005-0000 Vol. 0075

2. Terms and provisions of Ordinance No. 98-32, a copy of which was recorded July 24, 1998 as document 98646897 establishing Special Service Area No. 6.

**NOTE: If any document referenced herein contains a covenant, condition or restriction violative of 42 USC 3604(c), such covenant, condition or restriction to the extent of such violation is hereby deleted.**

**End of Schedule B**

Issuing Agent:

William W. Mohr, P.C.  
400 E. Diehl Road, Suite 310  
Naperville, IL 60563  
(630)505-1001

**ENDORSEMENT**

**ISSUED BY**

***First American Title Insurance Company***

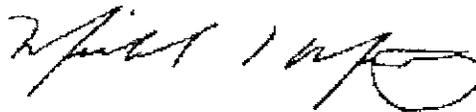
**Attached to Policy No. 2402051**

THE STANDARD EXCEPTIONS 4 THROUGH 6 ARE HEREBY DELETED.

This endorsement is made a part of the policy and is subject to all of the terms and provisions thereof and any prior endorsements thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy and any prior endorsements, nor does it extend the effective date of the policy and any prior endorsements, nor does it increase the face amount thereof.

***First American Title Insurance Company***

**Dated: April 22, 2013**

A handwritten signature in black ink, appearing to read "First American", written over a horizontal line.



#### Privacy Information

##### We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our subsidiaries we have adopted this Privacy Policy to govern the use and handling of your personal information.

##### Applicability

This Privacy Policy governs our use of the information that you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its Fair Information Values.

##### Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

##### Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

##### Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

##### Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's Fair Information Values. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

##### Information Obtained Through Our Web Site

First American Financial Corporation is sensitive to privacy issues on the Internet. We believe it is important you know how we treat the information about you we receive on the Internet.

In general, you can visit First American or its affiliates' Web sites on the World Wide Web without telling us who you are or revealing any information about yourself. Our Web servers collect the domain names, not the e-mail addresses, of visitors. This information is aggregated to measure the number of visits, average time spent on the site, pages viewed and similar information. First American uses this information to measure the use of our site and to develop ideas to improve the content of our site.

There are times, however, when we may need information from you, such as your name and email address. When information is needed, we will use our best efforts to let you know at the time of collection how we will use the personal information. Usually, the personal information we collect is used only by us to respond to your inquiry, process an order or allow you to access specific account/profile information. If you choose to share any personal information with us, we will only use it in accordance with the policies outlined above.

##### Business Relationships

First American Financial Corporation's site and its affiliates' sites may contain links to other Web sites. While we try to link only to sites that share our high standards and respect for privacy, we are not responsible for the content or the privacy practices employed by other sites.

##### Cookies

Some of First American's Web sites may make use of "cookie" technology to measure site activity and to customize information to your personal tastes. A cookie is an element of data that a Web site can send to your browser, which may then store the cookie on your hard drive.

[FirstAm.com](http://FirstAm.com) uses stored cookies. The goal of this technology is to better serve you when visiting our site, save you time when you are here and to provide you with a more meaningful and productive Web site experience.

##### Fair Information Values

**Fairness** We consider consumer expectations about their privacy in all our businesses. We only offer products and services that assure a favorable balance between consumer benefits and consumer privacy.

**Public Record** We believe that an open public record creates significant value for society, enhances consumer choice and creates consumer opportunity. We actively support an open public record and emphasize its importance and contribution to our economy.

**Use** We believe we should behave responsibly when we use information about a consumer in our business. We will obey the laws governing the collection, use and dissemination of data.

**Accuracy** We will take reasonable steps to help assure the accuracy of the data we collect, use and disseminate. Where possible, we will take reasonable steps to correct inaccurate information. When, as with the public record, we cannot correct inaccurate information, we will take all reasonable steps to assist consumers in identifying the source of the erroneous data so that the consumer can secure the required corrections.

**Education** We endeavor to educate the users of our products and services, our employees and others in our industry about the importance of consumer privacy. We will instruct our employees on our fair information values and on the responsible collection and use of data. We will encourage others in our industry to collect and use information in a responsible manner.

**Security** We will maintain appropriate facilities and systems to protect against unauthorized access to and corruption of the data we maintain.

**AFFIDAVIT OF PUBLIC NOTICE  
TO SURROUNDING PROPERTY OWNERS**

The undersigned petitioner, on oath states that the undersigned notified, in writing, the owners of all property within 250 feet, excluding rights of way, in each direction of the property to which his petition relates, by personal delivery or by mail; that a public hearing would be held to consider such petition; that such notice was given no less than 15 days prior to such hearing; and that the owners so notified, are those shown on the last available tax records of the county. (Please attach a list of notified property owners).

W. M. M. M.  
(Print Name)

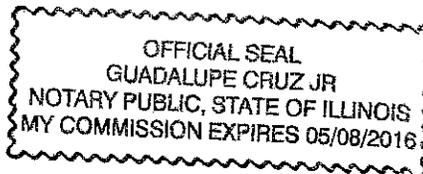
8831 Congress Park  
Brookfield, IL 60513

W. Suszek  
(Signature)

SUBSCRIBED AND SWORN TO BEFORE ME THIS

10 DAY OF Sept, 2013

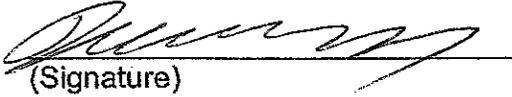
[Signature]  
(Notary Public)



**AFFIDAVIT OF PUBLIC NOTICE  
TO SURROUNDING PROPERTY OWNERS**

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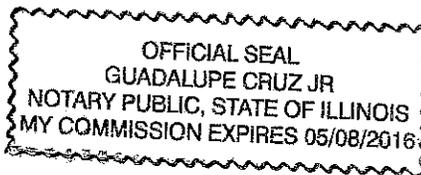
OLG DAVIL DYS 8837 CONGRESS PARK  
(Print Name)

  
(Signature)

SUBSCRIBED AND SWORN TO BEFORE ME THIS

10 DAY OF June, 2013

  
(Notary Public)



**AFFIDAVIT OF PUBLIC NOTICE  
TO SURROUNDING PROPERTY OWNERS**

The undersigned petitioner, on oath states that the undersigned notified, in writing, the owners of all property within 250 feet, excluding rights of way, in each direction of the property to which his petition relates, by personal delivery or by mail; that a public hearing would be held to consider such petition; that such notice was given no less than 15 days prior to such hearing; and that the owners so notified, are those shown on the last available tax records of the county. (Please attach a list of notified property owners).

Christine Carocio  
(Print Name)

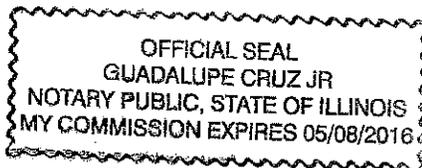
8811 Congress Park  
Brookfield, IL 60513

Christine Carocio  
(Signature)

SUBSCRIBED AND SWORN TO BEFORE ME THIS

10 DAY OF June, 2013

[Signature]  
(Notary Public)



**AFFIDAVIT OF PUBLIC NOTICE  
TO SURROUNDING PROPERTY OWNERS**

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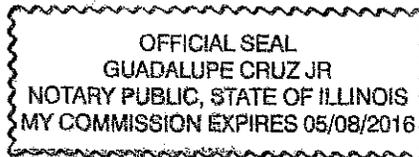
ANTHONY L ZOKAL 8827 CONGRESS PARK  
(Print Name)

Anthony L Zokal  
(Signature)

SUBSCRIBED AND SWORN TO BEFORE ME THIS

10 DAY OF June, 2013

[Signature]  
(Notary Public)



**AFFIDAVIT OF PUBLIC NOTICE  
TO SURROUNDING PROPERTY OWNERS**

The undersigned petitioner, on oath states that the undersigned notified, in writing, the owners of all property within 250 feet, excluding rights of way, in each direction of the property to which his petition relates, by personal delivery or by mail; that a public hearing would be held to consider such petition; that such notice was given no less than 15 days prior to such hearing; and that the owners so notified, are those shown on the last available tax records of the county. (Please attach a list of notified property owners).

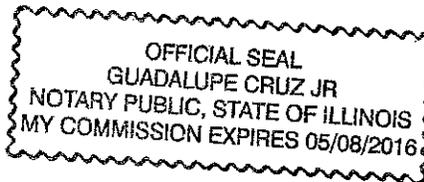
HENRY D'AMORE 8841 W CONGRESS PARK  
(Print Name)

Henry D'Amore  
(Signature)

SUBSCRIBED AND SWORN TO BEFORE ME THIS

10 DAY OF June, 2013

[Signature]  
(Notary Public)



**DRAFT**

VILLAGE OF BROOKFIELD  
BROOKFIELD, ILLINOIS 60513

JOURNAL OF THE PROCEEDINGS OF THE  
PLANNING AND ZONING COMMISSION

HELD ON TUESDAY, FEBRUARY 11, 2014  
IN THE BROOKFIELD MUNICIPAL BUILDING

---

**MEMBERS PRESENT:** Chairman: Charles Grund. Commissioners Karen Ann Miller, Patrick Benjamin, Todd Svoboda, Chris Straka, Mark Weber and Jennifer Hendricks

**MEMBERS ABSENT:** None

**DRAFT**

**ALSO PRESENT:** OTHERS PRESENT: Village Trustee Michael Garvey Liaison

On Monday, February 11, 2014, Chairman Charles Grund called the first meeting of the Planning and Zoning Commission to order at 6:34 P.M.

Staff Update

Assistant Village Manager welcomed the members of the new Planning and Zoning Commission and mentioned that the Village codes are now all online.

PC CASE NO. 14-01

Consideration of Zoning Variations for Parking Requirements in the C-1 Commercial District at 9310-20 Ogden Avenue for the Construction of Advanced Auto Parts

Motion to Open Hearing on Case No.14-01

Motion by Commissioner Miller, seconded by Commissioner Straka, to open the Public Hearing on Case No. 14-01. Upon roll call, the motion carried as follows: Ayes: Commissioners Miller, Benjamin, Svoboda, Straka, Weber, Hendricks and Grund.

Assistant Village Manager Keith Sbiral informed the Commissioners that the Application for Public Hearing and Required Fees had been received and that Legal Notice of Hearing had been published in the Riverside-Brookfield Landmark on January 22, 2014. A sign was posted on the subject property, and the petitioner notified neighboring property owners within 250' of the subject property 15-30 days prior to the date of the hearing.

Attorney for Petitioners John Murphey, introduced himself and stated that the owner of the subject property requests a variation from Section 62-269 Access, to allow alley access to the parking area at 9310-20 Ogden Avenue, and a variation from Section 62-290 Required Parking Spaces to allow a reduction in the number of required parking spaces to allow for redevelopment of subject property. The petitioner is known as Aetna Development. The architect for the project addressed the Commissioners regarding the project plans, basic business plan/usage of the facility and the need for the variance requested.

Commissions asked questions regarding how deliveries to the building would be handled.

**Staff Report: Assistant Village Manager Keith Sbiral, AICP**

**BACKGROUND:** The applicant acquired the subject property on Ogden Avenue in 2013. Prior to the change of ownership, the property was a restaurant and a vacant property with ongoing property maintenance issues. Since acquiring the property, the applicant has completed permitted demolition of the restaurant use and cleaned up the property maintenance issues. The property remains fenced for redevelopment to the proposed auto parts store.

The owner proposed a redevelopment including an auto parts store with conforming parking. After further consideration the overall design of the parking and constraints on building size, the owner has submitted for a variation for the proposed parking and design. The property is located in the Ogden Avenue Tax Increment Finance district.

**ZONING**

The property is currently zoned C-1 General Service and is unimproved and ready for redevelopment. The applicant is in the process of redeveloping the property for a retail auto parts store, which is a conforming use in the C-1 District.

**PUBLIC COMMENT**

To date, staff has not received written comments from the public concerning the requested variations.

## DISCUSSION

**DRAFT**

### Request for Alley Access

Section 62-269 Access of the Zoning Ordinance states the following: "Parking facilities shall be designed with appropriate means of vehicular access to a street."

The subject property is an existing property with both street access and alley access. The property's access to the parking area is from both the alley and the street.

### Request for Reduction in Parking

Section 62-290 of the Zoning Ordinance requires Retail Sales uses to have 1 parking space for each 250 feet of gross floor area. The proposed structure has 8,004 gross square feet of floor area and is required to have 32 parking spaces per code.

The proposed project has 20 on site parking spaces. The petitioner is requesting a 12 space variation. The project also contains one loading space as code requires.

Staff recommended the applicant request the variation to have a well designed project with sufficient parking. Staff believes the project can have both better overall site design as well as sufficient parking for the proposed use. Based on engineering review, this option also allows for sufficient storm water retention.

The alley involved in this project will be the first "green alley concept" (a concrete alley along with permeable pavers) in Brookfield and the Village will partner with the developer to pave the alley behind this project – making it a pilot project to provide additional storm water relief for the system in the neighborhood.

Originally, the project was a smaller building but believe that this design is better overall than was the original.

Staff report to be submitted as part of the record. Based on the analysis, Staff believes the request meets the standards for granting zoning variances, as well as the intent of the Ogden Avenue redevelopment goals outlined in the 2020 Master Plan and TIF Redevelopment Plan. The Planning and Zoning Commission should discuss the requested variations and whether the development is a functional development and determine whether the request should be recommended for approval when presented to the Village Board of Trustees.

The Planning and Zoning Commission should use the standards for review found above and in Section 62-760 of the Village Zoning Ordinance.

### Close Public Hearing

Motion by Commissioner Miller, seconded by Commissioner Straka, to close Public Discussion on PC 14-01. Upon roll call, the motion carried as follows: Ayes: Commissioners Miller, Benjamin, Svoboda, Straka, Weber, Hendricks and Grund.

Discussion among Commissioners included questions and comments to staff regarding use of alleys, the redesign of the building, design guidelines as suggested by the 2020 Master Plan, favorable response to "green alley" concept, on-street parking spaces, whether signage conforms to 2020 Master Plan, future use of property by other kind of business that may require more parking spaces.

### Approve PC 14-01

Motion by Commissioner Straka, seconded by Commissioner Miller, to recommend approval to the Board of trustees of PC 14-01 after due consideration and make a ~~positive~~ **DRAFT** recommendation to the Village Board of Trustees for approval of the zoning ordinance variation as presented or substantially in the form presented and adopting the Staff report's findings of fact as those of the Planning and Zoning Commission for 9310-20 Ogden Avenue. Upon roll call, the motion carried as follows: Ayes: Commissioners Miller, Benjamin, Svoboda, Straka, Weber, Hendricks and Grund.

### PC CASE NO. 14-02

**Consideration of a preliminary planned development petition with variations for a nine-unit residential building in a C-3 Commercial property at 8932-8936 Fairview.**

### Motion to Open Hearing on Case No.14-02

Motion by Commissioner Miller, seconded by Commissioner Straka, to open the Public Hearing on Case No. 14-02. Upon roll call, the motion carried as follows: Ayes: Commissioners Miller, Benjamin, Svoboda, Straka, Weber, Hendricks and Grund.

Assistant Village Manager Keith Sbiral informed the Commissioners that RMG Realty Group, LLC/Michael Gatto, owner of the subject property, requests recommendation of approval of a special use for a Preliminary Planned Development in order to construct a 9-unit multi-family development on the vacant lot at 8934 Fairview Avenue.

This is a preliminary hearing; the petitioner will go to the Board of Trustees for approval of the special use for a Preliminary Planned Development after which the case will come back to the PZC for approval recommendation of a Final Planned Development. Presently, Village Code does not allow for bypass of Preliminary Planned Development; I advise petitioners to use the Preliminary to the extent that they want to use it and come to the Preliminary with as close to the final plans as they wish as the Library did or they can come with very preliminary plans or somewhere in between. Thus, this case will conceivably be back before fairly soon.

The notice for this hearing was published in *The Riverside-Brookfield Landmark* on January 22, 2014 in accordance with the Village Zoning Ordinance. A sign was posted on the subject property, and the petitioner notified neighboring property owners within 250' of the subject property 15-30 days prior to the date of the hearing. The petitioner has submitted the Affidavit of Notice.

**DRAFT**

#### Presentation by Petitioner

Representatives for the owner addressed the Commissioners stating that the applicant requests a special use permit for a Planned Development and Preliminary Planned Development approval in order to construct a 9-unit multi-family building adjacent to the downtown commercial district at 8934 Fairview Avenue, Brookfield, Illinois. Proposed improvements include a 3-story building with 14 parking spaces. The development is proposed as a zero lot line development and has vehicular access both from the alley and Fairview Avenue via a new curb cut. The development would be built on a 9,375 square foot lot and would contain a 3-story building comprised of 9 dwelling units. The total size of the building would be 10,816 square feet and would have a unit mix of 3 one bedroom and 6 two bedroom units with size ranging from 693 square feet to 1287 square feet with all units having private balconies. The multifamily residential project will have a full fire sprinkler suppression system.

The property is currently zoned C-3 (Centralized Commercial District)- which is a mixed-use which includes retail uses as well as residential.

**Staff Report: Assistant Village Manager Keith Sbiral**

#### **BACKGROUND:**

The property has been vacant and unimproved for more than ten years. Staff wishes to emphasize that the construction of multifamily units adjacent to the downtown and train station area is preferable to the underlying implication of the commercial zoning. While the C-3 district is clearly a more intense use district than most in Brookfield, further expansion of additional commercial property in the downtown would be detrimental to the core Grand Boulevard corridor area.

