


VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda

  X   Resolution or Ordinance (Blue)   X   *Waiver of First Requested*  
       Recommendations of Boards, Commissions & Committees (Green)  
       Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES  
FROM: Scott R. Niehaus, Village Manager  
DATE: March 28, 2017 (B of T) Date: April 6, 2017  
TITLE: BOT 17-01: 515 W. North Avenue Stormwater Variation  
SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:  
The Department of Community Development transmits for your consideration its recommendation regarding the above-referenced petition. Please find attached an ordinance granting a variation from Chapter 151 "Flood Control," Section 151.55 "Retention/Detention Basins" for the property located at 515 W. North Avenue. (DISTRICT #1)

Staff recommends approval of this Ordinance.  
Staff requests a waiver of first reading of the Ordinance.

FISCAL IMPACT/FUNDING SOURCE:  
The public improvements were constructed by the project owner at no cost to the Village.

REVIEW (AS NECESSARY):  
Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X \_\_\_\_\_ Date \_\_\_\_\_



## MEMORANDUM

**TO:** Scott R. Niehaus, Village Manager

**FROM:** Jana Bryant, Private Development Engineer

**DATE:** March 29, 2017

**SUBJECT: BOT 17-01: 515 W. NORTH AVENUE STORMWATER VARIATION**

Please present the attached ordinance to the Board of Trustees for their review and approval at their April 6, 2017 meeting. The petitioner requests of variation from Chapter 151 "Flood Control," Section 151.55 "Retention/Detention Basins."

The overall on-site improvements are having detention provided on-site prior to release to the Illinois Department of Transportation right-of-way in compliance with the Village and DuPage Countywide Stormwater and Flood Plain Ordinance. The variance to allow for the fee-in-lieu of detention is requested solely for the detention requirement for the Broadview Avenue right-of-way improvements required of the development. There is space at the south end of the Broadview Avenue right-of-way to provide the required detention volume. However, it is also the only access point for the Forest Preserve District of DuPage County to access the north portion of the Broadview Slough and providing the detention would eliminate their access to their property.

JB:jb

H:\CD\WORDUSER\PES\PROJECTS\PES Projects\Commercial-Multi Fam Devmt\PES 2016-02 (515 W North Ave, Bluestone, SE IL 53 & IL 64, Thornton's)\7 Stormwater\Fee-in-lieu variance\BOT Memo - PES to VM.doc

cc: William J. Heniff, AICP, Director of Community Development



To: Jana Bryant, P.E.  
From: Mike MacKinnon  
Date: November 28, 2016  
Re: Request for Fee in Lieu of Stormwater Detention  
Thorntons Project  
Southeast Corner of North Avenue & Columbine Avenue, Lombard, Illinois

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Ms. Bryant,

Following up on our recent correspondence, I am requesting to pay the fee-in-lieu of stormwater detention required as part of the reconstruction of Broadview Avenue at its intersection with North Avenue, and a waiver of the BMP fee-in-lieu payment for this project.

If the detention pond were constructed, the detention for Broadview Avenue would be placed in the Village's right-of-way south of the existing Broadview Avenue improvements, and as such, the pond would restrict the DuPage County Forest Preserve District's access to their property. We believe the fee-in-lieu would be a better alternative in this situation.

Should you have any questions while considering our request, please contact me at (630) 388-8550 or via email at [mike@bluestonestp.com](mailto:mike@bluestonestp.com)

Respectfully,

A handwritten signature in blue ink, appearing to read "Mike MacKinnon".

Mike MacKinnon, P.E.  
Vice President, Development

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**BLUESTONE SINGLE TENANT PROPERTIES, LLC**

WRIGLEY BUILDING - NORTH TOWER  
410 N. MICHIGAN AVENUE, SUITE 850 | CHICAGO, IL 60611  
TEL (312) 519-7100 | FAX (312) 878-4860

**ORDINANCE \_\_\_\_\_**

**AN ORDINANCE GRANTING A VARIATION FROM THE LOMBARD CODE OF ORDINANCES CHAPTER 151 "FLOOD CONTROL," SECTION 151.55 "RETENTION/DETENTION BASINS"**

(BOT 17-01 515 W. North Avenue, Lombard, Illinois)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Code of Lombard, Illinois, and;

WHEREAS, a request has been made for the Village of Lombard to grant a variation from Chapter 151 "Flood Control," Section 151.55 "Retention/Detention Basins" for only the portion of the development for the Broadview Avenue right-of-way improvements required by Village code; and

WHEREAS, a public hearing has been conducted by the Board of Trustees on April 6, 2017 pursuant to appropriate and legal notice; and

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of staff and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: That a variation is hereby granted from the provisions of Chapter 151 of the Code of Lombard, Illinois, for the property described in Section 2 below to allow the reconstruction of Broadview Avenue without providing the required stormwater detention.

