

ORDINANCE NO. 7702

AN ORDINANCE DESIGNATING A BUSINESS DISTRICT TO BE KNOWN AS THE BUTTERFIELD ROAD/YORKTOWN BUSINESS DISTRICT NO. 2, APPROVING THE BUSINESS DISTRICT PLAN IN RELATION THERETO, AND MAKING A BLIGHTED AREA FINDING IN RELATION THERETO

WHEREAS, Section 11-74.3-1(1) of the Illinois Business District Development and Redevelopment Law, 65 ILCS 5/11-74.3-1, *et seq.* (the "Law") allows a municipality to determine that it is "essential to the economic and social welfare of the municipality that business districts be developed, redeveloped, improved, maintained, and revitalized, that jobs and opportunity for employment be created within the municipality, and that, if blighting conditions are present, blighting conditions be eradicated by assuring opportunities for development or redevelopment, encouraging private investment, and attracting sound and stable business and commercial growth;" and

WHEREAS, on December 6, 2018, the President and Board of Trustees of the Village of Lombard (the "Corporate Authorities") approved Ordinance 7610, entitled "An Ordinance Authorizing The Preparation Of A Business District Plan Within The Butterfield Yorktown Area in the Village of Lombard (Butterfield Yorktown Business District No. 2)", authorizing Kane, McKenna & Associates, Inc. (the "Consultants") to prepare a business district plan for the area legally described and depicted on Exhibit A-1 and Exhibit A-2, respectively, attached hereto and made a part hereof (the "Butterfield Road/Yorktown Business District No. 2"); and

WHEREAS, on June 18, 2019, the Corporate Authorities approved Ordinance 7689, entitled "An Ordinance Proposing the Designation of a Business District in the Village of Lombard, DuPage County, Illinois, the Approval of a Business District Plan in

Relation Thereto, and the Scheduling of a Public Hearing in Connection Therewith (Butterfield Road/Yorktown Business District No. 2),” setting forth the procedures for a public hearing (the “Hearing”) on whether the business district plan for the Butterfield Road/Yorktown Business District No. 2 attached hereto as Exhibit B and made a part hereof (the “Plan”) should be approved, whether the Butterfield Road/Yorktown Business District No. 2 should be designated as a business district pursuant to the Law, as required by 65 ILCS 5/11-74.3-2(a), and whether a “blighted area” finding and determination should be made with regard to the Butterfield Road/Yorktown Business District No. 2; and

WHEREAS, on July 22 and 23, 2019, public notice of the Hearing was published in the *Daily Herald*, a newspaper of general circulation within the municipality, as required by 65 ILCS 5/11-74.3-2(b); a copy of the Publisher’s Certificate relative to said public notice being attached hereto as Exhibit C and made part hereof; and

WHEREAS, on August 15, 2019, the Hearing was held; there were no alternate proposals or bids for any proposed conveyance, lease, mortgage or other disposition by the Village of land or rights in land owned by the Village and located within the proposed Butterfield Road/Yorktown Business District No. 2; Village staff and the consultants presented the proposed Butterfield Road/Yorktown Business District No. 2 for designation as a business district, with a “blighted area” finding, and presented the Plan in relation thereto; all interested persons were given an opportunity to be heard in relation to the designation of the Butterfield Road/Yorktown Business District No. 2 as a business district, the approval of the Plan in relation thereto, and the “blighted area” finding and determination in relation thereto; all persons desiring to submit written

objections were given an opportunity to do so and to be heard on said objections; and the Corporate Authorities heard and determined all protests and objections; all as required by 65 ILCS 5/11-74.3-2(c); and

WHEREAS, on August 15, 2019, the Hearing was finally adjourned; and

WHEREAS, the Corporate Authorities find that the Butterfield Road/Yorktown Business District No. 2 on the whole has not been subject to growth and development through investment by private enterprises and would not reasonably be anticipated to be developed or redeveloped without the adoption of the Plan, as set forth in the Plan; and

WHEREAS, the Corporate Authorities find and determine that the Plan conforms to the comprehensive plan of the Village; and

WHEREAS, the Corporate Authorities find and determine that the Butterfield Road/Yorktown Business District No. 2 is a “blighted area” as defined in the Law, as set forth in the Plan; and

WHEREAS, it is in the best interests of the Village that the Butterfield Road/Yorktown Business District No. 2 be designated as a business district pursuant to the terms of the Law;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: That the preambles of this Ordinance are hereby incorporated herein as though fully set forth herein.

SECTION 2: That the Corporate Authorities find and determine as follows, as further described in the Plan:

- A. That the Butterfield Road/Yorktown Business District No. 2 has not been subject to growth and development through investment by private enterprises and would not reasonably be anticipated to be developed or redeveloped without the adoption of the Plan;
- B. That the Plan conforms to the comprehensive plan of the Village;
and
- C. That the Butterfield Road/Yorktown Business District No. 2 is a “blighted area” as defined in the Law.

SECTION 3: That the Butterfield Road/Yorktown Business District No. 2 is hereby designated as a business district pursuant to the Law, to be known as the “Butterfield Road/Yorktown Business District No. 2”.

SECTION 4: that the Butterfield Road/Yorktown Business District No. 2 is hereby found and determined to be a “blighted area” as defined in the Law.

SECTION 5: That the Plan is hereby approved and adopted as the business district plan for the Butterfield Road/Yorktown Business District No. 2.

SECTION 6: That in promoting development and redevelopment within the Butterfield Road/Yorktown Business District No. 2, the Corporate Authorities may exercise those powers as set forth in the Law.

SECTION 7: That a one percent (1%) business district retailers’ occupation tax and a one percent (1%) business district service occupation tax (the “Business District Sales Taxes”), shall be imposed within the Butterfield Road/Yorktown Business District No. 2, due to the “blighted area” designation for the Butterfield Road/Yorktown Business District No. 2, as provided for in the Law, with a specific Ordinance imposing said

Business District Sales Taxes to be approved by the Corporate Authorities, and filed with the Illinois Department of revenue, as provided for by the Law.

SECTION 8: That all ordinances, orders and resolutions and parts thereof in conflict herewith shall be and the same are hereby repealed.

SECTION 9: This Ordinance shall be in full force and effect from and after its adoption and approval as provided by law.

Passed on first reading this _____ day of _____, 2019.

First reading waived by action of the Board of Trustees this 15th day of August, 2019.

Passed on second reading this 15th day of August, 2019, pursuant to a roll call vote as follows:

AYES: Trustee Whittington, Foltyniewicz, Honig, Militello and Ware

NAYS: None

ABSENT: Trustee Puccio

ABSTAIN: None

APPROVED by me this 15th day of August, 2019.


Keith Giagnorio, Village President

ATTEST:


Sharon Kuderna, Village Clerk

Exhibit A-1

Legal Description, Permanent Tax Index Numbers and Street Location (Common Addresses) for the Butterfield Road/Yorktown Business District No. 2

Legal Description:

A PARCEL OF LAND IN THE NORTH HALF OF THE EAST HALF OF SECTION 29, AND THE EAST HALF OF THE WEST HALF OF SECTION 29, BOTH IN TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 IN FINAL PLAT OF SUBDIVISION OF 701-747 22ND STREET SUBDIVISION, RECORDED APRIL 5, 2010 AS DOCUMENT R2010-043541 AND RUNNING THENCE SOUTHEASTERLY ALONG THE EAST LINE OF SAID LOT 1 686.60 FEET TO AN ANGLE POINT; THENCE SOUTHWESTERLY ALONG THE MOST SOUTHEASTERLY LINE OF SAID LOT 1, 69.66 FEET TO THE SOUTHEAST CORNER THEREOF, ALSO BEING THE NORTHEAST CORNER OF PARCEL 1 IN NORTHERN BAPTIST THEOLOGICAL SEMINARY ASSESSMENT PLAT RECORDED AUGUST 28, 2007 AS DOCUMENT R2007-159301; CONTINUING THENCE SOUTHWESTERLY ALONG THE EASTERLY LINE OF SAID PARCEL 1 PER DOCUMENT R2007-159301, 717.65 FEET; THENCE ALONG THE SOUTHERN BOUNDARY LINES OF SAID PARCEL 1 THE FOLLOWING 7 COURSES; 1) NORTHWESTERLY 93.42 FEET, 2) SOUTHWESTERLY 173.27 FEET, 3) SOUTHEASTERLY 186.14 FEET, 4) SOUTHWESTERLY 107.62 FEET, 5) SOUTHWESTERLY 67.48 FEET, 6) NORTHWESTERLY 138.83 FEET, 7) SOUTHWESTERLY 300.00 FEET; THENCE SOUTHEASTERLY 104.26 FEET TO A POINT OF CURVATURE CONVEX TO THE SOUTHWEST, HAVING A RADIUS OF 591.66 FEET, AND AN ARC DISTANCE OF 93.90 FEET TO A POINT OF COMPOUND CURVATURE, CONVEX TO THE SOUTHWEST, HAVING A RADIUS OF 402.98 FEET, AND AN ARC DISTANCE OF 116.05 FEET TO A POINT OF COMPOUND CURVATURE CONVEX TO THE SOUTHWEST, HAVING A RADIUS OF 683.51 FEET AND AN ARC DISTANCE OF 95.44 FEET TO A POINT OF COMPOUND CURVATURE, HAVING A RADIUS OF 198.74 FEET AND AN ARC DISTANCE OF 64.17 FEET TO A POINT OF REVERSE CURVATURE, CONVEX TO THE NORTHEAST, HAVING A RADIUS OF 121.91 FEET AND AN ARC DISTANCE OF 74.06 FEET TO THE MOST SOUTHEASTERLY CORNER OF SAID PARCEL 1 PER DOCUMENT R2007-159301, ALSO BEING A POINT ON THE NORTH RIGHT OF WAY LINE OF STATE ROUTE 56, BUTTERFIELD ROAD; THENCE SOUTHEASTERLY ALONG A LINE PERPENDICULAR TO THE SOUTH LINE OF PARCEL 1 AFORESAID (ALSO BEING THE NORTH LINE OF BUTTERFIELD ROAD-F.A. RTE. 131, ST. RT. 56) 200.00 FEET TO THE SOUTH LINE OF SAID BUTTERFIELD ROAD RIGHT OF WAY AS DEDICATED PER DOCUMENT 381698 AND 387284; THENCE SOUTHWESTERLY ALONG SAID SOUTH LINE TO A POINT OF INTERSECTION WITH THE EAST LINE OF LOT 1 IN SAM'S CLUB RESUBDIVISION RECORDED SEPTEMBER 7, 2017 AS DOCUMENT R2017-092244; THENCE SOUTHEASTERLY ALONG THE AFORESAID EAST LINE OF LOT 1 610.21 FEET TO THE SOUTHEAST CORNER THEREOF, BEING ALSO THE NORTHEAST CORNER OF LOT 6 IN NORTHERN ILLINOIS GAS COMPANY YORK TOWNSHIP ASSESSMENT PLAT NO. 1 AS MONUMENTED AND DELINEATED ON SAID SAM'S CLUB RESUBDIVISION; THENCE SOUTHEASTERLY ALONG THE SOUTHEASTERLY EXTENSION OF THE AFORESAID EAST LINE OF LOT 1 IN SAM'S CLUB RESUBDIVISION A DISTANCE OF 83.57 FEET TO

THE NORTH LINE OF INTERSTATE 88 (ILLINOIS TOLL HIGHWAY) AS MONUMENTED AND DELINEATED ON SAID SAM'S CLUB RESUBDIVISION, ALSO BEING THE SOUTH LINE OF SAID LOT 6 IN NORTHERN ILLINOIS GAS COMPANY YORK TOWNSHIP ASSESSMENT PLAT NO. 1 AFORESAID; THENCE SOUTHWESTERLY ALONG SAID NORTH LINE OF INTERSTATE 88 AND SOUTH LINE OF LOT 6 AFORESAID, BEING THE ARC OF CURVE, CONVEX TO THE SOUTHEAST, HAVING A RADIUS OF 11334.19 FEET, WHOSE CHORD BEARS SOUTH 68 DEGREES 47 MINUTES 10 SECONDS WEST A DISTANCE OF 342.77 FEET FOR AN ARC DISTANCE OF 342.78 FEET; CONTINUING THENCE SOUTHWESTERLY ALONG SAID NORTH LINE OF INTERSTATE 88 AND SOUTH LINE OF LOT 6, 674.18 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY LINE OF VACATED FAIRFIELD AVENUE (PER DOCUMENT R1971-061911); THENCE NORTHWESTERLY ALONG A PROPERTY LINE OF SAID LOT 6 IN NORTHERN ILLINOIS GAS COMPANY YORK TOWNSHIP ASSESSMENT PLAT NO. 1 AFORESAID 26.29 FEET; CONTINUING THENCE SOUTHWESTERLY ALONG A SOUTH PROPERTY LINE OF LOT 6 AFORESAID TO A POINT OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE MOST EASTERLY LINE OF LOT 1 IN WINDY HILL ACRES RECORDED FEBRUARY 18, 1958 AS DOCUMENT R1958-871168; THENCE NORTHERLY ALONG SAID SOUTHERLY EXTENSION, ALSO BEING THE WEST LINE OF LOT 6 AFORESAID, ALSO BEING THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 29 AFORESAID AND THE WEST LINE OF A 33 FOOT EASEMENT FOR PUBLIC ROAD DEDICATED PER DOCUMENT R1954-741488 AND SHOWN AS GILMORE STREET PER DOCUMENT R1958-871168 (SUBSEQUENTLY VACATED), 86.75 FEET TO THE ORIGINALLY PLATTED MOST SOUTHEASTERLY CORNER OF SAID LOT 1 IN WINDY HILL ACRES; THENCE NORTHERLY ALONG THE MOST EASTERLY LINE OF SAID LOT 1, ALSO BEING THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 29 AND THE ORIGINALLY PLATTED WEST LINE OF AFORESAID GILMORE ST. A DISTANCE OF 197.25 FEET (ACCORDING TO THE PLAT OF HIGHWAYS RECORDED AS DOCUMENT R1988-023382) TO THE SOUTHEAST CORNER OF PARCEL ONE OF ARLEY BOZICNIK PLAT OF SURVEY RECORDED OCTOBER 15, 1954 AS DOCUMENT R1954-733706; THENCE NORTHERLY ALONG THE EAST LINE OF SAID PARCEL ONE, ALSO BEING THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 29 AFORESAID A DISTANCE OF 225.23 FEET TO THE SOUTH LINE OF ILLINOIS ROUTE 56 (BUTTERFIELD ROAD) AS SHOWN ON AFORESAID PLAT OF HIGHWAYS DOCUMENT R1988-023382 (SAID SOUTH LINE OF BUTTERFIELD ROAD AS TAKEN PER DOCUMENT R1968-049027 FROM SAID PARCEL ONE); THENCE NORTHWESTERLY PERPENDICULAR TO THE SAID SOUTH LINE OF BUTTERFIELD ROAD TO THE NORTH LINE OF SAID BUTTERFIELD ROAD RIGHT OF WAY; THENCE NORTHEASTERLY ALONG SAID NORTH LINE OF THE BUTTERFIELD ROAD RIGHT OF WAY TO A POINT OF INTERSECTION WITH THE AFORESAID EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 29 (ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NUMBER 06-29-400-001 SHOWN ON YORKTOWN, DOCUMENT NO. R1968-044972 AS "CEMETERY" PARCEL); CONTINUING THENCE NORTHEASTERLY ALONG SAID NORTH RIGHT OF WAY LINE, 990.79 FEET, MORE OR LESS, TO THE MOST SOUTHEASTERLY CORNER OF PARCEL 2 IN YORKTOWN COMMONS PHASE 1 ASSESSMENT PLAT RECORDED SEPTEMBER 1, 2017 AS DOCUMENT R2017-090478, ALSO BEING THE SOUTHWEST CORNER OF LOT 1 IN THE RESUBDIVISION OF LOT 5 OF YORKTOWN PER DOCUMENT RECORDED AUGUST 4, 1971 AS DOCUMENT NO. R1971-037779; THENCE NORTHWESTERLY ALONG THE WEST LINE OF SAID LOT 1 (PER DOCUMENT R1971-037779) 295.00 FEET; THENCE NORTHEASTERLY ALONG THE NORTH LINE OF SAID LOT 1, 150.00 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTHWESTERLY 212.19 FEET TO A POINT OF INTERSECTION WITH A LINE BEING 30 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF LOT 1 IN