The addition of multifamily units is consistent with the 2020 Master Plan.

The developer is seeking a Planned Development as the proposed project seeks variations from code relative to a first floor commercial requirement, side yard setback requirement, and parking requirement. Each of these variations is outlined below.

#### **ZONING**

The property is currently zoned C-3 (Centralized Commercial District). The property is surrounded by C-3 zoning. Chapter 62-94(d) of the Zoning Ordinance states, "The C-3 Centralized Commercial Districts are intended to provide for the development of a concentrated pedestrian oriented commercial shopping area. This type of district provides a symbiotic relationship with public transportation and public services in the immediate vicinity. This district is intended to encourage the preservation of the historic characteristics of the district while encouraging the establishment of planned commercial and residential development."

The project seeks a variation from 62-95 Permitted and Special Uses. While multi-family having 5-21 units is permitted, the ordinance calls residential uses on the first floor special uses. While the ordinance is unclear if one use listing trumps another, Staff has suggested the use exception be included in the preliminary planned development.

The petitioner is requesting a zero side yard setback and other bulk regulation variations. Section 62-99 Bulk, Yard and Space Requirements state that C-3 construction must have 25 feet of lot width and 2,178 square feet of lot area as well as a 20% side yard setback. The proposed development has only 75 feet in lot width and 1,041 square feet in lot area per unit while the side yard setback is proposed to be zero.

Finally, Section 62-290 Required Parking Spaces, requires 2 parking spaces for each residential unit. The proposed development requires 18 spaces. The development currently has 14 spaces or a parking ratio of 1.55 including one ADA accessible space.

#### **2020 MASTER PLAN**

The 2020 Master Plan includes the subject property in the Brookfield Station Sub Area Plan. The Master Plan calls for the following considerations related to this property:

- Encouraging residential development in the study area;
- Establish parking regulations unique to transit oriented areas;
- The plan states that while residential should be limited on the first floor in the core Grand area, "on side streets this type

of residential development should be encouraged." The plan specifically includes Fairview.

**DRAFT**

## DISCUSSION

Staff reviewed the application and submittal documents and feel the submittals are satisfactory for a preliminary consideration. The final planned development will require several additions to the plans, but can be considered at that time. The Staff review is primarily focused on the preliminary review of the use and concept. In general, the following are proposed changes that require minor or no changes from the proposed site plan, landscape plan, and elevations:

- **Site Circulation:**

A circulation plan includes access from both the street and alley. While rear parking is preferred Staff believes the front parking can be softened with proposed landscaping.

- **Photometric Plan:**

Staff recommends the provision of photometric of any parking lighting proposed.

- **Elevations:**

Staff does not recommend any revisions to the preliminary elevations.

Overall, Staff finds that the proposed project can meet the standards for granting a Planned Development, provided that the improvements are executed with a high quality and consistent site design and construction. In order to do so, Staff recommends materials be specifically reviewed and called out for the final planned development.

- **Provision of Drainage:**

All storm water review and engineering will be reviewed prior to final planned development. Staff does not foresee significant issues relative to storm water design on this site.

- **Consolidation of Lots/other Final PD items:**

It should be noted that any signage alterations, specific façade and roof materials, and final engineering will be required to be included as a part of Final Planned Development review, should the Preliminary be approved. Staff additionally recommends that the existing zoning lot, consisting of three PINs, be consolidated into a single lot with a single PIN with a Plat of Lot Consolidation at the time of Final Planned Development approval.

Based on the discussion above, Staff recommends that the Plan Commission discuss the proposed development, as well as the issues outlined in this report. Staff recommends approval of the request for a special use for a Preliminary Planned Development and Preliminary Planned Development approval, with the following conditions:

- a. The petitioner revises the submittal documents to provide proper drainage as required by the Village Code and;
- b. Final Building Construction Plans and completes all final planned development requirements;

The Plan Commission may concur with the Staff recommendation, continue the case in order to request revisions or additional information, recommend denial of the case, or recommend approval of the case.

Should the Plan Commission concur with the Staff recommendation and recommend approval of the request, but not concur with the conditions for approval recommended by Staff, the Plan Commission should, through their discussion, amend the responses to the Standards for approval Preliminary Planned Development Applications.

## PUBLIC COMMENT

James Cheverria - 8938 West Fairview - addressed the Commissioners. Mr. Cheverria read two letters from residents in proximity of the proposed project:

1. Paula Montgomery – 8938-1/2 West Fairview – concerns regarding size/height of building (view and blocking light) that may affect her property's value, groundwater drainage/flooding, decreased parking for existing residents, increased use of alley, view of project, rental unit vs. condo affect on neighborhood, desires smaller building/less stories. (Commissioners and petitioner provided with copy of letter);
2. Sharon Simmons – 8942 Fairview – concerns regarding height of building, affect on light, impact on existing drainage problem/flooding, design and area used (lot line to lot line/lack of side yard), reduction of privacy of existing residents, affect overall of size/type of building in that location. (Commissioners and petitioner provided with copy of letter).

Mr. Cheverria also expressed his own comments and appreciation that the Village is attempting to fill a long-standing vacant lot and that there would be adequate parking spaces providing for the residents of the proposed structure – 1.5 parking spaces per unit. The lack of side yards and the height of the building are primary concerns – which he feels is not in keeping with a residential development. He stated that while he appreciated the Village trying to fill a vacant space with a residential project, the project as it is not enhancing to the residential neighborhood.

## DISCUSSION

**DRAFT**

Commissioners comments/questions to the petitioner included:

# DRAFT

- What plans were in place regarding storm water control? The petitioner understands that this situation is theirs to resolve and will retain a Civil Engineer when the preliminary planned development is approved;
- What was the intent of raising the first floor off of grade at such a dramatic distance? Petitioner replied it was to give more privacy to properties to the East.
- Entrance lighting – lack of visibility from the street due to set-back. Petitioner plans to incorporate LED lighting vs. building mounted flood lights to light the parking area and entrance.
- Appearance of parking in front of building. Increased set back caused by parking in the front. Petitioner responded plan was to afford residents ease of access; low-to-medium landscaping being explored to enhance the street view of the parking area.
- Zoning change may remove commercial opportunity. Is their possible flexibility in that first-floor residents may have home-based businesses? Per Keith Sbiral – the Village would like to scale down the commercial corridors – which is also indicated in the 2020 Master Plan - including to make the downtown business are more vibrant. The C-3 Zoning will allow commercial use as well as residential.
- Will a Shadow Study be done?

At this point, Mr. Michael Gatto – owner of subject property - addressed the Commissioners regarding his basic business plans and named the principals of his organization – RMC Realty Group, LLC. Mr. Gatto confirmed the proposed rental rates for the units of the proposed project. Mr. Gatto stated his intent to reside in the building himself and feels Brookfield is a good area in which to invest. Mr. Gatto informed the Commissioners that he has a commitment for financing the project.

- Concerns regarding the elevation and the shape of the guardrails/balcony screens – current plans are not specific, which is required for a PUD. Architect spoke to the design and explained that the plans were not yet completed.
- Concerns regarding lack of light that affects the proposed location of bedroom in a particular unit.
- Landscaping – on north side of building – suggest that type of plants indicated be reviewed (plants will be in shade; plants shown require full sun).

Assistant Village Manager Keith Sbiral reiterated Commissioners expressed concerns that to be made conditions for approval of the final PUD:

At minimum:

# DRAFT

- A color rendering of the proposed project
- Materials selections and samples
- A shadow study
- More detailed landscape plan
- Storm water plans

**Two Unidentified speakers/residents:** Expressed concerns regarding the front set-back and parking lot – if building moved forward would increase shadow effect on next-door building and snow blocking the alley behind the property.

Commissioner Hendricks inquired regarding the developers responsibility regarding improvement of the alley. Keith Sbiral responded that the Village does not have such a requirement in place.

## Close Public Hearing

Motion by Commissioner Miller, seconded by Commissioner Grund, to close Public Discussion on PC 14-02. Upon roll call, the motion carried as follows: Ayes: Commissioners Miller, Benjamin, Svoboda, Straka, Weber, Hendricks and Grund.

## Discussion

Commissioners concerns included: With respect to the comprehensive plan -- light with respect to neighboring properties, parking in front of the building, zero-lot-line on west side at least, reduce parking space allotment to one per unit, wall that faces the west to be scaled back to 22', would a commercial use on this site be able to build to the lot line without a variance? (response was, "Yes".).

## Approve PC 14-02

Motion by Commissioner Benjamin, seconded by Commissioner Miller, to approve PC 14-02 after due consideration and make a positive recommendation to the Village Board of Trustees for approval of the zoning ordinance variation as presented or substantially in the form presented and adopting the Staff report's findings of fact as those of the Planning and Zoning Commission for 8934-8936 Fairview Avenue with the following considerations:

1. Providing a Final Plan Development
2. Providing a color rendering
3. Providing Materials selections and samples
4. Providing Landscaping Plan
5. Providing Storm Water Management Plan
6. Providing a Shadow Study

7. Reconsideration of Front-facing parking
8. Consideration of reducing number of parking spaces from 1.5 per unit to 1 per unit.
9. Reconsideration of reduction of the west wall to 22'

Upon roll call, the motion carried as follows: Ayes: Commissioners Miller, Benjamin, Svoboda, Straka, Weber, Hendricks and Grund.

#### **PC CASE NO. 14-03**

**Consideration of a Lot Area Variation for a lot split petition in an A-2 Single Family District at 8819 Congress Park.**

#### **Motion to Open Public Hearing on Case 14-03**

Motion by Commissioner Benjamin, seconded by Commissioner Straka, to open the Public Hearing on PC 14-03. Upon roll call, the motion carried as follows: Ayes: Commissioners Miller, Benjamin, Svoboda, Straka, Weber, Hendricks and Grund.

Assistant Village Manager Keith Sbiral informed the Commissioners that the Application for Public Hearing and Required Fees had been received and that Legal Notice of Hearing had been published in the Riverside-Brookfield Landmark on January 22, 2014. A sign was posted on the subject property, and the petitioner notified neighboring property owners within 250' of the subject property 15-30 days prior to the date of the hearing.

#### **Staff Report**

**Sam and Nick Memeti have a contract on the subject property.**

#### **DESCRIPTION**

The applicants request a variation from Section 62-12 Minimum Residential Lot Size, to allow two lots to be created from one lot with the resulting lots having a substandard lot area. All future construction is required to meet all other aspects of the zoning regulations of the Village.

#### **BACKGROUND**

The applicant is in the process of acquiring the subject property for future construction of two homes. The applicant lives adjacent to the existing property. The subject property has been subject to property maintenance violations over the past 8 years and is not consistent with the surrounding property improvements.

The owner is proposing splitting the 100-foot lot into two 50-foot lots for single-family home redevelopment. The resulting lots would each be 5700 square feet; 500 square feet less than the ordinance required 6200 square feet. The resulting 5700 square foot lots would be consistent with the surrounding property improvements and would maintain the 50-foot width that has been consistently applied to these cases over the past 10-15 years.

#### **ZONING**

The property is currently zoned A-2 Single Family and is improved with a single family home and ready for redevelopment. The zoning is proposed to remain the same and resulting construction will have to comply with all setback, height, area, and zoning requirements. The property will be required to comply with storm water and green space regulations as well.

#### **PUBLIC COMMENT**

To date, staff has received no written comments from the public and one verbal (anonymous) comment in favor of the requested variations.

#### **DISCUSSION**

##### **Request for Lot Area Exception**

Section 62-12 Minimum Residential Lot Size states, "The minimum zoning lot allowed for residential building purposes shall have a width and street frontage of not less than 50 feet and contain not less than 6,200 square feet in area. For the purpose of this chapter, zoning lots less than 50 feet in width and/or containing less than 6,200 square feet in area shall be deemed substandard. Use of a zoning lot with less than said frontage or area for residential building purposes may be authorized as specifically allowed in section 62-73, or by authorization of the president and board of trustees of the village after the receipt of the report and recommendation of the planning and zoning commission, in the manner and form prescribed by this chapter after it has been determined that such lot was of public record on or before November 19, 1924; that ownership of the lot by the petitioner was of public record on or before November 19, 1924; and that at that time the owner did not own sufficient adjacent property which would have established a legal zoning lot meeting minimum requirements; and that said lot cannot reasonably be enlarged by acquisition of adjoining land or cannot reasonably be disposed of to the owners of adjoining land. Such authorization may be made only after the denial of a permit, proper taking of appeal and holding of a public hearing; all in conformity with the requirements of the state revised statutes and this chapter. Consideration shall be given in each case to an authoritative ownership record of the lots involved and adjoining since November 19, 1924.

The Planning and Zoning Commission should use the standards for review found above and in Section 62-760 of the Village Zoning Ordinance.

# DRAFT

Staff recommends approval of the Lot Split with area exception petition.

Petitioner Sam Memeti addressed the Commissioners and stated intent as detailed in the petition.

Commissioners expressed observations and concerns regarding petition including new zoning ordinances that may apply regarding the size of the two proposed structures, alley access/driveway provision.

## Motion to Close Public Hearing

Motion by Commissioner Miller, seconded by Commissioner Straka, to close the Public Hearing on PC-1403. Upon roll call, the motion carried as follows: Ayes: Commissioners Miller, Benjamin, Svoboda, Straka, Weber, Hendricks and Grund.

## Motion to Approve PC-14-03

Motion by Commissioner Straka, seconded by Commissioner Miller, to approve PC-14-03 as stated and make a positive recommendation to the Village Board of Trustees for approval of the zoning ordinance variation as presented or substantially in the form presented and adopting the Staff report's findings of fact as those of the Planning and Zoning Commission for 8819 Congress Park. Upon roll call, the motion carried as follows: Ayes: Commissioners Miller, Benjamin, Svoboda, Straka, Weber, Hendricks and Grund.

## NEW BUSINESS – None

## OLD BUSINESS – None

**NEXT MEETING:** Planning and Zoning Commission meetings to be scheduled on the third Thursday of the month. March 20, 2014 meeting to include approval of past minutes. Meetings to start at 7:00 P.M.

Building Code amendments to be before the Village Board Committee of the Whole and Board of Trustees in the near future

## ADJOURNMENT

Motion by Commissioner Miller, seconded by Commissioner Straka, to adjourn the Planning and Zoning Commission meeting of February 11, 2014 at 8:57 P.M. Upon roll call, the motion carried as follows: Ayes: Commissioners Miller, Benjamin, Svoboda, Straka, Weber, Hendricks and Grund.

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Charles Grund  
Chairman  
Planning & Zoning Commission  
Village of Brookfield  
Brookfield, Illinois

/lls



# COMMITTEE ITEM MEMO

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**ITEM:** 8834 CONGRESS PARK LOT SPLIT – NO EXCEPTION  
**COMMITTEE DATE:** February 24, 2014  
**PREPARED BY:** Keith Sbiral, AICP  
**PURPOSE:** Consideration of a Subdivision Plat with No Exceptoins.  
**BUDGET AMOUNT:** N/A

## **BACKGROUND:**

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Attached to this memo is a letter of review from Richard Ramello as well as a draft ordinance for approval of a subdivision of 8834 Congress Park. I have included a reduced copy of the draft plat. The plat must have revisions per the legal review.

There is no Plan Commission review of this plat as there are no exceptions to the subdivision code and requires only a resolution authorizing the President and Clerk to sign the plat upon final completion.

Staff recommends approval of this project and is encouraged to see significant residential development returning to Brookfield.

## **ATTACHMENTS:**

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1. Letter from Richard Ramello, dated February 18, 2014
2. Draft Resolution of Approval
3. Draft Plat

## **STAFF RECOMMENDATION:**

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Staff recommends approval of this plat.

## **REQUESTED COURSE OF ACTION:**

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The Board of Trustees should review and discuss the plat. An resolution approving the plat will be presented at the first March meeting.

LAW OFFICES

**STORINO, RAMELLO & DURKIN**

9501 WEST DEVON AVENUE  
ROSEMONT, ILLINOIS 60018

DONALD J. STORINO  
MICHAEL K. DURKIN  
RICHARD J. RAMELLO  
NICHOLAS S. PEPPERS  
THOMAS M. BASTIAN  
ANGELO F. DEL MARTO  
JAMES E. MACHOLL  
BRIAN W. BAUGH  
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February 18, 2014

MICHAEL R. DURKIN  
THOMAS J. HALLERAN  
ERIN C. MORIARTY

JOSEPH G. KUSPER  
MARK R. STEPHENS  
BRYAN J. BERRY  
ANN M. WILLIAMS  
LEONARD P. DIORIO  
RICHARD F. PELLEGRINO  
DONALD J. STORINO II

OF COUNSEL

IN REPLY REFER TO FILE NO.

Mr. Keith Sbiral  
Assistant Village Manager  
Village of Brookfield  
8820 Brookfield Avenue  
Brookfield, Illinois 60513-1688

**Re: *Resubdivision of the south half of lot 21 in A. T. McIntosh's Plainfield Road Addition***

Dear Mr. Sbiral:

The three plats of survey proposing to subdivide the south half of lot 21 in A. T. McIntosh's Plainfield Road Addition have been submitted to our office for review. The subdivision in question is less than one acre in a recorded subdivision and does not involve any new streets or easements of access. Therefore, the plat is not subject to the requirements of the Plat Act (765 ILCS 205/0.01, *et seq.*). The plat is, however, subject to Chapter 48 of the Code of Ordinances, Village of Brookfield, Illinois.