SECTION 2: That this ordinance is limited and restricted to the property generally located in the 700 Block of North Broadview Avenue (PIN: not applicable, public right-of-way), Lombard, Illinois, as part of the required public improvements for the redevelopment of 515 N. Avenue. 515 W. North Avenue is legally described as follows:

Parcel 1: Lot 4 and 5 in block "G" in Lombard Terrace, being a resubdivision of part of Elmore's northview, a subdivision in the North ½ of Section 6, Township 39 North, Range 11 East of the third principal meridian, according to the plat thereof recorded December 20, 1933 as document 341767, in DuPage County, Illinois.

PIN Number: 06-06-100-004 and, 06-06-100-005

Parcel 2: Lot 35 in block "G" in Lombard Terrace, being a resubdivision of part of Elmore's northview, a subdivision in the North ½ of Section 6, Township 39 North, Range 11, East of the third principal meridian, according to the plat thereof recorded December 20, 1933 as document 341767, in DuPage County, Illinois.

PIN Number: 06-06-100-012

Parcel 3: Lots 33 and 34 in block "G" in Lombard Terrace, being a resubdivision of part of Elmore's northview, a subdivision in the North ½ of Section 6, Township 39 North, Range 11, East of the third principal meridian, according to the plat thereof recorded December 20, 1933 as document 341767, in DuPage County, Illinois.

PIN Number: 06-06-100-013 and 06-06-100-014

Parcel 4: Lot 2 in James D. Raines Resubdivision being a subdivision in the north ½ of Section 6, Township 39 North, Range 11, East of the third principal meridian, according to the plat thereof recorded third principal meridian, according to the plat thereof recorded August 11, 1970 as document R70-27995, in DuPage County, Illinois except that part described as follows: commencing at the northwest corner of said Lot 2, for a point of beginning, thence north 87 degrees 30 minutes 28 seconds east along the north line of said lot 2, 5.00 feet; thence south 2 degrees 08 minutes 34 seconds west, 109.06 feet to a point on the south line of lot 2; thence north 88 degrees 51 minutes 46 seconds west along said south line of lot 2, 2.13 feet to the southwest corner of lot 2, thence north 0 degrees 38 minutes 07 seconds east along the west line of lot 2, 109.01 feet to the point of beginning.

PIN Number: 06-06-100-048

Parcel 5: Lots 32 in block "G" in Lombard Terrace, being a resubdivision of part of Elmore's northview, a subdivision in the North ½ of Section 6, Township 39 North, Range 11, East of the third principal meridian, according to the plat thereof recorded December 20, 1933 as document 341767, in DuPage County, Illinois.

PIN Number: 06-06-100-015

Parcel 6: Lots 6, 7, 8, 9, 10 and 11 in block "G" in Lombard Terrace, being a resubdivision of part of Elmore's northview, a subdivision in the North ½ of Section 6, Township 39 North, Range 11, East of the third principal meridian, according to the plat thereof recorded December 20, 1933 as document 341767, in DuPage County, Illinois.

PIN Number: 06-06-100-006, 06-06-100-007, 06-06-100-008, 06-06-100-009, 06-06-100-0010, and 06-06-100-011

SECTION 3: That the proposed reconstruction of Broadview Avenue be completed in compliance with the submitted site civil plan prepared by Kimley-Horn and

Ordinance No. \_\_\_\_\_

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Associates, Inc. as approved as part of the development plans for Thornton's, dated September 14, 2015, Latest Revision dated January 25, 2017.

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

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Ayes: \_\_\_\_\_

Nayes: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Keith T. Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published by me in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Sharon Kuderna, Village Clerk