RESUBDIVISION OF LOT 1 IN PEHRSON SECOND RESUBDIVISION PER DOCUMENT R2015-128216; THENCE NORTHWESTERLY 165.00 FEET ALONG SAID PARALLEL LINE; THENCE SOUTHWESTERLY PERPENDICULAR TO THE LAST DESCRIBED COURSE, 85.00 FEET; THENCE SOUTHEASTERLY ALONG A LINE 50 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF LOT 1 (PER DOCUMENT R2015-128216) AFORESAID, 149.12 FEET; THENCE SOUTH 38 DEGREES 25 MINUTES 42 SECONDS WEST (DEED, 44 SECONDS WEST CALC.) 604.76 FEET; THENCE SOUTH 66 DEGREES 33 MINUTES 07 SECONDS WEST, 515.96 FEET; THENCE SOUTHWESTERLY, 189.32 FEET (DEED, CALC.=190.92 FEET) TO A POINT ON THE MOST SOUTHWESTERLY LINE OF LOT 6 IN YORKTOWN (PER DOCUMENT R1968-044972) AFORESAID; THENCE NORTHEASTERLY ALONG MOST SOUTHWESTERLY LINE OF LOT 6 AFORESAID, 156.59 FEET TO A PROPERTY CORNER THEREOF, ALSO BEING A PROPERTY CORNER IN COMMON WITH LOT 1 OF HIGHLAND-YORKTOWN RESUBDIVISION RECORDED AS DOCUMENT R2006-198283; THENCE NORTHWESTERLY ALONG A SOUTHWESTERLY LINE OF LOT 6 AFORESAID, 231.096 FEET TO ANOTHER CORNER OF SAID LOT 6, ALSO IN COMMON WITH LOT 1 (PER DOC. R2006-198283, 231.10 FEET); THENCE NORTHWESTERLY ALONG A LINE COMMON TO SAID LOT 6 AND LOT 1, 102.16 FEET TO A POINT ON THE MOST NORTHWESTERLY PROPERTY LINE OF SAID LOT 6; THENCE NORTHEASTERLY ALONG SAID PROPERTY LINE (ALSO BEING A COMMON PROPERTY LINE WITH PARCEL 2 IN YORKTOWN COMMONS PHASE 1 ASSESSMENT PLAT PER DOCUMENT R2017-090478), 147.40 FEET; THENCE NORTHWESTERLY PERPENDICULAR TO THE LAST DESCRIBED COURSE, 17.93 FEET (DEED, CALC. = 17.29 FEET), THENCE NORTHEASTERLY PERPENDICULAR TO THE LAST DESCRIBED COURSE, 65.00 FEET; THENCE NORTHWESTERLY PERPENDICULAR TO THE LAST DESCRIBED COURSE, 451.59 FEET TO A POINT ON A NORTHWESTERLY PROPERTY LINE OF SAID PARCEL 1 PER DOCUMENT R2017-090478; THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY LINE 138.17 FEET TO AN ANGLE POINT; THENCE SOUTHWESTERLY ALONG A NORTHWESTERLY PROPERTY LINE OF SAID PARCEL 1, 165.00 FEET; THENCE NORTHWESTERLY, 240.24 FEET TO A POINT OF INTERSECTION WITH A LINE BEING 40 FEET EAST OF AND PARALLEL WITH THE EAST LINES OF LOTS 2 AND 3 IN CARSON'S ASSESSMENT PLAT OF YORKTOWN SHOPPING CENTER PER DOCUMENT R2000-120890; THENCE NORTHWESTERLY ALONG SAID PARALLEL LINE, 680.98 FEET TO A POINT OF CURVATURE; THENCE 36.54 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 210.00 FEET; WHOSE CHORD BEARS NORTHEASTERLY 36.496 FEET TO A POINT ON THE NORTH LINE OF LOT 1 IN SAID CARSON'S ASSESSMENT PLAT; THENCE SOUTHEASTERLY ALONG SAID NORTH LINE, 561.13 FEET TO AN ANGLE POINT; THENCE SOUTHEASTERLY ALONG A NORTH LINE OF SAID LOT 1, 70.00 FEET; THENCE NORTHWESTERLY, 296.83 FEET (MORE OR LESS) TO A POINT OF CURVATURE IN THE NORTH LINE OF PARCEL 2 PER HIGHLAND AVENUE ASSESSMENT PLAT PER DOCUMENT R2012-012175 (SAID POINT ALSO BEING ON THE SOUTH LINE OF LOT 4 IN FINAL PLAT OF SUBDIVISION OF YORKTOWN COMMONS PHASE 1 PER DOCUMENT R2016-093310); THENCE SOUTHWESTERLY ALONG THE SOUTH LINE OF SAID LOT 4 PER DOCUMENT R2016-093310 , 189.38 FEET, BEING THE ARC OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 500.00 FEET, WHOSE CHORD BEARS SOUTHWESTERLY, 188.25 FEET (MORE OR LESS) TO A POINT OF TANGENCY ON THE SOUTH LINE OF LOT 3 IN SAID FINAL PLAT OF SUBDIVISION OF YORKTOWN COMMONS PHASE 1 AFORESAID; THENCE SOUTHWESTERLY ALONG SAID SOUTH LINE OF LOT 3 (ALSO BEING THE NORTH LINE OF PARCEL 2 PER DOCUMENT R2012-012175 AFORESAID), 558.702 FEET TO A POINT OF INTERSECTION WITH A LINE BEING 13.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF HIGHLAND AVENUE AS DEDICATED PER DOCUMENT NO. R68-10770

(SAID POINT BEING THE SOUTHEAST CORNER OF PROPERTY DESCRIBED AS EXCEPTION TO LOT 1 OF PEHRSON'S RESUBDIVISION (RECORDED AS DOCUMENT R1975-052797) PER DEED RECORDED AS R2017-010084 (AND OTHERS); THENCE NORTHWESTERLY ALONG THE EASTERLY LINE OF SAID EXCEPTION PARCEL, BEING A LINE PARALLEL WITH THE WEST LINE OF SAID LOT 1, 47.30 FEET; THENCE NORTHWESTERLY, 28.28 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1, BEING 67.26 FEET NORTH OF (MEASURED ALONG THE WEST LINE THEREOF) THE SOUTHWEST CORNER THEREOF; THENCE CONTINUING NORTHWESTERLY ALONG SAID WEST LINE, 319.173 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTHEASTERLY ALONG THE NORTH LINES OF LOTS 1 AND 2 IN SAID PEHRSON'S RESUBDIVISION 360.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 2 (SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 3 IN FINAL PLAT OF SUBDIVISION YORKTOWN COMMONS PHASE 1, PER DOCUMENT R2016-093310 AFOREMENTIONED); THENCE NORTHEASTERLY ALONG THE NORTH LINE OF SAID LOT 3 PER DOCUMENT R2016-093310, 281.24 FEET TO THE NORTHEAST CORNER THEREOF, ALSO BEING THE NORTHWEST CORNER OF LOT 4 IN SAID FINAL PLAT OF SUBDIVISION; THENCE NORTHEASTERLY ALONG THE NORTH LINE OF SAID LOT 4, 742.45 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF 67.00 FOOT WIDE SOUTH GRACE STREET RIGHT OF WAY AS DEDICATED PER DOCUMENT R1972-057164; THENCE NORTHEASTERLY ALONG THE EASTERLY PROLONGATION OF THE SAID NORTH LINE OF LOT 4 TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID SOUTH GRACE STREET RIGHT OF WAY; THENCE SOUTHERLY ALONG SAID EAST RIGHT OF WAY LINE TO A POINT OF INTERSECTION WITH THE NORTH LINE OF A 30 FOOT EASEMENT FOR UNDERGROUND UTILITIES PER DOCUMENT R1968-045002, ALSO BEING THE EASTERLY PROLONGATION OF THE SOUTH LINE OF LOT 4 IN FINAL PLAT OF SUBDIVISION OF YORKTOWN COMMONS PHASE 1 AFORESAID; THENCE SOUTHWESTERLY TO A POINT OF CURVATURE, BEING THE NORTHWESTERLY CORNER OF LOT 2 IN SAID FINAL PLAT OF SUBDIVISION OF YORKTOWN COMMONS PHASE 1; THENCE CONTINUING THE FOLLOWING SEVEN (7) COURSES, ALL BEING ALONG PROPERTY LINES OF SAID LOT 2, 1) 30.17 FEET, BEING THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 20.00 FEET WHOSE CHORD BEARS SOUTH 25 DEGREES 50 MINUTES 49 MINUTES WEST, 2) SOUTH 17 DEGREES 21 MINUTES 56 SECONDS EAST, 83.14 FEET; 3) SOUTH 02 DEGREES 39 MINUTES 50 SECONDS EAST, 26.41 FEET TO A POINT OF CURVATURE, 4) 28.09 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 18.00 FEET, WHOSE CHORD BEARS SOUTH 47 DEGREES 22 MINUTES 03 SECONDS EAST, 5) NORTH 87 DEGREES 55 MINUTES 45 SECONDS EAST, 209.84 FEET, 6) SOUTH 65 DEGREES 23 MINUTES 09 SECONDS EAST, 127.04 FEET, 7) NORTH 27 DEGREES 57 MINUTES 54 SECONDS EAST, 171.44 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG THE PROLONGATION OF THE LAST DESCRIBED COURSE TO A POINT OF INTERSECTION WITH THE NORTH LINE OF LOT 1 IN SAID FINAL PLAT OF SUBDIVISION OF YORKTOWN COMMONS PHASE 1; CONTINUING THENCE SOUTHEASTERLY ALONG THE NORTH LINE OF SAID LOT 1, 290.74 FEET (MORE OR LESS PER DOCUMENT R1995-162762), BEING THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 518.00 FEET TO A POINT OF INTERSECTION WITH THE MOST WESTERLY NORTH PROPERTY CORNER OF LOT 5 IN YORKTOWN PERIPHERAL/TARGET SUBDIVISION PER DOCUMENT R1995-162762; THENCE THE FOLLOWING THREE (3) COURSES ALONG THE NORTHERLY PROPERTY LINES OF SAID LOT 5, 1) NORTHEASTERLY, 94.59 FEET, 2) NORTHWESTERLY 13.00 FEET, 3) NORTHEASTERLY 543.37 FEET TO THE NORTHEAST CORNER THEREOF (SAID POINT ALSO BEING ON A WEST PROPERTY LINE OF PARCEL 1 OF NORTHERN BAPTIST