Section 48-20 of the Code of Ordinances, Village of Brookfield, Illinois, requires that the chief building inspector and the village attorney approve and certify their approval of the plat of subdivision. Following approval of the plat of subdivision by the chief building inspector and the village attorney, it must be approved by the president and board of trustees. Section 48-21 of the Code of Ordinances, Village of Brookfield, Illinois, requires that before the president and board of trustees approve the plat of subdivision, it must be certified by a surveyor and acknowledged by the property owner under oath that he believes he is the owner in fee of the property described in the plat.

The three plats of survey submitted, while depicting the lot to be subdivided and the resulting subdivided lots, do not constitute a plat of resubdivision. The three plats of survey submitted do not contain the certifications required by Chapter 48 of the Code of Ordinances, Village of Brookfield, Illinois. In addition, the Cook County Recorder of Deeds requires that the original plat of resubdivision be on Mylar, that in addition to the original Mylar, eight (8) copies be submitted, that if there is a mortgage on the property, that the consent of the mortgagee to the

**STORINO, RAMELLO & DURKIN**

Mr. Keith Sbiral  
February 18, 2014  
Page 2

resubdivision be shown and that the Cook County Clerk certify that no taxes are due on the property. Therefore, a Mylar plat of subdivision should be prepared with the required certifications and ten (10) copies (two (2) to be retained by the village) be submitted to the village for approval.

In order to expedite the processing of the plat of resubdivision, I am enclosing a proposed resolution approving the plat of resubdivision for consideration by the board of trustees, provided that the property owner complies with the above requirements and resubmits the corrected plat of resubdivision. Should you, or the property owner, have any questions or comments, please do not hesitate to contact me.

Very truly yours,

STORINO, RAMELLO & DURKIN

  
Richard J. Ramello

Enclosure

RESOLUTION NO. 2014 - \_\_\_\_\_

**A RESOLUTION TO APPROVE A CERTAIN PLAT OF SUBDIVISION OF THE  
SOUTH HALF OF LOT 21 IN A. T. McINTOSH'S PLAINFIELD ROAD ADDITION IN  
THE VILLAGE OF BROOKFIELD, ILLINOIS**

**PASSED AND APPROVED BY  
THE PRESIDENT AND BOARD OF TRUSTEES  
THE 24<sup>TH</sup> DAY OF FEBRUARY 2014**

RESOLUTION NO. 2014-\_\_\_\_

**A RESOLUTION TO APPROVE A CERTAIN PLAT OF SUBDIVISION OF THE SOUTH HALF OF LOT 21 IN A. T. McINTOSH'S PLAINFIELD ROAD ADDITION IN THE VILLAGE OF BROOKFIELD, ILLINOIS**

**WHEREAS**, the owner of certain property located at the south half of lot 21 in A. T. McIntosh's Plainfield Road Addition in the Village of Brookfield, Illinois, has submitted a Plat of Subdivision for approval by the corporate authorities of the Village of Brookfield, Illinois (the "Village");

**WHEREAS**, the Plat of Subdivision has been approved by the Village Attorney and the Village's Chief Building Inspector; and

**WHEREAS**, it is in the best interest of the Village of Brookfield to review and approve the Plat of Subdivision for the subject property;

**NOW, THEREFORE, BE IT RESOLVED** by the Village President and Board of Trustees of the Village of Brookfield, Cook County, Illinois, as follows:

**Section 1: Approval of Plat.**

The Board finds that the Plat of Subdivision of the south half of lot 21 in A. T. McIntosh's Plainfield Road Addition in the Village of Brookfield, Illinois, is hereby approved, and the Village President and the Village Clerk of the Village of Brookfield are hereby authorized and directed to sign the Plat Subdivision on behalf of the Village and to affix thereto the seal of the Village and to file the Plat of Subdivision of record in the office of the Recorder of Deeds of Cook County, Illinois.



**Section 2. Effective Date.**

This Resolution shall take effect upon its passage and approval in pamphlet form.

**ADOPTED** this 24<sup>th</sup> day of February 2014, pursuant to a roll call vote as follows:

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**ABSTENTION:** \_\_\_\_\_

**APPROVED** by me this 24<sup>th</sup> day of February 2014.

\_\_\_\_\_  
Kit P. Ketchmark, President of the  
Village of Brookfield, Cook County, Illinois

ATTESTED and filed in my office,  
this 24<sup>th</sup> day of February 2014.

\_\_\_\_\_  
Catherine Colgrass-Edwards, Clerk of the Village  
of Brookfield, Cook County, Illinois

# PLAT OF SURVEY

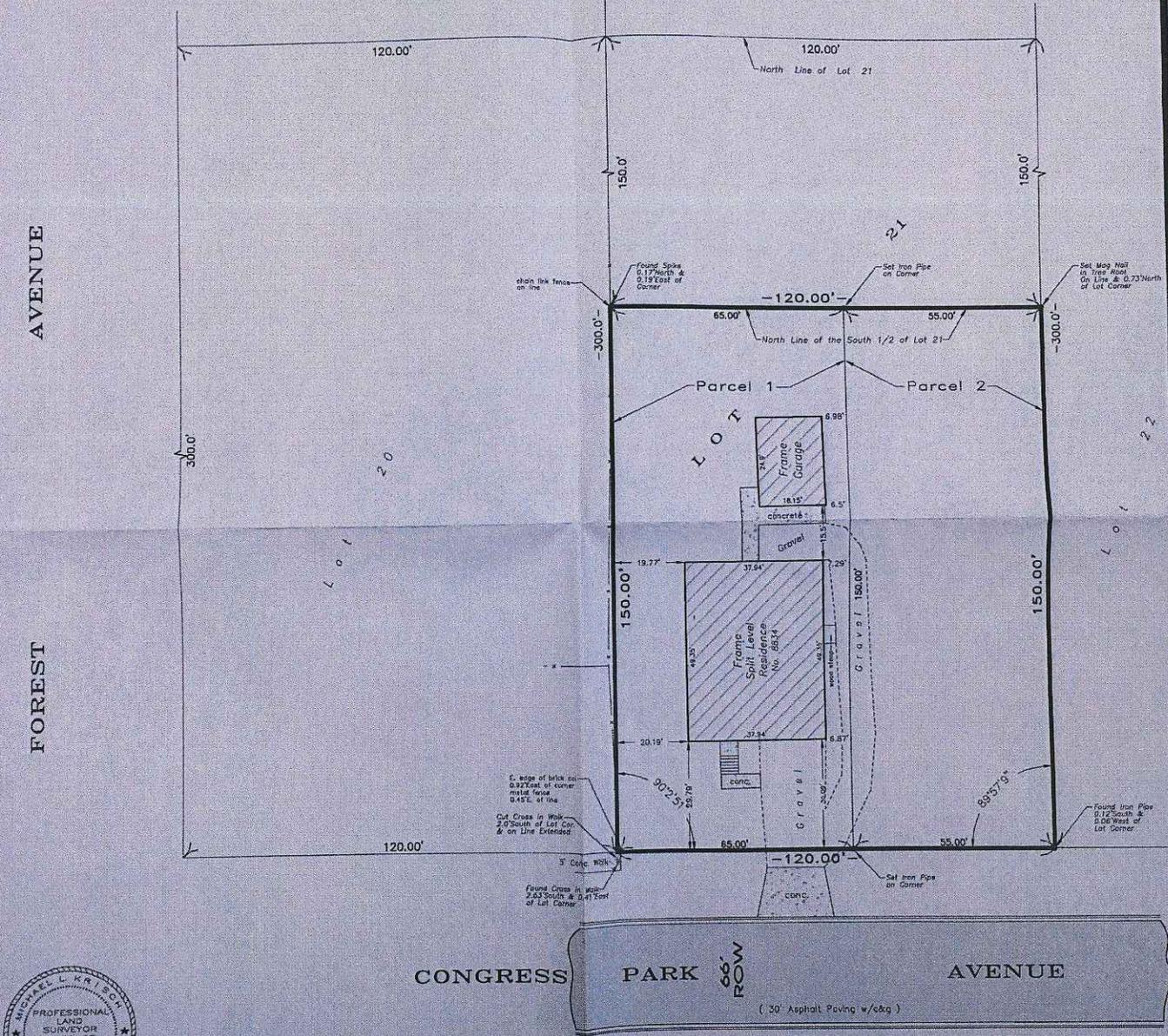
THE SOUTH HALF OF LOT 21 IN A.T.McINTOSH'S PLAINFIELD ROAD ADDITION, BEING A SUBDIVISION OF THE NORTH 813 FEET OF THAT PART OF THE SOUTHWEST QUARTER LYING WEST OF THE EAST 48 RODS OF SECTION 2, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THE NORTH 813 FEET OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 22, 1918 AS DOCUMENT 6328132, IN COOK COUNTY, ILLINOIS  
PROPERTY DESCRIBED CONTAINS 18,000 S.F.

### PARCEL 1:

THE WEST 65.0 FEET OF THE SOUTH HALF OF LOT 21 IN A.T.McINTOSH'S PLAINFIELD ROAD ADDITION, BEING A SUBDIVISION OF THE NORTH 813 FEET OF THAT PART OF THE SOUTHWEST QUARTER LYING WEST OF THE EAST 48 RODS OF SECTION 2, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO THE NORTH 813 FEET OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 22, 1918 AS DOCUMENT 6328132, IN COOK COUNTY, ILLINOIS  
PROPERTY DESCRIBED CONTAINS 9,750 S.F.

### PARCEL 2:

THE SOUTH HALF OF LOT 21, EXCEPT THE WEST 65.0 FEET THEREOF, IN A.T.McINTOSH'S PLAINFIELD ROAD ADDITION, BEING A SUBDIVISION OF THE NORTH 813 FEET OF THAT PART OF THE SOUTHWEST QUARTER LYING WEST OF THE EAST 48 RODS OF SECTION 2, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO THE NORTH 813 FEET OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 22, 1918 AS DOCUMENT 6328132, IN COOK COUNTY, ILLINOIS  
PROPERTY DESCRIBED CONTAINS 8,250 S.F.



STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) S.S.

THIS PROFESSIONAL SERVICE CONFORMS TO CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY THAT I, MICHAEL L. KRUSCH, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE HAD SURVEYED UNDER MY SUPERVISION THE PROPERTY DESCRIBED IN THE ABOVE CAPTION AS SHOWN BY THE ANNEXED PLAT WHICH IS A REPRESENTATION OF SAID SURVEY.

GIVEN UNDER MY HAND AND SEAL AT DOWNERS GROVE, ILLINOIS, THIS 5th DAY OF NOVEMBER A.D. 2013.

*Michael L. Krusch*  
ILLINOIS PROFESSIONAL LAND SURVEYOR  
NO. 35-2501 LICENSE EXPIRES 11/30/2014

REFER TO DEED OR GUARANTEE POLICY FOR BUILDING LINE RESTRICTIONS AND EASEMENTS NOT SHOWN ON PLAT OF SURVEY. COMPARE DESCRIPTION AND POINTS BEFORE BUILDING AND REPORT ANY APPARENT DIFFERENCE TO THE SURVEYOR AT ONCE. THIS SURVEY AND PLAT OF SURVEY ARE VOID WITHOUT OUR EMBOSSED SURVEYOR SEAL HEREON. NO DIMENSIONS ARE TO BE ASSUMED BY SCALING.



No.	Date	Revision Description	By

Prepared For: DT GROUP

**KRISCH LAND SURVEYING, LLC**  
PROFESSIONAL DESIGN FIRM LICENSE No. 184-004233  
P.O. BOX 928 • PLAINFIELD, IL 60544 • Phone: 630.627.5589  
Fax: 630.618.3818

**SURVEYING - CONSULTING - CONSTRUCTION LAYOUT**

Scale: 1"=20' Drawn: Ck'd: MLK (GK File #) CAD File: 13123



## COMMITTEE ITEM MEMO

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**ITEM:** Intersection Drainage Study – Prairie & Washington Avenues and MWRD Stormwater Management Program - PHASE II

**COMMITTEE DATE:** February 24 , 2014

**PREPARED BY:** Riccardo F. Ginex ,Village Manager *R. Ginex*

**PURPOSE:** Present findings of the Study and possible participation in the MWRD Program

**BUDGET AMOUNT:** See Study

### BACKGROUND:

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As you recall, staff engaged Hancock Engineering to conduct a study of the flooding issues in the areas of Prairie and Washington along Salt Creek. The study details the flooding issues in the area and makes some recommendations regarding the installation of a pump station to help alleviate possible flooding concerns.

This area is subject to two (2) types of flooding – overland flooding and “local” flooding. Overland flooding occurs when Salt Creek rises to a level where it overtops its banks. This occurs in the following three (3) areas of the Village:

1. Area by 31<sup>st</sup> Street and Forest Avenue
2. Area by Washington Avenue and Forest Avenue
3. Area by Southview Avenue and Arden Avenue.

As part of Phase I of the Stormwater Management Program, the MWRD studied overbank flooding in Brookfield and proposed three (3) separate sections of floodwall, channel improvements, and a large reservoir tentatively located at the Oak Savannah. The cost for these improvements was estimated at \$40,000,000 while the benefit was estimated at just under \$8,000,000 with a benefit/cost ratio of 0.2. Staff has requested that the MWRD provide a breakdown of the costs and benefits associated with the floodwall located on Forest Avenue between Washington Avenue and Brookfield Avenue to determine whether there may be a higher benefit/cost ratio for this section of the proposed improvements.

Phase II of the Stormwater Management Program includes funding for “local” flooding issues. Hancock has studied the “local” flooding that occurs when Salt Creek rises to a level that effectively shuts off the stormwater flow from our storm sewers thereby causing street ponding in the Forest/Washington/Prairie area.

Staff and representatives from Hancock met with Joe Kratzer, from MWRD, in January to discuss participation in their Phase II program. MWRD had an initial call for projects in 2013. We submitted Brookfield’s Prairie Avenue/Washington Avenue Pump Station project but it was not selected for funding.

At the meeting, Mr. Kratzer stated that the MWRD anticipates having another call for projects later in 2014 and felt that our project was a good candidate. Recently, he contacted Hancock and stated there was a chance that MWRD might be able to add our project to the projects selected during the initial call for projects.

Presently, MWRD does not have a set funding level for these projects but the agreements that they are currently negotiating with other villages contain a cost share from the MWRD between 50% - 75%. If the Village chooses to move ahead with design engineering, he felt this would help demonstrate the village's commitment to the project and they would take any design engineering costs already paid by the Village into account when determining the proposed funding level.

If the Village were awarded funding, intergovernmental agreements would need to be passed, and the project would first have to be approved by the MWRD Board of Commissioners. Mr. Kratzer did not feel there would be any way to get MWRD funding approval, complete design, and complete construction in 2014. He felt it was possible to construct the project by 2015 but even this would be an aggressive schedule.

Finally, staff has also reviewed possible improvements to the existing levee on Forest south of Washington. Possible improvements would entail a site survey, improving the levee structural integrity, streambank stabilization, and vegetative improvements.

Staff will discuss the substance of the study and present a letter of recommendation to forward to MWRD in an effort to obtain grant funding for the project.

**ATTACHMENTS:**

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1. Intersection Drainage Study
2. Cost analysis

**STAFF RECOMMENDATION:**

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The Board discusses the scenarios but more importantly, provides approval to design the pump station in an effort to be prepared to move forward in case funding does become available.

**REQUESTED COURSE OF ACTION:**

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Discussion is held and direction is given by the Board.

**VILLAGE OF BROOKFIELD  
PUMP STATION FOR PRAIRIE AND WASHINGTON AVENUE INTERSECTION  
SUMMARY OF DESIGN ALTERNATIVES**

<b>Pump Station Design Alternates w/Design Storm Event</b>	<b>Total Pump Capacity</b>	<b>Required Below Grade Storage</b>	<b>Level of Flooding behind Levee During 1% Annual Chance Event for Tributary Area</b>	<b>Construction</b>	<b>Engineering</b>	<b>Total Cost</b>
<p><b><u>Alternate 1 - 4,000 GPM Pump Station</u></b></p> <p>Capacity based on a total storm event of 1.0 inch occurring in 1 hour or more</p>	4,000 gpm	70,000 gallons	Potential flooding to elevation 615.20 6 homes on Forest Avenue & 1 home on Prairie Avenue are affected	\$800,000.00	\$120,000.00	\$920,000.00
<p><b><u>Alternate 2 - 5,000 GPM Pump Station</u></b></p> <p>Capacity to handle short duration / high intensity event</p>	5,000 gpm	120,000 gallons	Potential flooding to elevation 614.90 6 homes on Forest Avenue are affected	\$975,000.00	\$150,000.00	\$1,125,000.00
<p><b><u>Alternate 3 - 5,000 GPM Pump Station</u></b></p> <p>Capacity based on April 2013 Rainfall event 5.5 inches over 24 hour with 1.75 inches falling in last hour, creek rising throughout event</p>	5,000 gpm	120,000 gallons + 150,000 gallon pond = 270,000 gallons total	Potential flooding to elevation 614.50 with 2 homes on Forest Avenue potentially affected	\$1,750,000.00	\$175,000.00	\$1,925,000.00

# INTERSECTION DRAINAGE STUDY PRAIRIE & WASHINGTON AVENUES

February 2014



Edwin Hancock Engineering Co.