THEOLOGICAL SEMINARY ASSESSMENT PLAT PER DOCUMENT R2007-159301 AND THE SOUTHEAST CORNER OF LOT 2 IN YORKTOWN PERIPHERAL/TARGET SUBDIVISION AFOREMENTIONED; THENCE NORTHWESTERLY 160.75 FEET ALONG THE PROPERTY LINE COMMON TO SAID YORKTOWN PERIPHERAL/TARGET SUBDIVISION AND THE NORTHERN BAPTIST THEOLOGICAL SEMINARY ASSESSMENT PLAT TO AN ANGLE POINT; THENCE NORTHWESTERLY ALONG SAID COMMON LINE, 251.35 FEET TO AN ANGLE POINT; THENCE SOUTHWESTERLY, 36.67 FEET TO A POINT ON A WESTERLY PROPERTY LINE OF SAID PARCEL 1 IN SAID ASSESSMENT PLAT; THENCE NORTHWESTERLY ALONG SAID WESTERLY PROPERTY LINE, 116.51 FEET TO AN ANGLE POINT; THENCE NORTHEASTERLY ALONG A WESTERLY PROPERTY LINE OF SAID PARCEL 1, 157.16 FEET TO THE MOST NORTHWESTERLY CORNER THEREOF; THENCE SOUTHEASTERLY ALONG THE MOST NORTHERLY LINE OF SAID PARCEL 2, 282.40 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY 70.50 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 1,661.83 FEET , WHOSE CHORD BEARS SOUTHWESTERLY TO A POINT OF REVERSE CURVE; THENCE SOUTHWESTERLY 103.23 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 767.39 FEET, WHOSE CHORD BEARS SOUTHWESTERLY TO A POINT OF INTERSECTION WITH A NORTH PROPERTY LINE OF SAID PARCEL 1 (ALL CURVE INFORMATION PER SAID ASSESSMENT PLAT), SAID POINT OF INTERSECTION ALSO BEING THE MOST SOUTHERLY LINE OF LOT 2 IN 701-747 22ND STREET SUBDIVISION PER DOCUMENT R2010-043541; THENCE NORTHEASTERLY ALONG THE SOUTH LINE OF SAID LOT 2, 229.59 FEET TO THE SOUTHEAST CORNER THEREOF, ALSO BEING THE SOUTHWEST CORNER OF LOT 1 IN SAID 701-747 22ND STREET SUBDIVISION; THENCE THE FOLLOWING TEN (10) COURSES, ALL ALONG THE MOST WESTERLY PROPERTY LINES OF SAID LOT 1, 1) NORTHWESTERLY, 326.45 FEET, 2) NORTHWESTERLY 154.85 FEET, 3)NORTHEASTERLY 3.07 FEET, 4) NORTHWESTERLY 122.51 FEET, 5) SOUTHWESTERLY 3.07 FEET, 6) NORTHWESTERLY 32.04 FEET, 7) NORTHWESTERLY 48.33 FEET, 8) NORTHEASTERLY 42.43 FEET, 9) NORTHEASTERLY 34.93 FEET, 10) NORTHEASTERLY 21.85 FEET TO THE NORTHWEST CORNER OF SAID LOT 1 (ALSO BEING ON THE SOUTH RIGHT OF WAY LINE OF 22ND STREET); THENCE NORTHWESTERLY, PERPENDICULAR TO THE NORTH LINE OF SAID LOT 1 AND THE SAID SOUTH RIGHT OF WAY LINE OF 22ND STREET 100.00 FEET TO THE NORTH RIGHT OF WAY LINE OF SAID 22ND STREET; THEN NORTHEASTERLY ALONG SAID NORTH RIGHT OF WAY LINE 817.98 FEET TO A POINT 100.00 FEET NORTH OF (AS MEASURED PERPENDICULAR TO) THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTHERLY, ALONG A LINE PERPENDICULAR TO THE AFORESAID NORTH RIGHT OF WAY LINE OF 22ND STREET TO THE NORTHEAST CORNER OF LOT 1, BEING THE AFORESAID POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

P.I.N.	Common Address	
06-29-101-019	3 Yorktown Center	Lombard, Illinois 60148
06-29-101-035	1 Yorktown Center	Lombard, Illinois 60148
06-29-101-038	230 Yorktown Center	Lombard, Illinois 60148
06-29-101-044	175 Yorktown Center	Lombard, Illinois 60148
06-29-101-046	2 Yorktown Center	Lombard, Illinois 60148
06-29-101-047	20 Yorktown Center	Lombard, Illinois 60148
06-29-101-048	203 Yorktown Center	Lombard, Illinois 60148
06-29-101-049	155 Yorktown Center	Lombard, Illinois 60148
06-29-200-017	85 Yorktown Center	Lombard, Illinois 60148

06-29-200-051	72 Yorktown Center	Lombard, Illinois 60148
06-29-200-052	78 Yorktown Center	Lombard, Illinois 60148
06-29-200-056	610-690 E. Butterfield Rd.	Lombard, Illinois 60148
06-29-200-059	747 E. 22 nd St.	Lombard, Illinois 60148
06-29-200-061	80 Yorktown Center	Lombard, Illinois 60148
06-29-200-062	84 Yorktown Center	Lombard, Illinois 60148
06-29-301-008	145 Yorktown Center	Lombard, Illinois 60148
06-29-400-002	145 Yorktown Center	Lombard, Illinois 60148
06-29-401-007	477 E. Butterfield Rd.	Lombard, Illinois 60148
06-29-401-010	435 E. Butterfield Rd.	Lombard, Illinois 60148
06-29-401-012	455 E. Butterfield Rd.	Lombard, Illinois 60148
06-29-402-016	555 E. Butterfield Rd.	Lombard, Illinois 60148
06-29-402-022	2900 S. Fairfield Ave.	Lombard, Illinois 60148
06-29-402-032	601 E. Butterfield Rd.	Lombard, Illinois 60148

Exhibit A-2

**Depiction (Map) of the
Butterfield Road/Yorktown Business District No. 2**

(attached)



CH Butterfield Road/Yorktown
Business District #2



EXHIBIT
tabbles
A-2

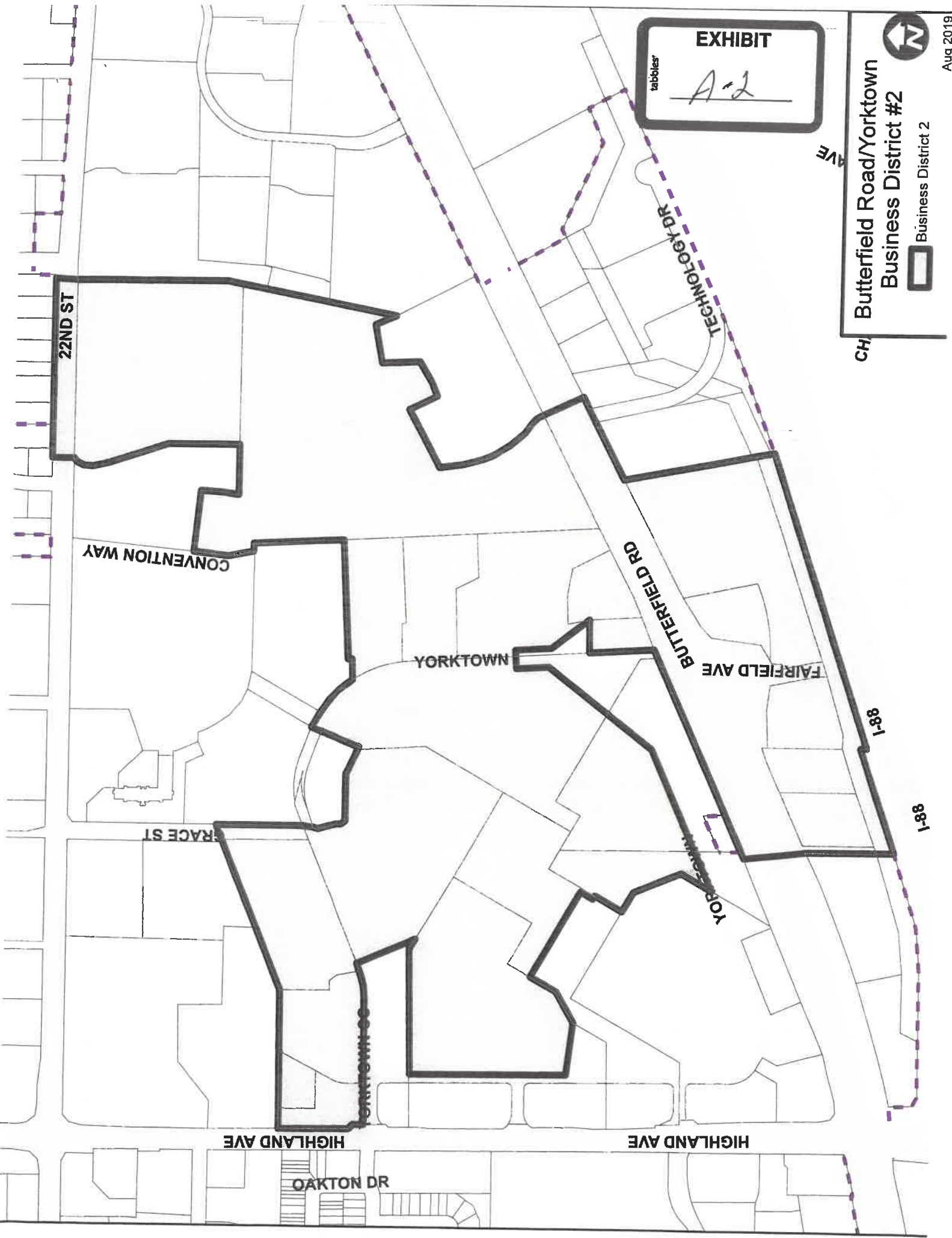


Exhibit B

**Business District Plan for the
Butterfield Road/Yorktown Business District No. 2**

(attached)



**VILLAGE OF LOMBARD
BUTTERFIELD ROAD/YORKTOWN
BUSINESS DISTRICT NO. 2 PLAN**

Prepared by:

Kane, McKenna and Associates, Inc.