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Westchester, Illinois 60154

Phone: 708-865-0300  
Fax: 708-865-1212

The Village of Brookfield has experienced flooding of the intersection of Prairie Avenue and Washington Avenue on an increased frequency due to rainfall events and Salt Creek water levels over the last 5 years.

### **Objective**

The purpose of this report is to review circumstances of particular recent flooding events and identify potential improvements to address the flooding.

### **1.0 Topography**

The intersection of Prairie and Washington Avenue is a localized low area within the Village and was at one time directly tributary to Salt Creek. The bridge on Washington Avenue was constructed to be above the flood plain of Salt Creek and the transition from the bridge to the Prairie and Washington intersection isolated it from being directly tributary to Salt Creek. Additionally, in response to past flooding events, a levee was constructed along the west bank of Salt Creek extending south from the bridge on the east side of Forest Avenue to prevent the frequent flooding of the properties on Forest Avenue and Prairie Avenue north of Lincoln Avenue in the 1980's. Although the levee provides protection to these properties during many storm events, it is our understanding that it was not designed to provide protection of these properties when Salt Creek reaches the 100-year Base Flood Elevation (BFE). Therefore, per FEMA maps, this area is located within the regulatory floodplain of Salt Creek as shown on **Exhibit 1.1**.

## 2.0 Existing Storm Sewer System

The Village has three storm sewer systems that can contribute to flooding experienced in the area of the Prairie and Washington Avenue intersection. The route and tributary drainage area for each of these storm sewer systems is shown on **Exhibit 2.1**. The following sections describe the service area and the storm event capacity of each system.

### 2.1 Prairie/Washington 24" Storm Sewer

The drainage of the intersection of Prairie and Washington Avenue is provided through a 24" storm sewer that runs along the north side of Washington Avenue and discharges into Salt Creek through a headwall on the west bank of Salt Creek located just north of the Washington Avenue bridge. The storm sewer was sized to convey a storm event of approximately 1 inch of rain falling in a period of 12 minutes for the 3.66 acre tributary area which includes portions of Prairie Avenue between Monroe Avenue and Lincoln Avenue, and Washington Avenue between Vernon Avenue and Salt Creek.

### 2.2 Washington 48" Storm Sewer

A 48" storm sewer in Washington Avenue passes through the intersection and discharges into Salt Creek through a headwall on the west bank of Salt Creek located just south of the Washington Avenue bridge. The 48" storm sewer has a tributary area of 48 acres that includes Washington Avenue from Vernon Avenue to Kemman Avenue, Maple Avenue from Brookfield Avenue to 31<sup>st</sup> Street, Grant Avenue from Maple Avenue to Blanchan Avenue, and the 260 feet of Forest Avenue directly south of Washington Avenue. The storm sewer has the capacity to convey the runoff of a storm event of approximately 1 inch of rain falling in a period of one hour.

### 2.3 Grand South 48" Storm Sewer

A 48" storm sewer that services 18.73 acres of the Village discharges through a headwall on the west bank of Salt Creek located approximately 340' south of Washington Avenue. The 48" storm sewer's service area includes Grand Boulevard between Veterans Circle and Grant Avenue, Lincoln Avenue from Grand Boulevard to Forest Avenue, Prairie Avenue from Brookfield Avenue to just north of Lincoln Avenue, and portions of Forest Avenue north of Lincoln Avenue to the outfall. The storm sewer has the capacity to convey the runoff of a storm event of approximately 1.6 inches of rain falling in a period of 48 minutes.

### **3.0 Types of Flooding at Prairie Avenue and Washington Avenue Intersection**

The flooding at the intersection of Prairie Avenue and Washington Avenue is caused by a combination of factors including the intensity of the rainfall, limited capacity of the storm sewers, and the elevation of the water in Salt Creek. When the rainfall intensity exceeds the capacity of the storm sewers, the storm water will begin to back up in the system and can reach levels where it ponds on the streets regardless of the water level in Salt Creek. When the elevation of the water in Salt Creek rises above the level of the pavement, the storm sewers effectively have no outlet and the storm water will begin to back up in the system and can reach levels where it ponds in the streets. We have examined three (3) different types of storm events and the effects that each would have on the storm sewer system and the intersection.

#### **3.1 Storm Event A – Local High-Intensity Storm**

The first type of storm event examined would be a localized, high-intensity storm event that exceeds the conveyance capacity of the pipe, which has a 10% chance of occurrence in a given year. In this type of event, Salt Creek would be at or near its normal dry weather flow elevation and the storm flows from the tributary area affected by the storm would not increase the water elevation of Salt Creek above the outfall. In this type of storm event, any period where the rate of rainfall is greater than 1 inch falling in a 12 minute period will result in water backup in the intersection due to the flows exceeding the capacity of the 24" storm sewer. The Village experienced this type of storm event in June 2010.

Typically in these events the water would pond in the intersection and then drain down over 1 to 3 hours as the pipe capacity is able to convey flows to Salt Creek. This type of event also tends to create localized flooding issues throughout the Village as it generally exceeds the design capacity of the systems sewers. In this type of storm event, the intersection may also receive additional tributary flows from areas north and south on Prairie Avenue and west on Washington Avenue as the runoff rate exceeds the capacity of those normal receiving sewer systems, and the natural overland flow route is to the Prairie and Washington Avenue intersection.

#### **3.2 Storm Event B – Salt Creek High Water Levels**

The second type of storm event examined would be a longer duration storm event in which the water level in Salt Creek is either above the storm sewer outlet at the beginning or rises above the outlet during the storm consequently restricting the flow of runoff into Salt Creek. In this scenario, runoff cannot exit the intersection until the water level in the intersection rises above the water level in Salt Creek. The critical elevation for the intersection is the lowest catch basin rim which is 613.90. When the water level in Salt Creek exceeds this elevation, it will result in increasing depths of water ponding in the intersection.

Typically in this type of event, the storm water initially begins to flood Forest Avenue just south of Washington Avenue (lowest rim elevation = 612.45). As the water in the creek continues to rise, the depth of ponding on Forest Avenue increases and eventually the storm runoff begins to overflow the manhole at Prairie and Washington Avenue.

During the first two types of storm events, the drainage issues at the Prairie and Washington Avenue intersection can be exacerbated by additional flows from the Washington Avenue storm sewer overflowing the manhole structure in the intersection as its flows either exceed the conveyance capacity of the pipe or the water cannot discharge into Salt Creek because the pipe is blocked by the water level in the creek. Since the drainage structures at the intersection of Prairie and Washington Avenue are connected to the 24" storm sewer, the overflows from the manhole add to the amount of runoff being conveyed by the 24" Prairie Avenue storm sewer.

The flooding on Forest Avenue is also related to the Prairie and Washington Avenue drainage as the drainage is interconnected through the Washington 48" Storm Sewer system and eventually overland flow.

### 3.3 Storm Event C – Levee is Overtopped

The third type of storm event examined would be a storm event in which the water level in Salt Creek exceeded the levee protected elevation and resulted in overland flooding from Salt Creek, which is the low point in the levee at elevation 615.80. In these circumstances the Forest Avenue levee is overtopped and water floods the low areas behind the levee. The water level increases it continues to encompass more of the area until it reaches 616.40 (100-year Base Flood Elevation) or higher, which roughly corresponds to a reading of 10.0 on the Western Springs gauge. In this circumstance, the storm sewer outfalls are blocked by the high water on the creek side of the levy and the system is unable to convey water. In the last 5 years this type of event occurred in September of 2008, July of 2010 and in April of 2013. Prior to the overtopping, Forest Avenue and the intersection of Prairie Avenue and Washington Avenue typically have become flooded from runoff that could not exit the storm sewer outlets into Salt Creek, and the additional flows from the creek quickly fill the remaining volume on the dry side of the levee with water.

#### **4.0 Design Approaches**

The design approaches reviewed considered leaving the existing levee in place and infrastructure improvements to mitigate the impacts of flooding. The scope of the projects does not include methods to address individual properties through flood proofing, elevation or purchase. Additionally methods to address structure flooding due to foundation seepage or sewer back-up is not included in the potential solutions covered in this report.

##### **4.1 Increase Sewer Pipe Capacity to convey peak flows and additional tributary areas.**

The intersection of Prairie and Washington Avenue does not have an overland flow route to Salt Creek that would allow high-intensity storm events to be conveyed to the creek. This is due primarily to the elevation of Washington Avenue's bridge and the Forest Avenue levee construction which was constructed to reduce the occurrences of flooding due to the overbanking of Salt Creek. Increasing the size of the Prairie Avenue sewer pipe would allow for increased conveyance of flows to Salt Creek in the high-intensity events as long as the water level in the creek remains low enough to permit flows to discharge into Salt Creek. Once the water level in Salt Creek rises above the sewer pipe, the only way to convey flows is by increasing the hydrostatic head with increased water levels acting on the upstream side of the pipe to push the water through the pipe. The constraining issue is that the intersection of Prairie and Washington is relatively low and the available head is limited.

A review of storm events from 2007 to the present based on the USGS gauge reading on Salt Creek in Western Springs indicates the creek's normal water flow is approximately 2.4 feet on the gauge. A gauge reading of 7.0' in Western Springs is indicative of the potential to have flooding due to a restricted release from the storm sewer outlets into Salt Creek if sewer flows remain tributary to the creek after this elevation has been reached. There have been 38 occurrences where this has occurred since January 2008, as indicated in **Exhibit 4.1**. While each of these occurrences did not necessarily result in flooding, they identify potential circumstances that flooding could occur on Forest Avenue south of Washington Avenue due to a restricted discharge. Additionally in 6 of the 38 occasions mentioned the creek level rose above the elevation of the intersection of Prairie and Washington Avenues. On these occasions where the water in Salt Creek reached this elevation but street flooding was not experienced, it is likely that either no additional rainfall occurred after reaching this elevation, the runoff volume was contained within the existing storm sewer pipes, or that sufficient head was created in the system that allowed water into Salt Creek but not significant enough to require water to be above the lowest catch basin rims and therefore street flooding was not observed.

Increasing pipe capacity would allow conveyance of storm flows to the creek as long as its water level remained below the outfall elevation. The benefit of the increased pipe size in instances when the water level in Salt Creek rises above the pavement elevation of the intersection of Prairie and Washington Avenues is very low.

#### 4.2 Utilize Pump Station to convey runoff during high water levels in Salt Creek

Each of the Village's storm sewers that are tributary to Salt Creek near the Prairie Avenue and Washington Avenue intersection are protected from the creek backing up into the sewer pipe by a flap gate installed on the headwall. The flap gates are critical for protecting the low areas on the dry side of the levee, as shown on **Exhibit 4.2**, from high water levels in Salt Creek. In storm events that generate runoff after these flap gates are closed, the volume of runoff generated after the closure has no outlet and therefore becomes trapped on the dry side of the levee. Water initially begins to pond on Forest Avenue south of Washington Avenue and then on the Prairie and Washington Avenue intersection as the flows from the intersection and upstream areas are blocked from entering the creek. The volume of runoff generated after the closure of the flap gates determines the amount of flooding that occurs on the dry side of the levee. **Exhibit 4.3 through 4.8** indicates the extent of flooding and the volume of storage that occurs on the dry side of the levee at various critical elevations.

The use of pumps can mitigate the effect of the flooding during times that the flap gates are closed due to high water levels. Pumps would be utilized to continue to convey water into Salt Creek thereby reducing the overall depth and duration of the flood event. We reviewed different methods of providing pumps including temporary, manually operated pumps and we recommend that a permanent pump station be utilized to address flows once the flap gates are closed. The benefits of a permanent pump station are:

- 1) The pump station is available to address the issue regardless of the time of day the event occurs. The Village response is subject to having sufficient staff available to address the issue. Response to events occurring in the evening or early morning can be delayed by the availability of staff.
- 2) The frequency and demand for the pumping can be unpredictable. As indicated earlier, there have been 38 occurrences in the last 5 years that the flap gates closure may have resulted in the need for pumping. The Village has recorded only six (6) of those events resulting in flooding occurring within the intersection, meaning that limited runoff was generated after the flap gates closure in 60% of those events.
- 3) The pump station can have pumps managed to turn on in series, thereby making an efficient and measured response, instead of cycling a single large pump continually on and off for lesser events.
- 4) The pump station would give Village staff time to evaluate Salt Creek rising water levels and develop an appropriate response, which would allow the Village to be proactive in flood fighting rather than the reactive position it currently can find itself in due to the unpredictability of the event occurrence.

The primary benefit of the pump station is in mitigating the flooding occurrences whenever the water level in Salt Creek prevents the storm sewers from conveying flows into the creek. The waters would be conveyed utilizing an overflow structure to an underground chamber that would be used to create a wet well to store sufficient volume of water to efficiently operate the pump station. The size of the pumps and their staging would determine the minimum required wet well capacity. In the instances when the levee is overtopped, the pump would be shut down until the water level in Salt Creek recedes below the levee. In this scenario the pump station would be utilized to drain down the flood waters decreasing the duration that residents experience flooding. Depending on the size of the designed pump facility, we estimate that the water could be pumped down and the pavements opened within 4 - 6 hours after the water level has receded below the levee elevation.

### **5.0 Levee Condition**

Based on discussions with staff, it appears that the levee was constructed partly from flood fighting efforts that occurred several years after the original Flood Insurance Study and Flood Insurance Rate Map (FIRM) was adopted in 1980, which is most likely the reason why the levee is not recognized on FIRM maps. Our understanding is that it initially consisted of stacked sand bags that were later covered by a layer of dirt.

The elevation of the top of the levee varies but is approximately at the 100-year Base Flood Elevation (616.4). There is a slight dip in the levee approximately at the bend point in Forest Avenue where the top of levee elevation is 616.05. On the south end of the levee, it tapers down and meets the natural ground elevation at approximately 615.8.

The area currently protected by the levee is shown on **Exhibit 5.1** and is lower than the Base Flood Elevation of Salt Creek. The Village could consider providing additional protection for the area by increasing the height and length of the levee so that the frequency of overtopping could be reduced; however, issues as identified in the MWRDGC's Detailed Watershed Plan for the Lower DesPlaines River Watershed regarding compensatory storage would need to be defined through a more comprehensive study as there is significant cost to meeting this requirement. It is also likely that the entire levee would need to be re-built as the original construction does not meet current standards.

As identified in Living Waters Consultant's condition report, measures such as streambank stabilization should be examined to ensure that the levee continues to remain stable and viable and is able to provide the current level of flood protection.

It should be noted that the Village is allowed to undertake temporary flood fighting efforts including increasing the height and/or extending the levee during flood events. However these temporary measures must be removed after the flooding danger has passed.

## **6.0 Summary of Potential Improvements**

The intersection of Prairie and Washington Avenues is and will remain susceptible to flooding because the overland flow route to the Salt Creek for the intersection has been altered by the construction of the Washington Avenue Bridge and the Forest Avenue levee. Levee protected areas require the use of pump facilities to convey runoff from the dry-side once the elevation on the creek/river/lake exceeds the height of the gravity outlet, which can cause what is termed as internal flooding. Over the last 5 years, the Chicagoland area and the Village of Brookfield specifically have seen an increase in the frequency of storm events that have resulted in elevated creek levels being encountered. This has occurred due to a combination of the hydrology of specific events and changes in the hydraulics of the tributary area of the entire Salt Creek tributary area.

The stability of the Forest Avenue levee is important in keeping the area protected during high water events in Salt Creek. Failure of the levee would result in increased frequency of flooding within the area. Stabilizing the existing levee should be considered as a priority. The issues concerning regulatory requirements of constructing or reconstructing the levee at a higher elevation to provide additional protection to the area have significant costs and land use impacts due to the need to provide compensatory storage. The Village will need to work with the various regulatory agencies to address the long term solutions regarding this issue. The Village and residents can utilize temporary flood fighting measures to address the impacts of storms as they occur and these measures should be considered in the Village's emergency response plan.

In addition to the work on the levee, the Village should consider implementing a strategy to address runoff from areas being conveyed to Salt Creek in the area of the Prairie and Washington Avenue intersection during high water events. The practical solution is to construct a lift station to address circumstances when Salt Creek's water elevation prevents the runoff from the storm sewers from entering the creek. Our recommendation is that the Village constructs a permanent lift station to address sewer flows after the creek elevation has closed the flap gates. The lift station would be constructed on the north side of Washington Avenue on the west side of the Salt Creek, which according to best available information is unused Forest Avenue right-of-way. This area is located above the flood elevation of the creek and is accessible during emergencies from Monroe Avenue. It is also recommended that a natural gas generator be included as an emergency power supply for the pump station as often the storm events have affected power in the area. We reviewed various pump station and storage configurations and analyzed the potential impacts in specific storm events. The following is a summary of potential improvements their cost and the expected benefit:

### **1. 4,000 GPM Pump Station with Underground Storage**

A pump station having a capacity of 4,000 gallons per minute (gpm) was evaluated to address tributary flow area of Prairie and Washington Avenue intersection for events addressing potential events of more commonly occurring event. The 1.0 inch rainfall was analyzed as it addresses approximately 90% of the rainfall events that occur within the region. The analysis assumed that the water level in Salt Creek was above the outfall elevations that resulted in a

restricted conveyance of storm water. The pump station would therefore be pumping all runoff from the overland and piped tributary area of intersection.

The result was that a pump station with a total pump capacity of 4,000 gpm could be utilized to convey runoff for these rainfall events provided that 70,000 gallons of storage was constructed below grade.

Estimated Cost of Improvement: \$920,000, inclusive of the 4,000 GPM pump Station, wet well and below grade storage volume, emergency power supply, diversion chambers and force main.

## **2. 5,000 GPM Pump Station with Underground Storage**

A pump station having a capacity of 5000 gallon per minute (gpm) was evaluated to address tributary flow area of Prairie and Washington Avenue intersection for a short duration event with a high intensity (1.0 inches of rainfall over 10 minutes) which is a peak 1% Annual Chance of Occurrence event with regards to the intensity of the rainfall. The analysis assumed that the water level in Salt Creek was above the outfall elevations that resulted in a significantly restricted conveyance of storm water. The pump station would therefore be pumping all runoff from the overland and piped tributary area of intersection.

The result was that a pump station with a higher total pump capacity of 5,000 gpm and an increased underground storage capacity of 120,000 gallons could be utilized to convey runoff for these rainfall events.

Estimated Cost of Improvement: \$1,125,000, inclusive of the 5,000 GPM pump Station, 120,000 gallon wet well and below grade storage volume, emergency power supply, diversion chambers, force main piping and restoration.

## **3. 5,000 GPM Pump Station with Underground Storage & Surface Detention Pond**

We also analyzed a more typical storm event when Salt Creek is at normal water levels and rises during the storm event. In this event a portion of the runoff enters the creek prior to the flap gates closing, as encountered in April of 2013. We analyzed the flows that are tributary to the Washington Avenue and Prairie Avenue intersection, which also included the overflow rate from the Washington Avenue 48" through the manhole at Prairie and Washington Avenue intersection. The pump station would utilize a total pump capacity of 5,000 gpm to convey runoff for the rainfall event and 120,000 gallons of underground storage would be provided to function as the wet well based on the pump capacity. The proposed surface reservoir would have a total depth of 10 feet and have a functional depth of 8' (water surface of 613.00) for a total storage of 150,000 gallons. In this storm event which had 5.5 inches of rainfall over a 24

hour period, but also had embedded periods of higher intensity rainfall, especially in the morning of April 17<sup>th</sup>, the internal causes of flooding could be addressed. The overland flooding due to the levee being overtopped would still need to be addressed by flood fighting measures.

Estimated Cost for the improvement: Inclusive of lot purchase, demolition, excavations for detention, landscape restoration, pump station, wet well, emergency power supply, and storm sewer piping. \$1,925,000.00, of which we have budgeted \$600,000 for property acquisition and demolition of two residential structures.

## **7.0 Regional Programs & Funding**

The above costs and scenarios offer levels of protection for the various improvements. Based on the flooding that has occurred since 2008, there has been a renewed focus on addressing the causes and impacts of flooding on a regional basis.

The MWRDGC Detailed Watershed Plan for the Lower DesPlaines River Watershed identified many of the causes and potential solutions to address flooding. As a result of that report the MWRDGC developed a program to address overland issues as part of their Phase I recommendations. Specifically mentioned is Salt Creek in Brookfield with proposed floodwalls for protection of the area along the west side of Salt Creek between Brookfield and Washington Avenues. At this time costs have been identified but other projects within the region with much higher benefit/cost ratios have higher priority.

The MWRDGC has recognized that other types of flooding not directly related to overland flooding, such as Brookfield's "internal flooding", also need to be addressed. They are in development of Phase II of the Stormwater Management Program that will provide funding for these type of "local" flooding projects. Our office worked with Village staff to submit the project for consideration under this program. The MWRDGC has indicated that the program could provide 50-75% of the funding for the project. Any upfront costs incurred by the Village such as design engineering and land acquisition would be taken into account when the MWRD determines the funding level for the project even if completed in advance of an agreement. The MWRD currently has authority to address regional storm water issues and it is working with the State of Illinois to add the authority to address "local" issues as well.

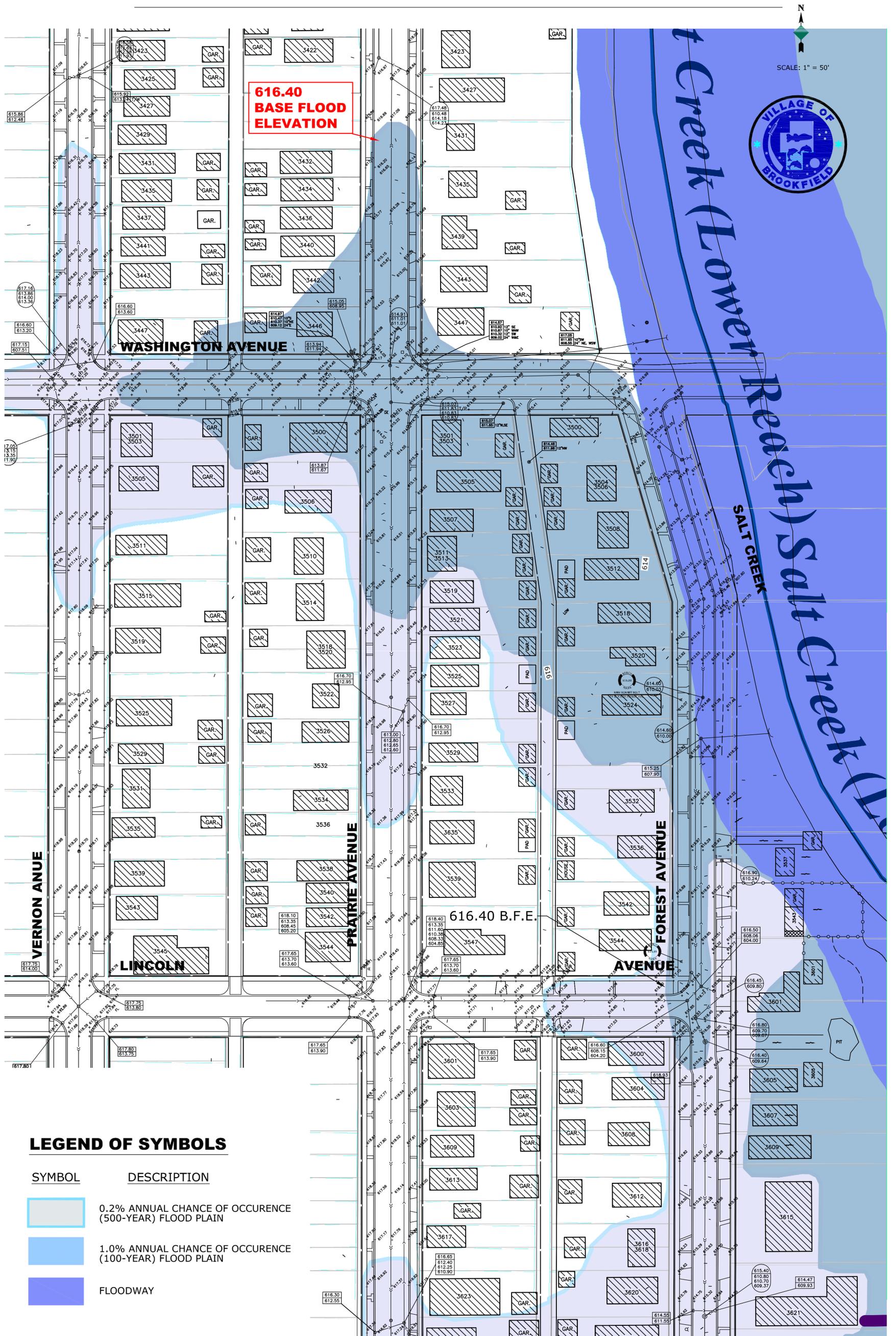
Additionally the Army Corps of Engineers has recently released their Upper Des Plaines River and Tributaries, Illinois and Wisconsin Feasibility Study for comment. This study identifies proposed improvements such as floodwalls, but also includes programs to address elevating flood prone buildings or purchase of and demolition of repetitive loss structures. While Army Corps has not identified Salt Creek specifically for their programs (the Des Plaines River was the focus of their study), their program emulates other existing programs such as FEMA's Repetitive Loss Program which provides funding for purchase of structures that have had frequent damage and are voluntarily offered for purchase and turned into open space.

**LIST OF EXHIBITS**

**Exhibits Referenced in Report**

- Exhibit 1.1 Regulatory Floodplain of Salt Creek
- Exhibit 2.1 Tributary area for 24" Prairie/Washington storm sewer, Tributary area for Washington 48" Storm Sewer, Tributary Area for Grand South 48" Storm Sewer
- Exhibit 4.1 List of Critical Storm Events Since 2008
- Exhibit 4.2 Cross section of critical elevations protected by Forest Road Levee
- Exhibit 4.3 - 4.8 Area of Inundation at Various Salt Creek Water Elevations
- Exhibit 5.1 Levee and Flood Stages Cross Section

# EXHIBIT 1.1 REGULATORY FLOOD PLAIN OF SALT CREEK

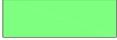


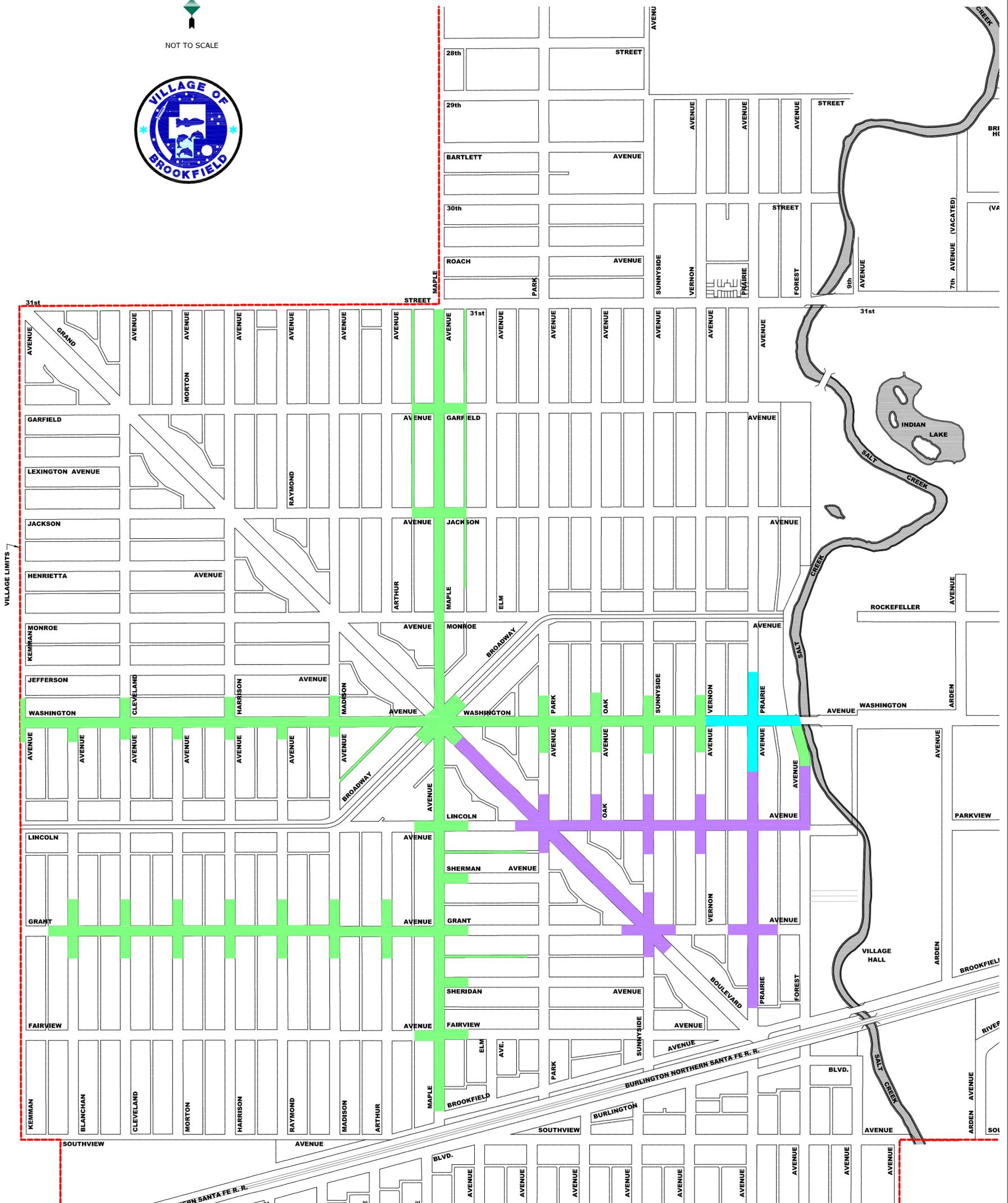
## VILLAGE OF BROOKFIELD, ILLINOIS FLOOD MITIGATION STUDY

# EXHIBIT 2.1

## STORM SEWER SYSTEMS TRIBUTARY TO SALT CREEK

### LEGEND OF SYMBOLS

SYMBOL	DESCRIPTION
	TRIBUTARY AREA TO THE PRAIRIE/WASHINGTON 24" STORM SEWER, 3.66 ACRES
	TRIBUTARY AREA TO THE WASHINGTON 48" STORM SEWER SYSTEM, 47.98 ACRES
	TRIBUTARY AREA TO THE GRAND SOUTH 48" STORM SEWER SYSTEM, 18.73 ACRES

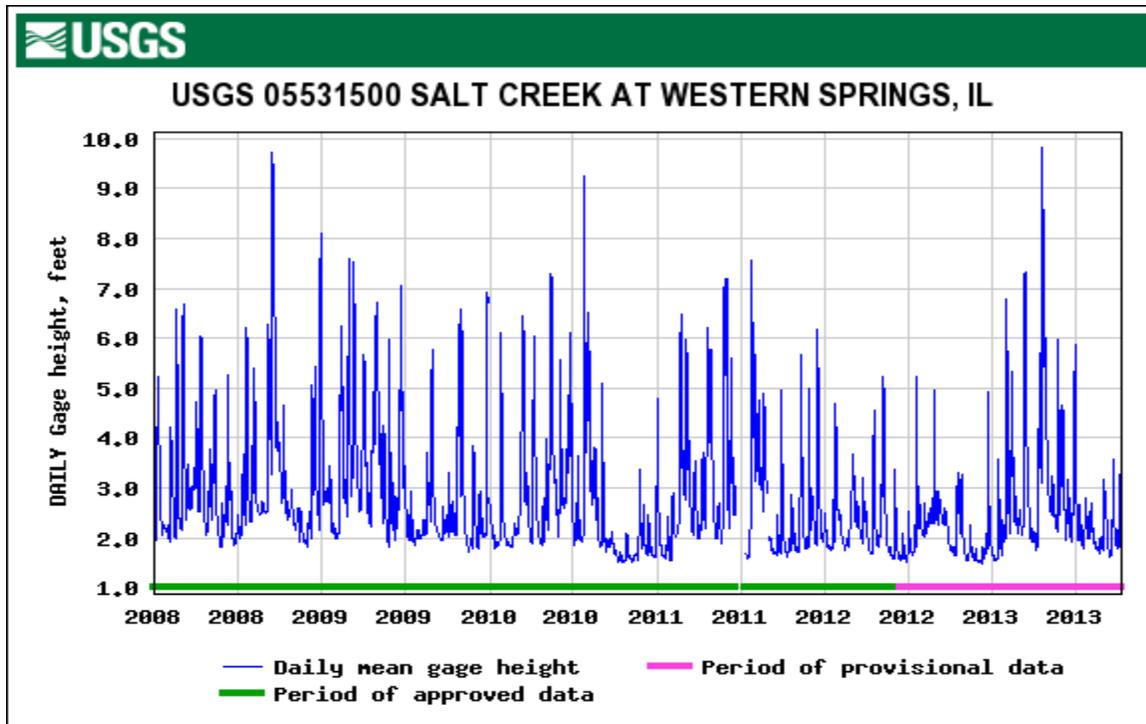


## VILLAGE OF BROOKFIELD, ILLINOIS

### FLOOD MITIGATION STUDY

## EXHIBIT 4.1

### CRITICAL STORM EVENTS SINCE 2008



#### Storm Events – Salt Creek Water Elevations Overtops Levee:

2008 - September  
2010 - July  
2013 - April

#### Storm Events – Salt Creek Water Elevation Exceeds Elevation of Prairie/Washington Intersection

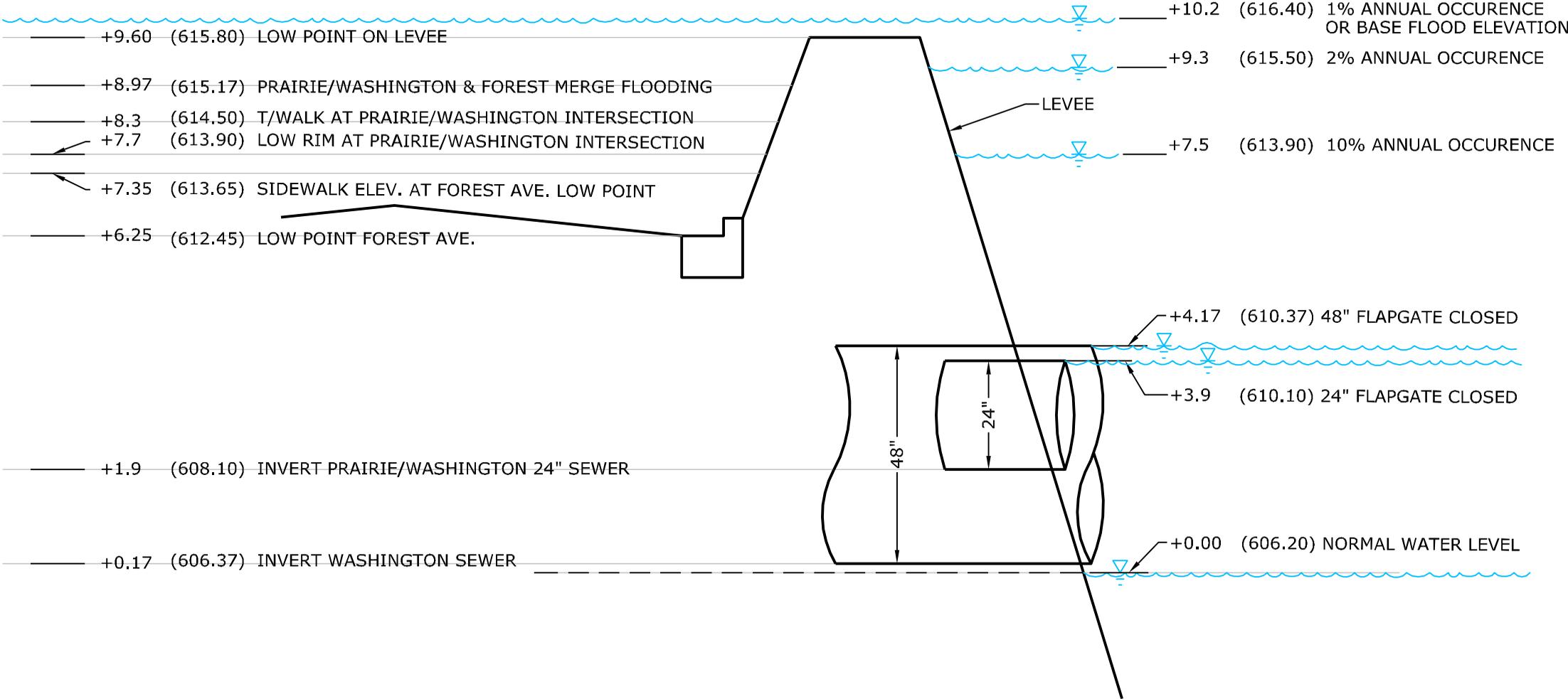
2008 - September, December  
2009 - February, March  
2010 - July  
2013 - April