Prepared for:

Village of Lombard

July, 2019

**Village of Lombard
Butterfield Road/Yorktown
Business District No. 2**

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EXHIBITS

- Exhibit A -Legal Description, Permanent Tax Index Numbers (PINs) and Common Addresses for the Properties Within Lombard Butterfield Road/Yorktown Business District No. 2
- Exhibit B Map of the Boundaries of the Lombard Butterfield Road/Yorktown Business District No. 2
- Exhibit C Existing Land Uses within the Boundaries of the Lombard Butterfield Road/Yorktown Business District No. 2
- Exhibit D KLOA Traffic Report

I. INTRODUCTION

A. Background

The Village of Lombard (the "Village"), has identified certain portions of the Village's Yorktown Shopping Center ("YSC") including outlots and parking fields, the Yorktown Convenience Center and adjacent property, and the AMC Theater, as well as properties east of the YSC (the former Northern Baptist Theological Seminary ("NBTS") and the office building to the north) and properties south of Butterfield Road, located adjacent to Fairfield Avenue (the "Business District") which would benefit from the utilization of a business district designation as specifically provided for in 65 ILCS 55/11-74.3-1 et. seq., (the "BD Act" or "Business District Act"). Kane, McKenna and Associates, Inc. ("KMA") has been retained to assist the Village in preparing the Business District plan for the area described above.

The Business District is generally located north and south of Butterfield Road and is legally described in Exhibit A attached hereto and made part hereof, and graphically depicted on the map attached hereto as Exhibit B and made part hereof.

The YSC was originally constructed between 1966 and 1968. Various outlots and the AMC Theater were constructed or redeveloped between 1970 and 2016. The Carson's store closed in August, 2018. The NBTS and the 747 E. 22nd Street office building properties were largely constructed between 1960 and 1985, with two buildings constructed in 1998. Properties to the south of Butterfield Road were primarily constructed between 1975 and 1985.

Mall management/ownership (YTC Mall Owner LLC and YTC Land Owner LLC) has indicated that retail uses adjacent to the Carson's store may experience reductions in sales and many of these leases may be able to execute shorter lease terms or a reduction in rental payments due to the loss of the Carson's anchor. The JCPenney operation is also included in the proposed Business District as the property may be subject to significant redevelopment, existing building enhancement, or modernization.

The Village recognizes that economic development initiatives can offer communities the opportunity to realize various goals, including increased property and sales taxes and the capture of sales taxes and users from the immediate area. A diversified tax base, increased employment and services to local residents, and reductions in blight and vacancies are also important to the Village. Finally, local control over projects is desired when federal or State dollars are not readily available.

The Butterfield Road/Yorktown Business District No. 2(the "Business District") Plan (the "Plan") developed by the Village is an initial step in an effort to maintain and strengthen Village retail and commercial advantages, preserve area strengths, and to develop a flexible and workable approach in order to maintain retail, commercial, and mixed uses within the Village. Given recent market trends affecting retail trade and in particular, enclosed retail malls, the Village believes that

a proactive approach and area wide coordination is essential to preserve tax base, sales tax revenues and jobs.

It is hoped that the Plan's goals and objectives will be supplemented by ongoing efforts as well as integrated with new proposed efforts that take into account and attempt to balance both the marketplace and Village planning preferences.

The Business District Act authorizes Illinois municipalities to designate an area within the municipality as a business district. A business district must be established in conformance with a specific plan for business districts officially approved by the corporate authorities of the municipality after a public hearing.

In accordance with the Business District Act, the Village may exercise the following powers in carrying out a business district development plan:

- (1) To make and enter into all contracts necessary or incidental to the implementation and furtherance of a business district plan. A contract by and between the municipality and any developer or other nongovernmental person to pay or reimburse said developer or other nongovernmental person for business district project costs incurred or to be incurred by said developer or other nongovernmental person shall not be deemed an economic incentive agreement under 65 ILCS 5/8-11-20, notwithstanding the fact that such contract provides for the sharing, rebate, or payment of retailers' occupation taxes or service occupation taxes (including, without limitation, taxes imposed pursuant to subsection (10) below that the municipality receives from the development or redevelopment of properties in the business district. Contracts entered into pursuant to this subsection shall be binding upon successor corporate authorities of the municipality and any party to such contract may seek to enforce and compel performance of the contract by civil action, mandamus, injunction, or other proceeding.
- (2) Within a business district, to acquire by purchase, donation, or lease, and to own, convey, lease, mortgage, or dispose of land and other real or personal property or rights or interests therein; and to grant or acquire licenses, easements, and options with respect thereto, all in the manner and at such price authorized by law. No conveyance, lease, mortgage, disposition of land or other property acquired by the municipality, or agreement relating to the development of property, shall be made or executed except pursuant to prior official action of the municipality. No conveyance, lease, mortgage, or other disposition of land owned by the municipality, and no agreement relating to the development of property, within a business district shall be made without making public disclosure of the terms and disposition of all bids and proposals submitted to the municipality in connection therewith.
- (2.5) To acquire property by eminent domain in accordance with the Eminent Domain Act.

- (3) To clear any area within a business district by demolition or removal of any existing buildings, structures, fixtures, utilities, or improvements, and to clear and grade land.
- (4) To install, repair, construct, reconstruct, or relocate public streets, public utilities, and other public site improvements within or without a business district which are essential to the preparation of a business district for use in accordance with a business district plan.
- (5) To renovate, rehabilitate, reconstruct, relocate, repair, or remodel any existing buildings, structures, works, utilities, or fixtures within any business district.
- (6) To construct public improvements, including but not limited to buildings, structures, works, utilities, or fixtures within any business district.
- (7) To fix, charge, and collect fees, rents, and charges for the use of any building, facility, or property or any portion thereof owned or leased by the municipality within a business district.
- (8) To pay or cause to be paid business district project costs. Any payments to be made by the municipality to developers or other nongovernmental persons for business district project costs incurred by such developer or other nongovernmental person shall be made only pursuant to the prior official action of the municipality evidencing an intent to pay or cause to be paid such business district project costs. A municipality is not required to obtain any right, title, or interest in any real or personal property in order to pay business district project costs associated with such property. The municipality shall adopt such accounting procedures as shall be necessary to determine that such business district project costs are properly paid.
- (8.5) Utilize up to 1% of the revenue from a business district retailers' occupation tax and service occupation tax imposed under subsection (10) below and a hotel operators' occupation tax under subsection (11) below in connection with one business district that is:
 - (A) contiguous to the business district from which the revenues are received;
 - (B) separated only by public right of way from the business district from which the revenues are received; or
 - (C) separated only by forest preserve property from the business district from which the revenues are received if the closest boundaries of the business districts that are separated by the forest preserve property are less than one mile apart.
- (9) To apply for and accept grants, guarantees, donations of property or labor or any other thing of value for use in connection with a business district project.

(10) If the municipality has by ordinance found and determined that the business district is a blighted area under the Business District Act, to impose a retailers' occupation tax and a service occupation tax in the business district, in accordance with the Business District Act, for the planning, execution, and implementation of business district plans and to pay for business district project costs as set forth in the business district plan approved by the municipality.

(11) If the municipality has by ordinance found and determined that the business district is a blighted area under the Business District Act, to impose a hotel operators' occupation tax in the business district, in accordance with the Business District Act, for the planning, execution, and implementation of business district plans and to pay for the business district project costs as set forth in the business district plan approved by the municipality.

(65 ILCS 5/11-74.3-3.)

The service occupation and retailers' occupation taxes may be imposed at a rate of not exceeding one percent (1%), must be imposed in quarter percent (0.25%) increments, may not be imposed on "food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purposes of rendering it usable by a person with a disability, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use," and may only be imposed for no more than twenty-three (23) years. These taxes, if imposed, shall be collected by the Illinois Department of Revenue and then disbursed to the Village. The hotel operators' occupation tax may be imposed at a rate of not to exceed one percent (1%), must be imposed in quarter percent (0.25%) increments, may only be imposed for no more than twenty-three (23) years and, if imposed, must be collected by the Village.