#### Storm Events - Salt Creek Water Elevations Exceed Sewer Outlets

2008 - February, March, April, May, July, September(2), December  
2009 - February, March, April, May (2), October,(2), December  
2010 - January, March, April, May, June(2), July, August  
2011 - February, April, May(2), July(2), December  
2012 - July, August  
2013 - January, March, April, May, June

# EXHIBIT 4.2

## LEVEE & FLOOD STAGES CROSS SECTION



Drawing file: W:\Projects\_by\_Millage\Brookfield\12513131 - Flood Mitig'n\_Program\Site\_Flood Mitig'n\_Composit - Surface.dwg Oct 09, 2013 - 3:45pm



♦ Civil Engineers  
 ♦ Municipal Consultants  
 ♦ Established 1911

9933 Roosevelt Road  
 Westchester, Illinois 60154-2780  
 Phone: 708/865-0300  
 Fax: 708/865-1212

DRAWN BY: DMM  
 DATE: 10-9-13  
 EHE NO: 125-13-13105

# EXHIBIT 4.3

## SURFACE STORAGE VOLUME AT 613.55

**SURFACE STORAGE ELEV.**  
613.55

**DESCRIPTION**

SURFACE STORAGE AT TOP OF WALK ON FOREST AVENUE

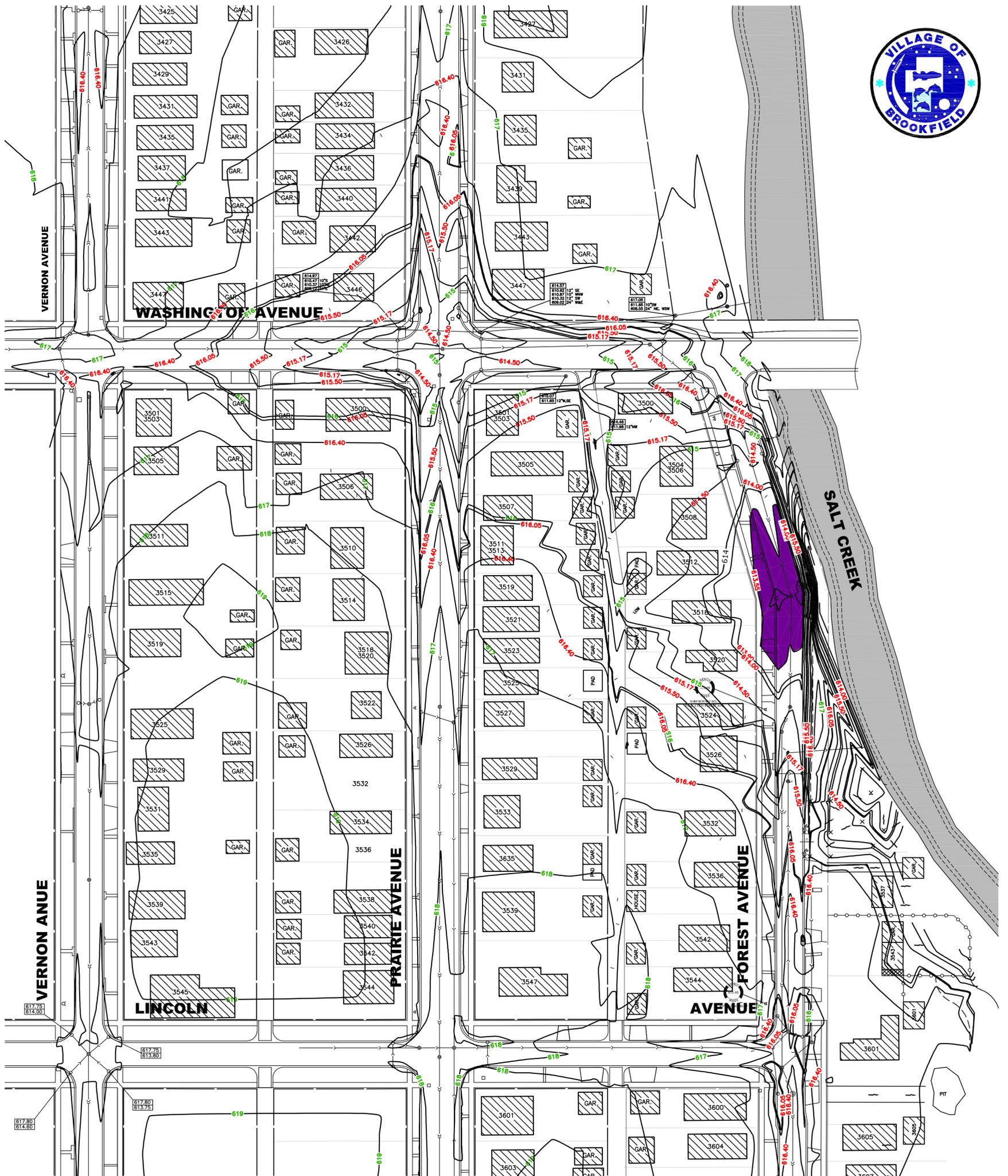
**WATER VOLUME STORED ON DRY SIDE OF LEVEE**