In accordance with the Business District Act, the Plan sets forth the necessity for, the objectives of, and the development program for the Business District in the Village.

B. Village Goals and Objectives

Village Goals

- To provide for implementation of economic development and redevelopment strategies that benefit the Village and its residents.
- To encourage positive and feasible redevelopment of vacant properties and/or underutilized facilities.
- To provide public infrastructure improvements within the Village to promote growth.
- To strengthen the property tax base and sales tax base of the Village.
- To create new jobs and retain existing jobs for the Village and area residents.
- To coordinate all redevelopment within the Village in a comprehensive manner.

Village Objectives

- 1) Encourage the redevelopment of the former Carson's property.
- 2) Stabilize retail operations in the space located in the YSC and explore options for reuse or repositioning of the properties throughout the Business District.
- 3) Encourage the development of outlots within the Business District.
- 4) Improve utility mains and service lines within the Business District.
- 5) Encourage redevelopment or enhancement of properties south of Butterfield Road and east of YSC.
- 6) Coordinate aesthetic improvements relating to building facades, landscaping and lighting.
- 7) Facilitate right-of-way and private roadway improvements, parking and access related agreements within the Business District.
- 8) Promote and/or enhance retail business occupancy within existing buildings and structures through the utilization of applicable funds for eligible capital improvements.

- 9) Undertake selected public street, public utility and other public site improvements that, while not geographically located within the Business District, are essential to the preparation of the Business District for use in accordance with the Plan.

In addition to specific goals relating to commercial development and planning, the Village also has developed a strong economic development orientation.

Diversified economic growth within the Village is essential to the community's development. Economic growth is important since it provides both employment opportunities for residents and strengthens the Village's tax base.

II. QUALIFICATION FOR THE BUSINESS DISTRICT

The Business District is legally described in Exhibit A and a map of the Business District boundaries is contained in Exhibit B, both being attached hereto and made part hereof. Exhibit C, attached hereto and made part hereof, contains a description of existing land uses within the Business District.

Business district development and redevelopment is specifically provided for in 65 ILCS § 5/11-74.3-1 et seq. Pursuant to 65 ILCS § 5/11-74.3-2 and § 5/11-74.3-5, the Village Board may designate a specific area of the Village as a business district, with the authority to levy an additional Sales Tax therein, but only after the holding of at a public hearing, pursuant to due public notice, and the making of a formal finding as to the following:

- (i) the business district is a blighted area that, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire or other causes, or any combination of those factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use; and
- (ii) the business district on the whole has not been subject to growth and development through investment by private enterprises or would not be reasonably anticipated to be developed or redeveloped without the adoption of the business district development or redevelopment plan.

The Business District is a "blighted area" as defined by the Business District Act due to:

- 1) "Defective or inadequate street layout".

The proposed Business District area was developed in piecemeal fashion starting in the 1960s and includes several different uses that will require new coordination of potential land use relationships, street layout, and other development standards. The Village Comprehensive Plan emphasizes that a Complete Streets approach should incorporate the needs for pedestrians, bicyclists, transit users, motorist, and property owners.

Historically, development of the existing buildings and structures within the Business District commenced in the 1960s by two (2) property owners (each with different land uses and development objectives) – NTBS and the Yorktown Center/Pehrson Long group. Functionally, each property was developed as an "island" with private utility systems; little coordinated internal circulation, and currently demonstrates a need for an improved transportation network to Butterfield Road and 22nd Street. Properties south of Butterfield Road within the Business District

were also developed in piecemeal fashion starting in the late 1970s, with vehicular access limited to a frontage road and no pedestrian/public transit accommodations.

It is important to note that the NBTS was annexed into the Village in 1976 and after many of the campus buildings were already constructed. Subsequent development of perimeter office properties along Butterfield Road (700-720 East Butterfield) and 22nd Street (701 – 747 East 22nd Street) effectively shielded the interior site from the street network and also were not interconnected with the interior site. The Yorktown Center Planned Development (1966) also did not include provisions for capital improvements that could be more in line with current planning principles and market conditions.

Both properties are designated in the Village's Comprehensive Plan as "major activity centers" with emphasis on traffic coordination. However, additional capital improvements will need to be planned or considered, especially as there may be a potential use change for the NBTS property, and residential development proposed north of the YSC.

As is the case with the former NBTS site, infrastructure serving these areas, and the larger Business District, were primarily designed prior to annexation into the Village. As such, they are largely private in nature and need to follow provisions of the Village's current regulations/controlling documents. Much of the rest of the utility infrastructure was approved and constructed prior to current standards and utility capacity needs.

The results from the Preliminary Access and Circulation Evaluation of the NBTS (undertaken by Koenig, Lindgren, O'Hara, Aboona, Inc. (KLOA) in 2017) states "access to and from the site and its internal circulation is mostly disconnected from the adjacent land use surround the sites". NBTS also has very limited visibility from the main roads (Butterfield Road and 22nd Street), which is a detriment to redevelopment. The study concludes that the existing access configuration is inadequate and not efficient to accommodate future redevelopment of the site as the site does not provide complete connectivity to the Village's streets and the Yorktown Shopping Center. This relates to all types of transportation including vehicular, pedestrian, and bicycles.

KLOA updated its review of access and circulation to encompass the Business District boundaries in 2019. The KLOA review identified needs for: traffic signalization, cross access connectivity, external connections, and provisions for future redevelopments. The KLOA evaluation is attached hereto as Exhibit D and made part hereof.

The 2016 Lombard Bicycle and Pedestrian Plan also specifies connectivity issues with the YSC. Butterfield Road, the southern arterial road to the YSC, has limited access for pedestrians and cyclists. The road has a high number of cars traveling at fast speeds (45 mph) which makes the corridor difficult to cross as a bicyclist or pedestrian. Additionally, there are limited crossings, which are a deterrent to pedestrian and cyclists.

Examples of public safety concerns are indicated through the two pedestrian related vehicle injuries that have occurred on Butterfield Road between 2009-2013. Highland Avenue, the western boundary of YSC, also suffers from a lack of crosswalks that prevent safe crossings to YSC. As stated above, parking for the 747 E. 22nd Street office building also requires review (originally part of a two-building development and subsequently split into two separate parcels).

The 2014 Comprehensive Plan indicates that the following major roads surrounding the Business District have traffic operational problems and concerns: Highland Avenue, Westmore-Meyers Road, and 22nd Street. These problems include high traffic volumes, including a significant amount of through traffic and localized traffic congestion, particularly near these intersections.

The Comprehensive Plan also suggests that the Village should work with the Illinois Department of Transportation (IDOT) to interconnect traffic signals, particularly along Butterfield Road and reconfigure signal timing to reduce traffic vehicle delays.

In addition, the area south of Butterfield Road is bisected by Fairfield Avenue, and will most likely require traffic and circulation improvements depending upon the final redevelopment of the vacant properties.

Lastly, the properties south of Butterfield Road and elsewhere through the proposed Business District area could benefit from additional traffic enhancements that may include, but not limited to, cross-access and driveway improvements, way-finding and signage enhancements and public transit, bicycle and pedestrian accommodations.

2) "Improper subdivision or obsolete platting".

As several properties are prepared for new uses – the NTBS properties, vacant properties east of Fairfield Avenue, and potentially the YSC properties (parking lots and improved parcels) – provisions will need to be made for potential relocation of utilities, stormwater detention, roadway configuration and circulation, as well as newer parking improvements related to proposed uses.

Potential mixed residential and commercial uses will require parking (possible structured and/or surface parking) in conjunction with provisions for buffering or setbacks to existing or proposed uses. In particular, the proposed reuse of the NTBS property and properties to the north of the YSC may require re-platting based upon proposed uses and their coordination with existing uses and layouts. Infrastructure planning – including the coordination of both private and public delivery systems will most likely be required between the Village and private redevelopment entities.

3) "Deterioration of site improvements".

Buildings within the NBTS campus such as the exterior of 660 East Butterfield Road has concrete damage that is crumbling. The brick exterior suffers from water damage and is in need of tuck-pointing. The garage attached to 660 East Butterfield Road is in poor condition with paint chipping and damaged panels on the garage door. 670 East Butterfield Road also needs tuck-pointing and suffers from concrete damage. There is a hole under the stairs that leads to the front of 670 East Butterfield Road that needs to be filled along with eroding sidewalks. Concrete around the windows of the building is also crumbling from water damage.

The residential tower at 650 East Butterfield Road also needs tuck-pointing. Building windows require sealing and repair. Many sidewalks within the campus need to be resurfaced along with parking lots that have instances of surface and pavement cracks.

The 747 E. 22nd Street property suffers from cracked surface pavement. This has led to potholes in some areas. Some areas of the parking lot and drives need to be resurfaced as pavement cracking has become more prevalent.

The Yorktown Convenience Center site improvements evidence surface cracking and crumbling pavement. The parking lot needs to be resurfaced. The back of the property also has crumbling pavement and potholes. Several gates/garage doors require repair including one entry that is completely boarded up. Preliminary environmental investigation suggests that there may be environmental soil contamination or asbestos within the existing building.