**LIMITS**

**VOLUME (CF)**



1,156



### VILLAGE OF BROOKFIELD, ILLINOIS FLOOD MITIGATION STUDY

# EXHIBIT 4.4

## SURFACE STORAGE VOLUME AT 614.00

**SURFACE STORAGE ELEV.**  
614.00

**DESCRIPTION**

SURFACE STORAGE AT INTERMEDIATE ELEVATION

**WATER VOLUME STORED ON DRY SIDE OF LEVEE**

**LIMITS**

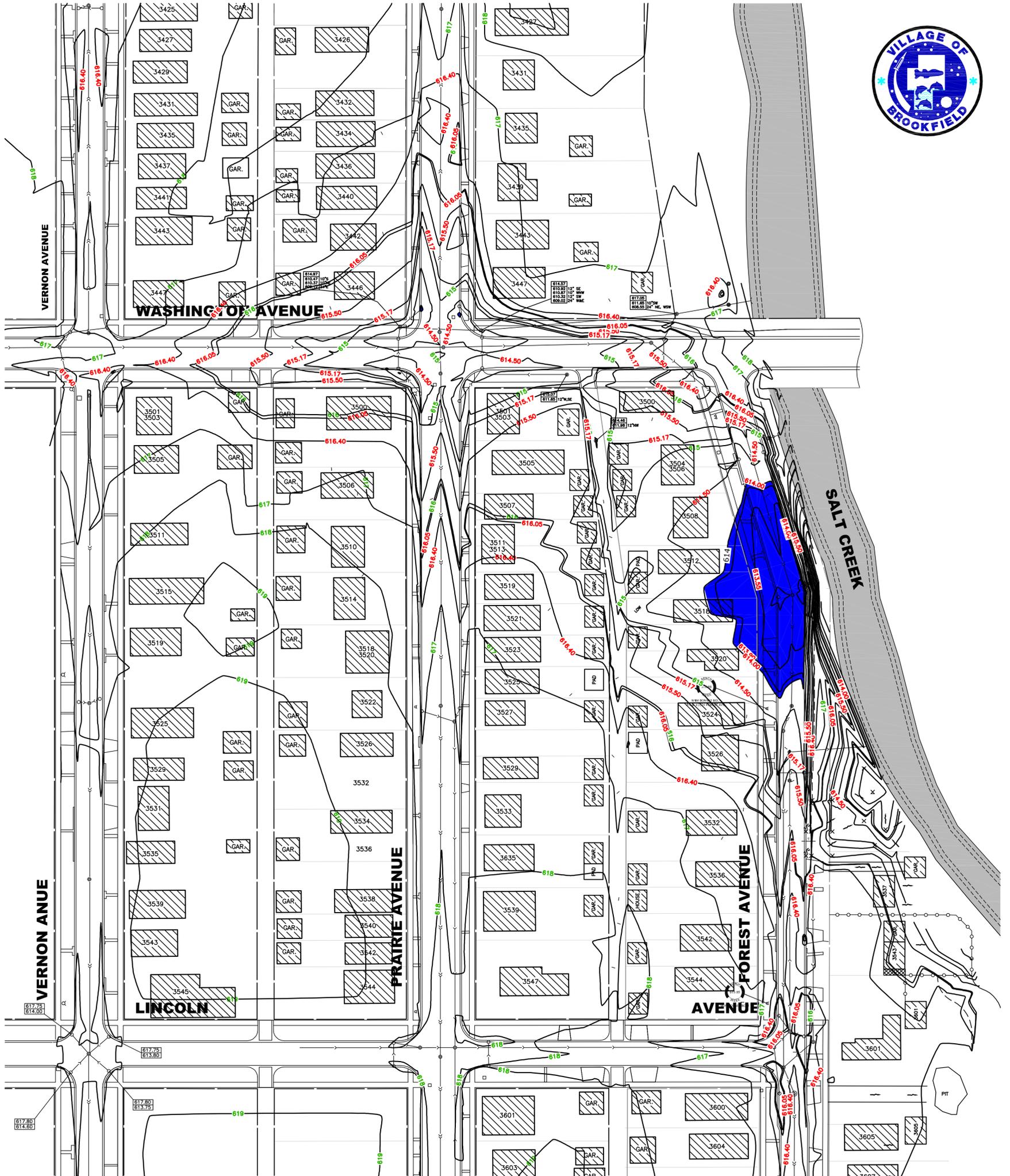
**VOLUME (CF)**



4,884



NOT TO SCALE



### VILLAGE OF BROOKFIELD, ILLINOIS FLOOD MITIGATION STUDY

# EXHIBIT 4.5

## SURFACE STORAGE VOLUME AT 614.50

**SURFACE STORAGE ELEV.**  
614.50

**DESCRIPTION**

SURFACE STORAGE AT 614.50  
INTERMEDIATE ELEVATION

**WATER VOLUME STORED ON DRY SIDE OF LEVEE**

**LIMITS**

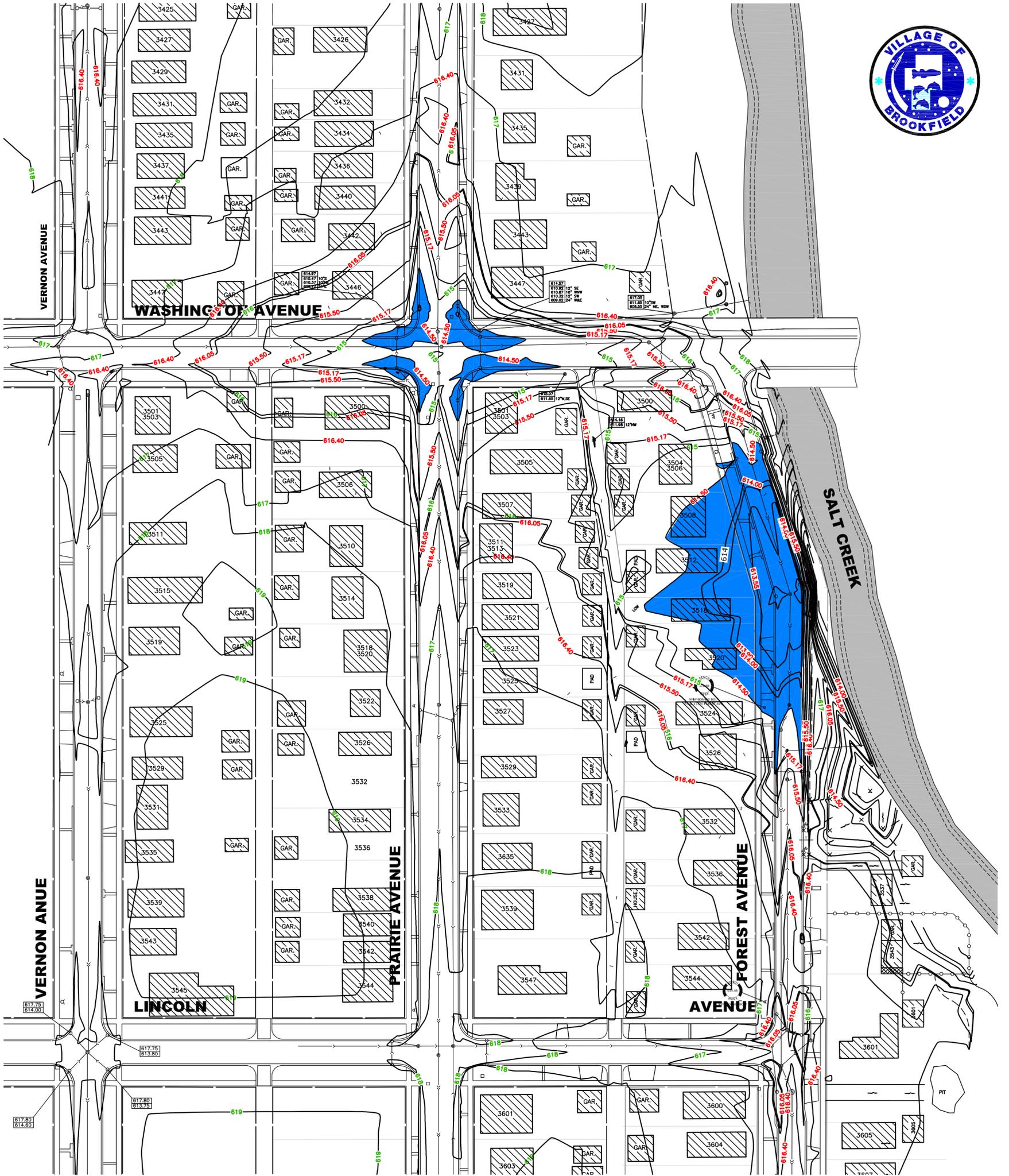
**VOLUME (CF)**



13,986



NOT TO SCALE



### VILLAGE OF BROOKFIELD, ILLINOIS FLOOD MITIGATION STUDY



Civil Engineers  
Municipal Consultants  
Established 1911

933 Roosevelt Road  
Woodstock, Illinois 60119-2788  
Phone: 708.865-6300  
Fax: 708.865-3212

DRAWN BY: TSG, DMM  
DATE: 9-27-13  
EHE NO: 125-13-13105

# EXHIBIT 4.6

## SURFACE STORAGE VOLUME AT 615.17

**SURFACE STORAGE ELEV.**  
615.17

**DESCRIPTION**

SURFACE STORAGE AT PRAIRIE/WASHINGTON & FOREST AVE FLOODING MERGE

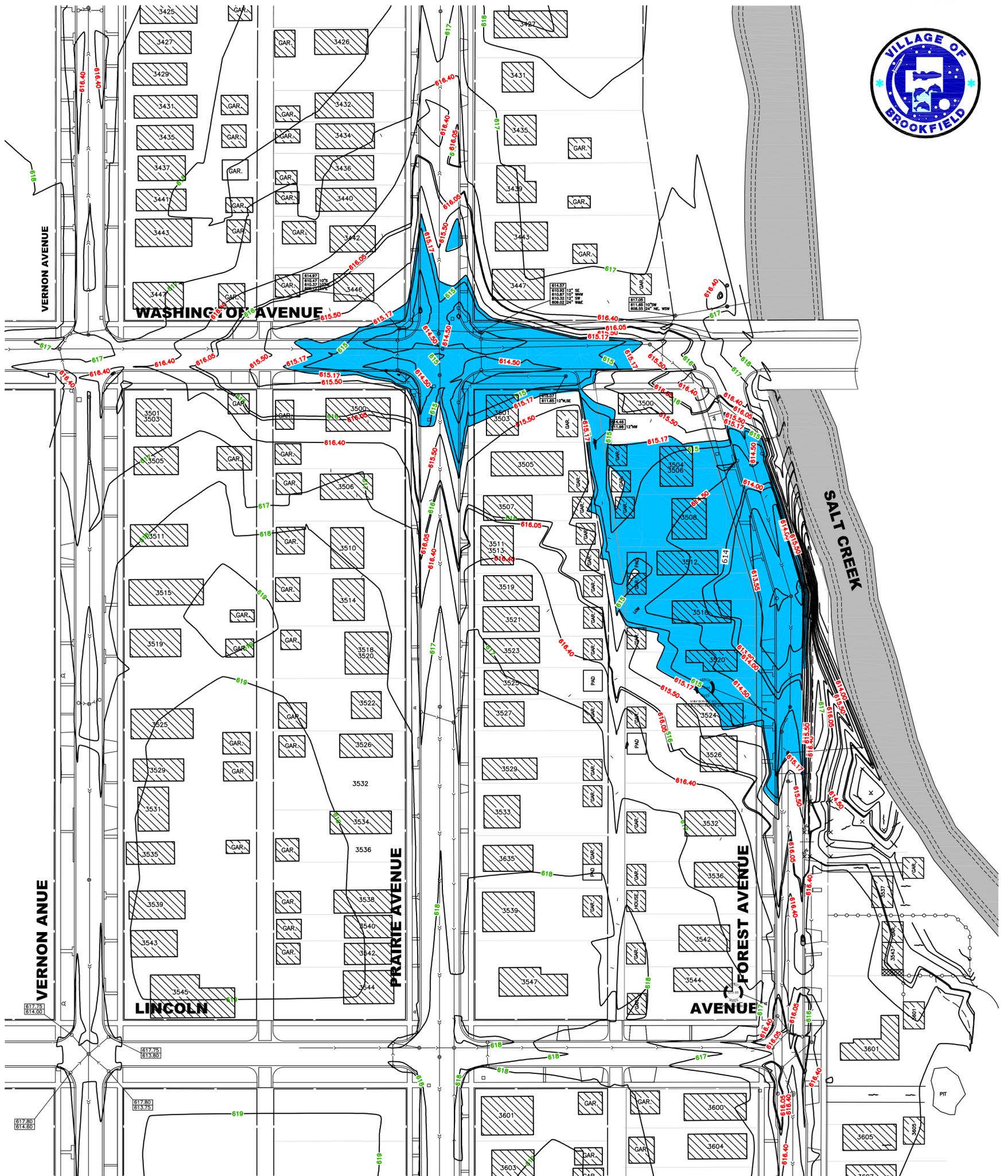
**WATER VOLUME STORED ON DRY SIDE OF LEVEE**

**LIMITS**



**VOLUME (CF)**

46,333



### VILLAGE OF BROOKFIELD, ILLINOIS FLOOD MITIGATION STUDY

# EXHIBIT 4.7

## SURFACE STORAGE VOLUME AT 615.50

**SURFACE STORAGE ELEV.**  
615.50

**DESCRIPTION**

SURFACE STORAGE AT INTERMEDIATE ELEVATION (50 YEAR B.F.E.)

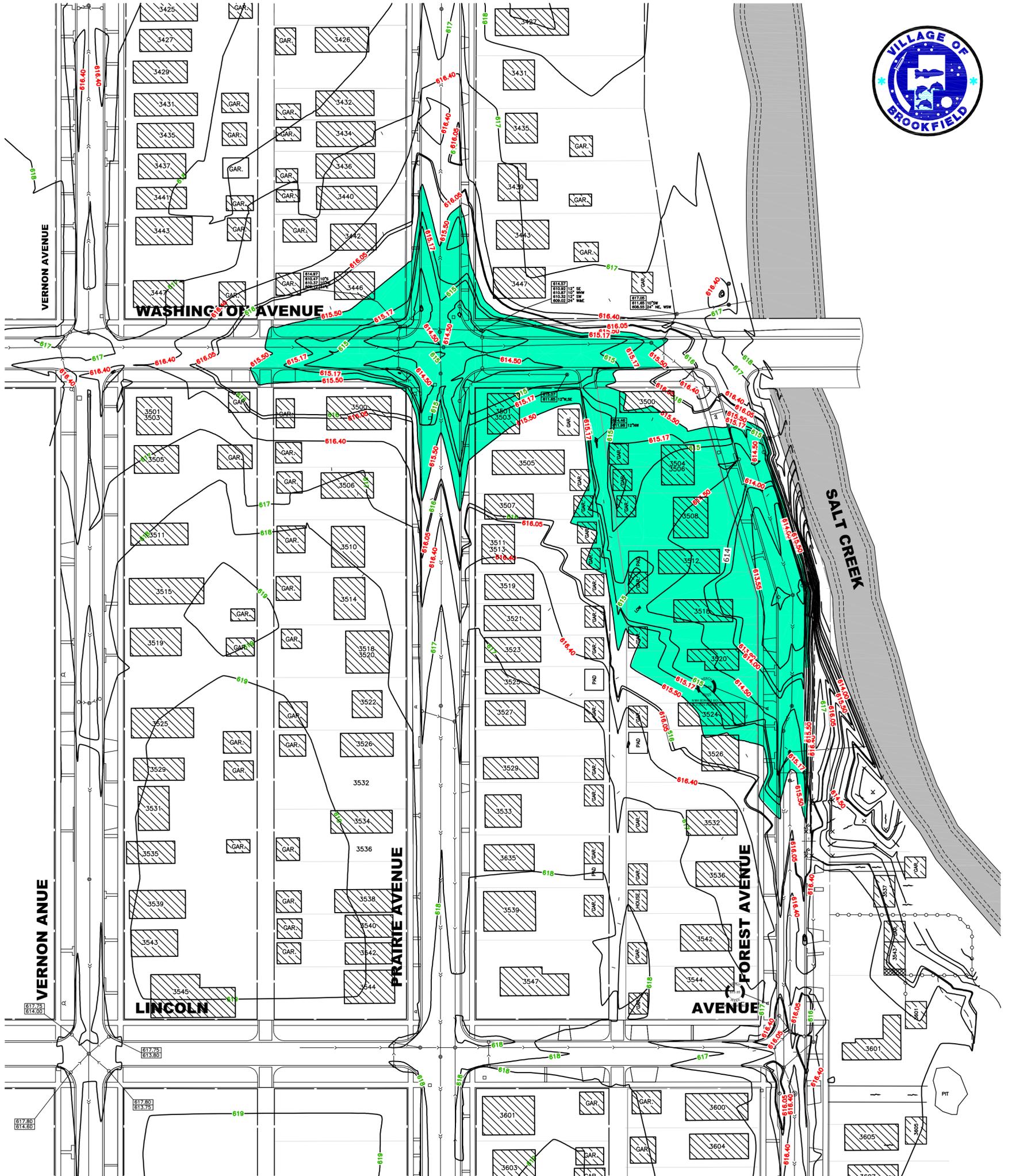
**WATER VOLUME STORED ON DRY SIDE OF LEVEE**

**LIMITS**

**VOLUME (CF)**



73,072



### VILLAGE OF BROOKFIELD, ILLINOIS

## FLOOD MITIGATION STUDY

# EXHIBIT 4.8

## SURFACE STORAGE VOLUME AT 616.00

**SURFACE STORAGE ELEV.**  
616.00

**DESCRIPTION**

SURFACE STORAGE AT TOP OF LOW SPOT OF LEVEE

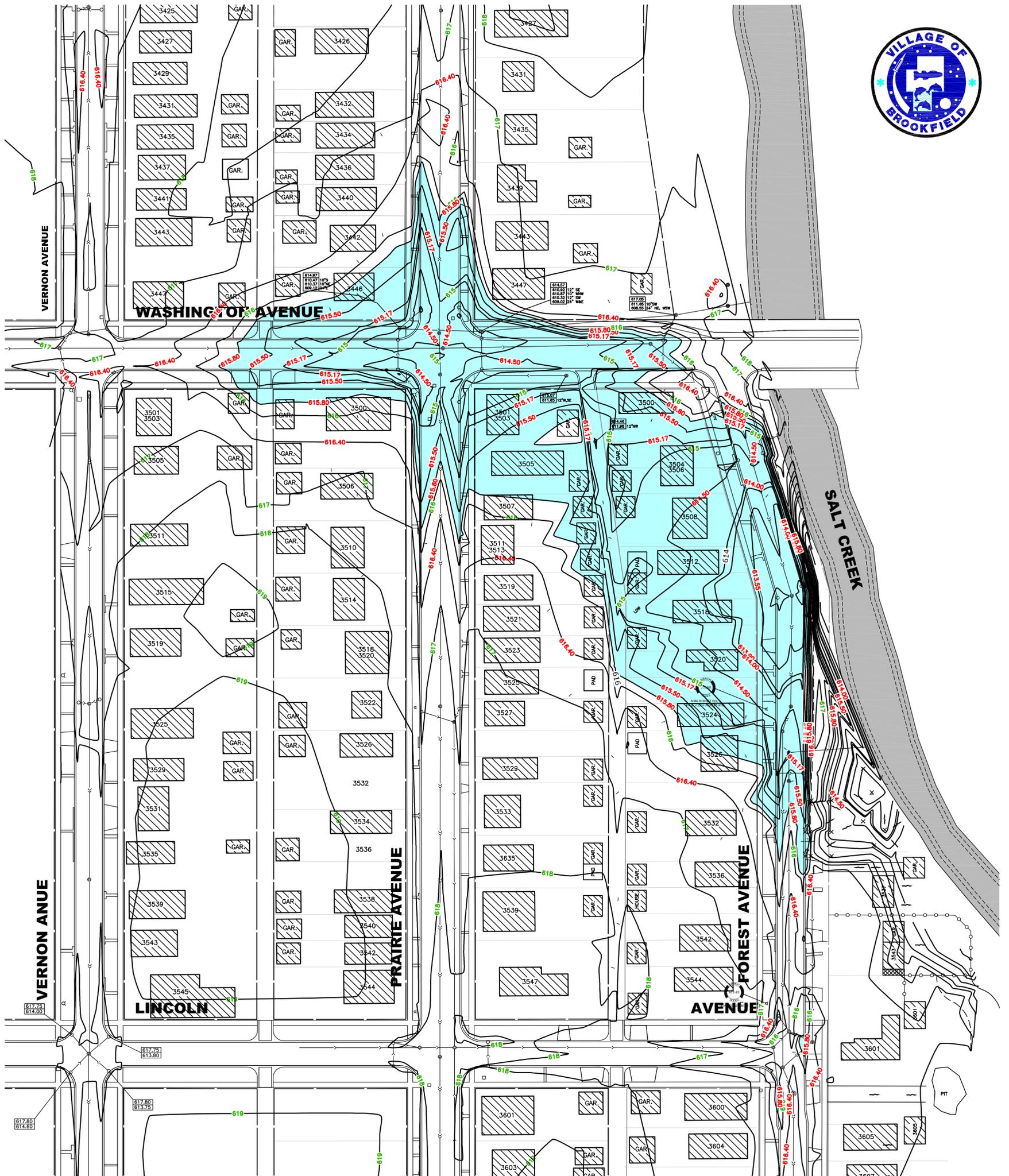
**WATER VOLUME STORED ON DRY SIDE OF LEVEE**

**LIMITS**

**VOLUME (CF)**



137,185



### VILLAGE OF BROOKFIELD, ILLINOIS

## FLOOD MITIGATION STUDY



Civil Engineers  
Municipal Consultants  
Established 1911

9933 Rosemead Road  
Woodbury, Illinois 61427-2700  
Phone: 708-865-6300  
Fax: 708-865-1212

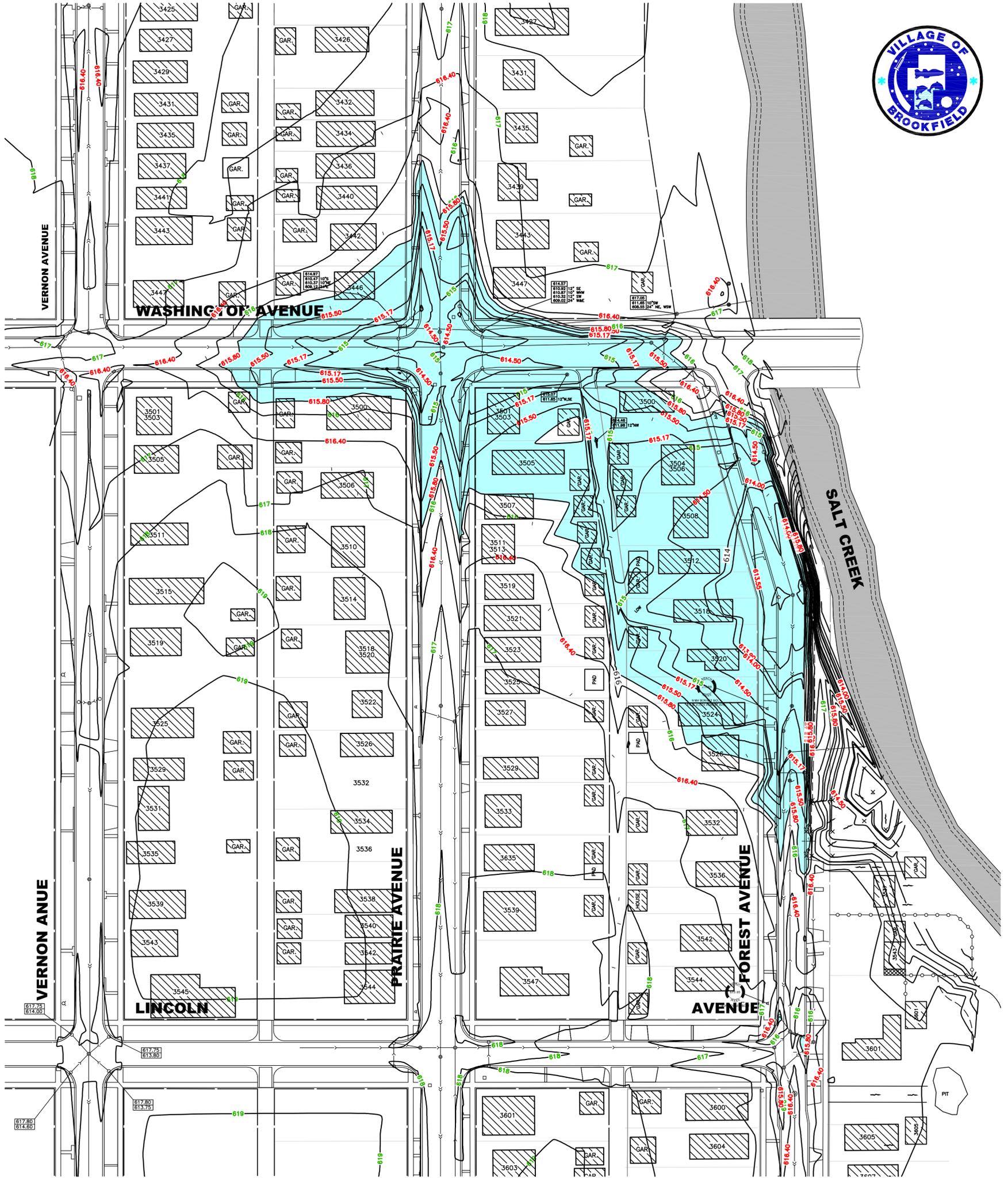
DRAWN BY: TSG, DMM  
DATE: 10-9-13  
EHE NO: 125-13-13105

# EXHIBIT 5.1

## AREA PROTECTED BY LEVEE AND FLAP GATES (615.80)

### WATER VOLUME STORED ON DRY SIDE OF LEVEE

SURFACE STORAGE ELEV.	DESCRIPTION	LIMITS	VOLUME (CF)
615.80	SURFACE STORAGE AT TOP OF LOW SPOT OF LEVEE		104,582



## VILLAGE OF BROOKFIELD, ILLINOIS FLOOD MITIGATION STUDY



Civil Engineers  
 Municipal Consultants  
 Established 1911

9933 Rosemead Road  
 Woodbury, Illinois 61472-2788  
 Phone: 708-865-6300  
 Fax: 708-865-2122

DRAWN BY: TSG, DMM  
 DATE: 10-9-13  
 EHE NO: 125-13-13105

Drawing File: W:\Projects\_by\_Village\Brookfield\12513131 - Flood Mitig'n - Program\Site\Flood Mitig'n Composite - Surface.dwg Oct 09, 2013 - 3:33pm



## COMMITTEE ITEM MEMO

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**ITEM:** Brookfield North Riverside Water Commission – Supplemental Water Supply  
**COMMITTEE DATE:** February 24, 2014  
**PREPARED BY:** Riccardo F. Ginex, Village Manager *R.F. Ginex*  
Mark D. Lucas, P.E. Hancock Engineering  
**PURPOSE:** Discuss the Concept and Costs Associated with Building a Supplemental Water Supply from Chicago  
**BUDGET AMOUNT:** See Narrative

### BACKGROUND:

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Mark Lucas, our representative on the BRNWC, has prepared the following summary from discussions at the BNRWC regarding seeking a supplemental water supply from the City of Chicago. This is a project that has been discussed at the commission for some time. Mark has been keeping staff informed of the status of the discussions but the commission is starting to seek interest from member communities.