The vacant property south of Butterfield Road and east of Fairfield Avenue is in extremely poor condition – exhibiting deterioration of paved surfaces, drives and parking areas.

It must be noted that some of the deterioration could also be addressed through a wholesale redevelopment of individual sites

Other Findings

In its present condition and use, including the vacancies associated with the former Carson's space and adjacent spaces, it is expected there will be a loss of sales tax dollars generated by businesses within the proposed business district area, as well as a loss in employment opportunities, and retail/commercial services to the Village. As such, the Business District properties, in conjunction with the findings described above, constitute an economic liability as set forth in the Business District Act.

Based upon discussions with the YSC management/ownership, there is concern over the loss of the Carson's store and impacts on adjacent tenants. The age of the shopping center, its reliance on anchor general merchandise users, and the costs associated with an enclosed mall have also resulted in less than optimal utilization within the marketplace. The current vacant condition of the space as well as the NTBS property and vacant property south of Butterfield Road supports the finding that the Business District has not been subject to private growth and development.

As part of this Plan's preparation, the Village hereby makes a formal finding that the Business District is a "blighted area" pursuant to the requirements of the Business District Act due to the predominance of defective or inadequate street layout, improper subdivision or obsolete platting and deterioration of site improvements present within the Business District (this finding is also included in Section VIII) and furthermore, that the Business District constitutes an economic liability to the Village in its present condition and use.

III. BUSINESS DISTRICT DESCRIPTION

A. General Description

The Business District is generally described as being bounded by Business District No. 1 on the west, Butterfield Road and Interstate 88 (Ronald Reagan Tollway) on the south, 22nd Street and Yorktown Center Drive on the north, and the eastern property line of the former Northern Baptist Theological Seminary (NTBS) to the east.

B. Legal Description

The legal description is included in Exhibit A and includes only parcels of real property that will be directly and substantially benefited by this Plan.

C. Business District Name

The official name of the Business District is the Butterfield Road/Yorktown Business District No 2.

IV. BUSINESS DISTRICT REDEVELOPMENT

A. Business District Policy Criteria

The Village has established the following policy criteria to guide development activities within the Business District:

- (1) Preserve and create an environment within the Business District which will promote the economic and social welfare of the Village including opportunities for new retail/ commercial growth and for retention of existing commercial activities.
- (2) Exercise powers provided for under the Business District Act in the promotion of the public interest and enhancement of the tax base and tax revenues to the Village.
- (3) Enhance the economic well-being and strengthen the retail/commercial sector within the Business District by encouraging private investment and reinvestment through public financing vehicles, if necessary, to increase business activity, attract sound and stable commercial growth, create and retain job opportunities and enhance and diversify the tax base.
- (4) Address the need for economic feasibility, cost efficiency and economies of scale in development through encouragement of coordinated development of projects and through prudent and appropriate acquisition and assemblage of parcels. The Village will review projects on an individual basis in order to determine the need for assistance.
- (5) Provide necessary public infrastructure that enhances the Business District to create an attractive service and/or shopping environment to encourage and support private investment.
- (6) Establish adequate and safe vehicular and pedestrian circulation and provide adequate parking in locations easily accessible for patrons and other users of commercial activities.
- (7) Advance the goals and policies as set forth within the Village's Economic Strategies Plan and the Village's Economic Incentive Policy.

B. Private Development Actions

The Village has a commitment to be prudent regarding the use of public resources in the assistance of economic development activities. Accordingly, Village assistance to economic development projects located within the Business District, as generally described below, (the "Development Project(s)) will require thorough Village review of the need for public assistance and the Village Board of Trustees will need to approve the terms of assistance in development agreements with private entities. Private development actions must conform to the Village's Business District Policy Criteria set forth in Section IV.A. above.

Private entities will need to evidence capacity to implement Development Projects and they must conform to the appropriate Village planning provisions. The Village seeks to expand and diversify its economic and tax base; Development Projects must serve to improve the economic and tax base of the Village.

C. General Project Descriptions

The Village intends to provide or enter into agreements with developers or other private sector interests to provide certain public and private improvements in the Business District to enhance the immediate area and to serve the needs of development.

Potential projects include the redevelopment of the former Carson's tenant spaces and the adjacent areas into modern, renovated retail/commercial uses, or other recreation, entertainment or other land uses that may stimulate additional business activity within the business district area or the Village as a whole.

Village projects may include:

- Improvement of public utilities including construction or replacement of the public utility mains, service lines and related system improvements;
- Improvement of internal roads; entryway related features, and intersections as set forth within the text narrative as well as in Exhibit D;
- Installation of new traffic signalization and/or signs as set forth within the text narrative as well as in Exhibit D;
- Installation, repair, construction, reconstruction and/or relocation of public streets and other public site improvements that are essential to the preparation of the Business District for use in accordance with this Plan, but which are located outside of the geographical boundaries of the Business District;

- Installation, repair, construction, reconstruction, and/or relocation of public utilities, essential to the preparation of the Business District for use in accordance with this Plan, but which are located outside of the geographical boundaries of the Business District; including, but not limited to, the repair, reconstruction and rehabilitation of the 22nd Street sanitary force main and the construction of the 22nd Street sanitary sewer capacity improvements;
- Beautification and installation of identification markers, landscaping/ streetscaping;
- Relocation and/or burial of utility lines; and
- Rehabilitation of structures and construction of site improvements, including parking improvements.

To achieve the objectives of this Plan, the Village may additionally enter into agreements with one or more developers or other private sector interests in order to implement the objectives of this Plan.

D. Business District Project Costs

In undertaking the activities described above, the Village may incur and expend funds related to the implementation of the projects described above. A list of the types of costs that the Village may undertake to fund follows below. The exact amount of assistance that the Village would be embodied in development agreements for each individual project.

**Village of Lombard
Butterfield Road/Yorktown Business District No. 2
Types of Business District Project Costs and
Estimated Budget Allocations**

Estimated costs are shown below. Adjustments to these cost items may be made without amendment to the Plan. **The costs represent estimated amounts and do not represent actual Village commitments or expenditures. Rather, they are a ceiling on possible expenditures of funds in the Business District. Associated planning, architect/engineering, legal and other professional costs may be included within each line item.**

1. Costs of studies, surveys, development of plans and specifications, implementation and administration of a business district plan, and personnel and professional service costs including architectural, engineering, legal, marketing, financial, planning, or other professional services, provided that no charges for professional services may be based on a percentage of tax revenues received by the Village;

Estimated Costs: \$4,000,000

2. Property assembly costs, including but not limited to, acquisition of land and other real or personal property or rights or interest therein, and specifically including payments to developers or other nongovernmental persons as reimbursement for property assembly costs incurred by that developer or other nongovernmental person;

Estimated Costs: \$11,500,000

3. Site preparation costs, including but not limited to clearance, demolition or removal of any existing buildings, structures, fixtures, utilities, and improvements and clearing and grading of land;

Estimated Costs: \$12,000,000

4. Costs of installation, repair, construction, reconstruction, extension, or relocation of public streets, public utilities, and other public site improvements within or without the Business District which are essential to the preparation of the Business District for use in accordance with the Plan, and specifically including payments to developers or other nongovernmental persons as reimbursement for site preparation costs incurred by the developer or nongovernmental person;

Estimated Costs: \$41,900,000

5. Costs of renovation, rehabilitation, reconstruction, relocation, repair, or remodeling of any existing buildings, improvements, and fixtures within the Business District, and specifically including payments to developers or other nongovernmental persons as reimbursement for costs incurred by those developers or nongovernmental persons;

Estimated Costs: \$70,000,000

6. Costs of installation or construction within the Business District of buildings, structures, works, streets, improvements, equipment, utilities, or fixtures, and specifically including payments to developers or other nongovernmental persons as reimbursements for such costs incurred by such developer or nongovernmental person;

Estimated Costs: \$3,300,000

7. Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations, payment of any interest of any obligations issued under the Business District Act that accrues during the estimated period of construction of any development or redevelopment project for which those obligations are issued and for not exceeding 36 months thereafter, and any reasonable reserves related to the issuance of those obligations; and

Estimated Costs: \$1,000,000

8. Relocation costs to the extent that the Village of Lombard determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law.

Estimated Costs: \$500,000

Total Maximum Expenditures

\$144,200,000

All project cost estimates are in 2019 dollars. In addition to the above stated costs, any bonds or debt obligations (including notes) issued by the Village may include an amount of proceeds sufficient to pay customary and reasonable charges associated with the issuance of such obligations as well as to provide for capitalized interest and reasonably required reserves. Adjustments to the estimated line item costs above are expected. The individual costs will be reevaluated in light of the nature of the private development and resulting tax revenues as each project is considered for public financing alternatives that the Village may provide.

The totals of line items set forth above are not intended to place a total limit on the described expenditures. Adjustments may be made in line items within the Total Maximum Expenditure, either increasing or decreasing individual line item costs.