The BNRWC's primary feed is 24" transite pipe that is approximately 80 years old and consists of several river crossings of the DesPlaines River. In 1986 the BNRWC constructed a supplemental feed from the Forest Park water system to reduce the consistent need for pumping flows through the original supply, thus reducing the stress and extending the service life of that pipe. The Forest Park feed does not offer sufficient capacity to provide BNRWC summertime flows should an extended breakdown occurs on the original supply line. Since 2005 the BNRWC has tried to gain interest in building the supply line with a collaborative partner so that costs could be shared in a beneficial manner for infrastructure that has historically been constructed in somewhat duplicative parallel systems.

In 2013 BNRWC's Superintendent Bob Novotny again raised the issue of needing a new or emergency supply for the system. A preliminary routing suggested a line from the City of Chicago near Austin and Roosevelt Road routing through the Villages of Oak Park, and Forest Park was the most feasible new construction route. The route review lead to preliminary conversations with Village of Forest Park and the Broadview Westchester Joint Water Agency (BWJWA) as logical partners to collaborate on a Tri-Party Water Supply. The new main would serve as a supplemental feed for the partners and could service as an emergency supply for peak demand periods for any one of the partners should any of their separate original water supplies need repair, rehabilitation or replacement, as it would be unlikely that all partners would have the issue simultaneously.

The BNRWC, and BWJWA also jointly approached the DuPage Water Commission, regarding utilizing a connection to their 72" water main which roughly parallels Roosevelt Road as an emergency supply. While it was deemed possible, issues of concern such as the position that the emergency request would be reviewed by the DWC to determine if they would be able to provide the requested supply at that time and for the necessary duration so as they did not adversely affect the primary objective of furnishing water to their member communities. Additionally preliminary costs for the connection, reservoir, pump station and necessary land acquisition totaled a significant investment in something not guaranteed to have the ability to supply water in an emergency. Each of the above

parties in this scenario would have had to pay for the construction of their own emergency supply and connection to their system.

Most recently conversations with Mayor Pulia of Westchester, as the representative for the BWJWA and Mayor Calderon of Forest Park have centered on the need to decide if the concept can be supported and more fully developed. Issues that have been discussed are:

- 1) Funding - currently anticipated to be through the State's Clean Water Initiative, which is a low interest loan paid over a 20-year period (interest rates are currently around 2%).
- 2) Land Acquisition – parties have engaged a broker to approach potential land owners with regards to a space to construct a reservoir and pump facility to enable emergency water demands to flow through the system have concluded with a possible site. Currently a decision as to if/how to pursue the parcel with cost share, terms of an IGA, getting preliminary commitments from partners, and commendation or possible quick take legislation having been discussed.
- 3) Construction Costs have been discussed with possible accommodation of additional members (now or in the future) being discussed with regards to cost share or recapture at time of connection and whether it would warranted to build in sufficient capacity to accommodate such partners.

At the meeting held on Monday, January 27, 2014 the potential partners, the need to begin discussions with each agencies significant customers, (in BNRWC's case specifically Brookfield, North Riverside, Lyons, and LaGrange Park), was discussed, as awareness of the need for the improvement, potential cost and the subsequent impacts to the water rate , and the need for communities to indicate a willingness to garner legislative support for the project have been identified as "a must" to have a successful project. It is anticipated that each potential partner would come back to the next meeting after having those discussions and indicate whether they would be a partner in moving the project forward. At the BNRWC meeting held on Wednesday, February 12<sup>th</sup>, the water commission staff brought forth the following recommendation.

The water commission staff feels the project should move forward as the benefits and funding costs are evident. Using the low interest loan, the commission is estimating its share of the costs for the projects to be \$14,000,000, which represents a savings of 42% as opposed to installing the main on their own. Additionally, their staff is estimating a \$0.05 per thousand gallon increase each year for the first ten years of the loan for re-payment. The rate to pay back the loan would remain at \$0.50 for the last ten years of the loan repayment. Additional costs for operating expenses and any rate increase from the City of Chicago would be added to the rate as incurred.

In the case of the case of BNRWC the issue of need is present as the aging infrastructure will likely need significant rehabilitation/replacement in the next 15-20 years. The availability of funds at a relatively low borrowing cost for capital to complete the project is present at this time. If the idea of a collaborative water supply does not come to fruition, the BNRWC will still need to determine a plan to fund a future supplemental supply line in the coming years.

#### **ATTACHMENTS:**

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1. WATER COMMISSION LETTER

**STAFF RECOMMENDATION:**

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Information is presented and a review of the costs and options is obtained prior to giving approval on the Village's part.

**REQUESTED COURSE OF ACTION:**

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Discussion is held and direction is given by the Board to the Water Commission on the project.

# BROOKFIELD-NORTH RIVERSIDE WATER COMMISSION

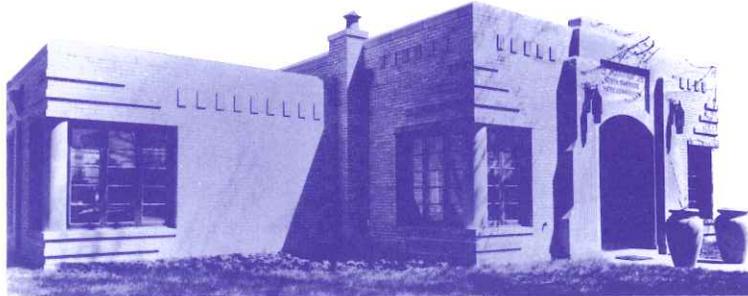
8636 Brookfield Avenue

Phone: (708) 485-4244

Brookfield, Illinois 60513

FAX: (708) 485-9321

Jean M. DiMonte, Treasurer  
Janice J. Decosola, Clerk  
John T. O'Connell, Attorney  
Robert F. Novotny, Superintendent



COMMISSIONERS  
Edward J. Durec, Chairman  
David B. Witken, Commissioner  
Mark Lucas, Commissioner

## To Our Water Customers:

The Brookfield-North Riverside Water Commission has been contemplating a supplemental water connection source to replace and/or supplement its water source from the City of Chicago. The original main was installed in 1938, which makes the main 76 years old. These mains have a normal life expectancy of 75 years. We have surpassed that time frame now and with the added issues of maintaining six (6) river crossings, we have to look at the possibility of failures in the near future.

Over the years, the Commission obtained a supplemental water feed from the Village of Forest Park. This connection serves the Commission customers with around 20% of their daily needs. This connection has allowed the Commission to operate its primary source at a lower pressure to try to extend the life of the main. This connection does not, however, solve the issue of a major failure of the primary pipeline at these river crossings. A failure at these locations could produce a severe shortage of water to the Villages for an extended period of time. Current connections to surrounding Villages could only support a limited supply to our customers.

Back in 2004, the Commission started looking at alternate water sources for supplying the Commission with a full allocation of water in case of a failure on the primary pipeline. We developed a plan for a new connection from the City of Chicago to a point on the Commission's Forest Park supplemental 20" water main we installed in 1987. This connection would allow the Commission to obtain a full allocation of water during an extended emergency. The estimated costs associated with a 24" water main capable of supplying the required volumes of water were determined to be excessive of \$24,000,000. The impact of a project this size would adversely affect the water rates to our customers, so we tabled the idea.

We then looked at and discussed with Forest Park, their ability to supply a full water allocation to us through their existing Chicago connection. This was determined not to be feasible, since their supply main is older than ours and is not in a condition that could support higher pumping pressures.

We also pursued discussions with the DuPage Water Commission. They have a pipeline that crosses our main along Roosevelt Road. This water main has the volumes

required, but not adequate pressure to deliver it. To provide the required pressure, a booster pumping station would need to be built at the connection location. The DuPage Commission indicated that an emergency connection is feasible, however, it would be designed and built by them at our expense and totally controlled by their Commission. Any emergency water supply requested would be analyzed by them and, if they determined it was needed and the water was available, they would turn on the connection. If anything were to go wrong within their system, they would turn off our emergency connection first to maintain their customer water needs. This does not provide a secure water source for our customers we are looking for or seem to be a reasonable use of the Commission's funds.

The Commission then entered into discussions with the Broadview Westchester Joint Water Agency about a joint venture on a supplemental water source, since they are nearly as large of a consumer as the Commission. We also involved the Village of Forest Park into the discussions, since they are also in the service area of this proposed main and their existing water main is older than ours.

Changing the size of the water main from 24" to 36" could supply the needs of all parties and the cost savings would be substantial compared to everyone going with projects of their own. This developed into several meetings, but did not progress very far because of projects being undertaken by the Broadview Westchester Joint Water Agency. They recognized their needs and the cost savings of the joint venture; however, their finances and bonding powers were being used to fund these projects.

The issue was tabled until last year when the availability of a low interest loan program from the State of Illinois was investigated as a source of funding for this project. These funds are set at one-half the current rate of bonds for a twenty (20) year loan and are provided as a simple interest loan to the project participants. This simple interest loan also saves the costs associated with the sale of bonds by the parties. This along with the cost savings of the joint venture started making the project feasible again.

We are currently at the point of producing a preliminary design concept with routing and costs for the project. We are also in discussions with the Villages along this route for their approval to pass through their Villages. At this point, the project has enough benefits and momentum to start talking with state legislators for their support and any other possible State or Federal funding that may be available for a project of this type. Even without further funding being available, the cost savings with low interest loan program and the joint venture make this project a worthwhile and necessary project for the continued supply of water to our customers. We are currently projecting the costs to the Commission in the range of \$14,000,000, which is a 42% cost savings over our installing the water main on our own. These costs could vary slightly as we negotiate restoration requirements of the Village roadways along the proposed route.

The Water Commission has been saving money for a project of this type over the past years and have sufficient funds to allow us to spread the water rate increase, required to repay the low interest loan, over an extended period of the loan. This would allow us

to charge a modest rate increase each year over the first half of loan and still be able to provide the loan payment guarantee that the State of Illinois will require.

We cannot provide a lot of detail regarding the costs at this time, since we are still in the development phases of the project and these costs could change as we proceed. However, the project expectations are to provide another source of reliable water to our customers for the next 75 years for a rate increase of around \$0.05 per thousand gallons per year for the first ten years of the loan. This would equate to an overall water rate increase of \$0.50 per thousand over the first ten years of the loan period. The rate would then stay at this level for the remainder of the loan. This increase is for the construction loan only, additional standard rate increases for salaries, insurance, utilities, operating expenses, etc. would be evaluated on a yearly basis. Also any rate changes by the City of Chicago would need to be passed through to the customer. The City has one more major rate change next year. After next year's increase, they have not indicated any changes at this time.

The Commission has been tracking the costs associated with the delivery of water to our customers over the past 27 years. We believe the enclosed chart will provide an insight to the managing of costs by the Commission over the years. The chart also shows the increases by the City of Chicago over the same time frame. This schedule should give you a sense of the overall cost management that has been provided through the Commission. These increases have also included the upgrading of all the Commission's pump stations and several large water main projects during this period. As you can see the Commission has kept their costs, on an average, below 2% over these years.

This project will be the largest undertaken, since the installation of the original pipeline back in 1938 and will provide the Commission and their customers with a secure water source for the next 75 years.

We do ask that the project and details not be disclosed to the public at this time due to property acquisition that is necessary for the project.

Should you have any further questions or want to meet with the Commission, please feel free to contact Robert Novotny at our office.

Sincerely,



Robert Novotny, Superintendent

**BROOKFIELD-NORTH RIVERSIDE WATER COMMISSION**

## Chicago Water Rates VS. Water Commission Since 1989

Fiscal Year	Chicago City Cost/ 1000 gal.	Chicago Percent of Change	BNRWC Comm. Cost/ 1000 gal.	BNRWC Cost of Delivery	Delivery Percent of Change
1989	\$0.89	0.0%	\$1.51	\$0.62	0.0%
1990	\$0.89	0.0%	\$1.51	\$0.62	0.0%
1991	\$0.95	6.7%	\$1.57	\$0.62	0.0%
1992	\$0.99	4.2%	\$1.63	\$0.64	3.2%
1993	\$0.99	0.0%	\$1.63	\$0.64	0.0%
1994	\$0.99	0.0%	\$1.63	\$0.64	0.0%
1995	\$0.99	0.0%	\$1.63	\$0.64	0.0%
1996	\$1.01	2.0%	\$1.66	\$0.65	1.6%
1997	\$1.03	2.0%	\$1.69	\$0.66	1.5%
1998	\$1.05	1.9%	\$1.72	\$0.67	1.5%
1999	\$1.05	0.0%	\$1.72	\$0.67	0.0%
2000	\$1.09	3.8%	\$1.80	\$0.71	6.0%
2001	\$1.13	3.7%	\$1.84	\$0.71	0.0%
2002	\$1.18	4.4%	\$1.89	\$0.71	0.0%
2003	\$1.22	3.4%	\$1.93	\$0.71	0.0%
2004	\$1.26	3.3%	\$1.97	\$0.71	0.0%
2005	\$1.30	3.2%	\$2.05	\$0.75	5.6%
2006	\$1.33	2.3%	\$2.09	\$0.76	1.3%
2007	\$1.33	0.0%	\$2.11	\$0.78	2.6%
2008	\$1.53	15.0%	\$2.32	\$0.79	1.3%
2009	\$1.76	15.0%	\$2.55	\$0.79	0.0%
2010	\$2.01	14.2%	\$2.80	\$0.79	0.0%
2011	\$2.01	0.0%	\$2.85	\$0.84	6.3%
2012	\$2.51	24.9%	\$3.42	\$0.91	8.3%
2013	\$2.88	14.7%	\$3.82	\$0.94	3.3%
2014	\$3.31	14.9%	\$4.29	\$0.98	4.3%
2015	\$3.81	15.1%	TBD	TBD	
<b>AVERAGE</b>		<b>5.7%</b>			<b>1.8%</b>



## COMMITTEE ITEM MEMO

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**ITEM:** IDNR TRAILS GRANT DISCUSSION  
**COMMITTEE DATE:** February 24, 2014  
**PREPARED BY:** Keith Sbiral, AICP  
**PURPOSE:** Consideration of a Grant Application for Canoe Launch and Trail Improvements  
**BUDGET AMOUNT:** Up to \$100,000

### **BACKGROUND:**

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Staff has had ongoing discussions of grant applications with Hitchcock Design and other consultants. The IDNR has announced and recently started publicizing a trails grant, the deadline is March 1, however, we believe that a good application can be developed in a short timeframe as we have previous preparation for OSLAD grants.

The grant is a DNR trails grant that would allow improvement of the canoe launch. This is a project that has remained on the radar, while not making the capital plan. It can be budgeted out for future years as the grant is written and the grant cap is \$200k.

Unlike OSLAD, the planning and design work does NOT need to be done prior to applying, so we can bring interested parties into the planning process IF we get the grant. We would like to have a meeting in the next month to include some public input in the grant application and would do that as part of the Open Space Plan kickoff meeting currently being planned for early March.

This could be a good opportunity to get a small project done, in a future budget year, with grant funding.

### **ATTACHMENTS:**

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1. Agreement

### **STAFF RECOMMENDATION:**

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Staff recommends submittal of this grant.

### **REQUESTED COURSE OF ACTION:**

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Discussion will be scheduled for future meetings. Consensus of the board is requested at the February 24, Board Meeting.

Project Sponsor: \_\_\_\_\_

Project Title: \_\_\_\_\_

As the individual duly designated to represent the \_\_\_\_\_, I do hereby certify that the information presented in this grant application is true and correct. I do further certify that the project, if approved for funding, will be completed in accordance with the provisions set forth in the Recreational Trails Grant Manual and that the \_\_\_\_\_ has the financial resources to initially fund 100% of the proposed project costs within the time frame imposed by the Department of Natural Resources for project execution prior to receiving grant reimbursement. Failure to complete said project within the specified time frame could be cause for project termination. In addition, failure to complete a project or withdrawal of a project due to lack of performance, insufficient funds or change in recreation priorities by the applicant shall result in the ineligibility of the project applicant for Illinois DNR grant assistance consideration in the next two (2) consecutive grant cycles.

Acquisition and Development Projects

It is understood that the project should be completed within the timeframe established in the project agreement and the reimbursement request must be submitted within one year of the expiration date. Failure to do so will result in the Project Sponsor forfeiting all project reimbursements, and relieves DNR from further payment obligations on the grant.

The \_\_\_\_\_ hereby further certifies that 1) it will indemnify, protect and hold harmless the State of Illinois, Department of Natural Resources and its representatives from any and all liabilities, costs, damages or claims arising as a direct or indirect result of the actions and/or omissions of the \_\_\_\_\_ or its representatives in the construction, operation or maintenance of the above referenced project, and 2) that adequate public notice was given and local approval solicited on the proposed project and 3) that the facility will be operated and maintained in an attractive and safe manner, and open and available to the public without regard to race, color, sex, national origin, age, disability or place of residence in accordance with provisions of Illinois DNR trail grant program regulations.

This Certification Statement was duly acted upon and adopted by the \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ (month) \_\_\_\_\_ (year) \_\_\_\_\_ (applicant)

\_\_\_\_\_  
Name (printed / typed)

Attested by: \_\_\_\_\_

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Title