Adjustments to these cost items may be made without amendment to the Plan as long as the Total Maximum Expenditures remain unchanged.

V. VILLAGE PUBLIC FINANCING ASSISTANCE

Although the Business District is in a location along arterial roads; the size and configuration of parcels, certain site characteristics, and the provision of public improvements may require public assistance. Anticipated costs of public and site improvements and/or land assembly required for the Development Projects may render private development infeasible. Accordingly, public assistance may be required to off-set certain costs of initial development.

Village assistance will be limited to the amounts required to implement the Development Projects in a feasible and fiscally prudent manner. Development Projects must conform to applicable Village codes and plans and serve to provide an adequate return/benefit to the Village. The extent of assistance, if any, shall be determined by the Board of Trustees of the Village upon a full review of any proposed Development Projects.

The Village has an obligation to be prudent with the use of public resources in commercial development activities. For this reason, it is very important that, whenever the use of public financing is at issue in relation to commercial redevelopment goals for the Development Projects, the Village have a process in place to govern conditions under which it will make private development incentives available for a given project.

That process must allow for adequate analysis of a request for public financial assistance and the evaluation of a project to determine if it meets the needs and objectives of the Village. All this should be incorporated into a business development agreement which can only become effective with approval by the Village's Board of Trustees. This process should include the following steps.

- (1) Developer approaches Village for specific private development incentives assistance and presents a request to the Village.
- (2) Village will review request. If deemed a potentially viable and beneficial project, Village will begin review of Development Project.
- (3) Village will review and analyze information submitted by developer. Any additional information required by the Village shall be submitted to the Village.
- (4) If request is deemed feasible, then the request may be processed by the Village.
- (5) Village attorney will initiate a business district development agreement.
- (6) Negotiations on the Development Project will then be held. (By developer with Village staff).

- (7) Development Project presented with Village staff and the appropriate committee recommendations for review and approval by the Village's Board of Trustees.

Note: Many of the steps could be consolidated, depending upon the timetable and characteristics of the Development Project.

The Village may issue obligations secured by the "Butterfield Road/Yorktown Business District No. 2 Tax Allocation Fund" established for the District pursuant to the Business District Act.

Any and/or all obligations issued by the Village pursuant to this Plan and the Business District Act shall be retired not more than twenty-three (23) years from the date of adoption of the ordinance approving this Plan, and shall be issued for a term that is in compliance with the Business District Act. One or more series of obligations may be issued from time to time in order to implement this Plan. The total principal and interest payable in any year on all obligations shall not exceed the amount available in that year or projected to be available in that year, may be payable from incremental sales tax revenues and from bond sinking funds, capitalized interest, debt service reserve funds, and all other sources of funds as may be provided by the Village ordinance approving any such obligation.

Such securities may be issued, subject to compliance with all applicable laws, on either a taxable or tax-exempt basis, as general obligation bonds, general obligation debt certificates, alternate bonds or revenue bonds, or other debt instruments, with either fixed rate or floating interest rates; with or without capitalized interest; with or without deferred principal retirement; with or without interest rate limits except as limited by law; and with or without redemption provisions, and on such other terms, all as the Village may determine.

VI. SOURCES OF FUNDS TO PAY DEVELOPMENT PROJECT COSTS

Upon designation of the Business District by Village ordinance, the Village intends to impose the service occupation and retailer's occupation taxes provided for by the Business District Act, within the Business District at a rate of one percent (1%) of gross sales for the term of the Business District; for a period of not to exceed twenty-three (23) years (the "Special Business District Taxes") as provided for in the Business District Act. Said Special Business District Taxes shall be source of funding for paying Business District Project Costs within the Business District.

A separate Village ordinance shall also be adopted by the Village's Board of Trustees that will create a separate fund entitled the "Butterfield Road/Yorktown Business District No. 2 Tax Allocation Fund" in order to receive the Special Business District Taxes from the Illinois Department of Revenue. Pursuant to the Business District Act, all funds received from these taxes must be deposited into this special fund.

VII. ESTABLISHMENT AND TERM OF THE BUSINESS DISTRICT

The establishment of the Business District shall become effective upon adoption of an ordinance by the Village's Board of Trustees adopting this Plan and designating the Business District. Development agreements between the Village and any developers or other private parties shall be consistent with the provisions of the Business District Act and this Plan.

Pursuant to the Business District Act, the Special Business District Taxes described in Section VI may not be imposed for more than twenty-three (23) years pursuant to the provisions of the Business District Act. It is expected that the Business District shall expire upon the termination of the imposition of the Special Business District Taxes and the final payout of the same from the "Butterfield Road/Yorktown Business District No. Tax Allocation Fund." described above.

VIII. FORMAL FINDINGS

Based upon the information described in Section II, and the attached Exhibits, the Village's Board of Trustees hereby finds and determines as follows:

- A. The Business District is a "blighted area" as defined in the Business District Act by reason of the predominance of defective or inadequate street layout, improper subdivision or obsolete platting and deterioration of site improvements;
- B. The Business District constitutes an economic liability to the Village in its present condition and use; and
- C. The Business District on the whole has not been subject to growth and development by private enterprises or would not reasonably be anticipated to be developed or redeveloped without the adoption of this Plan.

IX. PLAN AMENDMENTS

The Village's Board of Trustees may amend this Plan from time to time by adopting an ordinance providing for such amendment, in accordance with the requirements of the Business District Act, and the holding of an additional public hearing, if required by the Business District Act.

EXHIBIT A
VILLAGE OF LOMBARD BUTTERFIELD ROAD/YORKTOWN BUSINESS DISTRICT
NO. 2
LEGAL DESCRIPTION

A PARCEL OF LAND IN THE NORTH HALF OF THE EAST HALF OF SECTION 29, AND THE EAST HALF OF THE WEST HALF OF SECTION 29, BOTH IN TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 IN FINAL PLAT OF SUBDIVISION OF 701-747 22ND STREET SUBDIVISION, RECORDED APRIL 5, 2010 AS DOCUMENT R2010-043541 AND RUNNING THENCE SOUTHEASTERLY ALONG THE EAST LINE OF SAID LOT 1 686.60 FEET TO AN ANGLE POINT; THENCE SOUTHWESTERLY ALONG THE MOST SOUTHEASTERLY LINE OF SAID LOT 1, 69.66 FEET TO THE SOUTHEAST CORNER THEREOF, ALSO BEING THE NORTHEAST CORNER OF PARCEL 1 IN NORTHERN BAPTIST THEOLOGICAL SEMINARY ASSESSMENT PLAT RECORDED AUGUST 28, 2007 AS DOCUMENT R2007-159301; CONTINUING THENCE SOUTHWESTERLY ALONG THE EASTERLY LINE OF SAID PARCEL 1 PER DOCUMENT R2007-159301, 717.65 FEET; THENCE ALONG THE SOUTHERN BOUNDARY LINES OF SAID PARCEL 1 THE FOLLOWING 7 COURSES; 1) NORTHWESTERLY 93.42 FEET, 2) SOUTHWESTERLY 173.27 FEET, 3) SOUTHEASTERLY 186.14 FEET, 4) SOUTHWESTERLY 107.62 FEET, 5) SOUTHWESTERLY 67.48 FEET, 6) NORTHWESTERLY 138.83 FEET, 7) SOUTHWESTERLY 300.00 FEET; THENCE SOUTHEASTERLY 104.26 FEET TO A POINT OF CURVATURE CONVEX TO THE SOUTHWEST, HAVING A RADIUS OF 591.66 FEET, AND AN ARC DISTANCE OF 93.90 FEET TO A POINT OF COMPOUND CURVATURE, CONVEX TO THE SOUTHWEST, HAVING A RADIUS OF 402.98 FEET, AND AN ARC DISTANCE OF 116.05 FEET TO A POINT OF COMPOUND CURVATURE CONVEX TO THE SOUTHWEST, HAVING A RADIUS OF 683.51 FEET AND AN ARC DISTANCE OF 95.44 FEET TO A POINT OF COMPOUND CURVATURE, HAVING A RADIUS OF 198.74 FEET AND AN ARC DISTANCE OF 64.17 FEET TO A POINT OF REVERSE CURVATURE, CONVEX TO THE NORTHEAST, HAVING A RADIUS OF 121.91 FEET AND AN ARC DISTANCE OF 74.06 FEET TO THE MOST SOUTHEASTERLY CORNER OF SAID PARCEL 1 PER DOCUMENT R2007-159301, ALSO BEING A POINT ON THE NORTH RIGHT OF WAY LINE OF STATE ROUTE 56, BUTTERFIELD ROAD; THENCE SOUTHEASTERLY ALONG A LINE PERPENDICULAR TO THE SOUTH LINE OF PARCEL 1 AFORESAID (ALSO BEING THE NORTH LINE OF BUTTERFIELD ROAD-F.A. RTE. 131, ST. RT. 56) 200.00 FEET TO THE SOUTH LINE OF SAID BUTTERFIELD ROAD RIGHT OF WAY AS DEDICATED PER DOCUMENT 381698 AND 387284; THENCE SOUTHWESTERLY ALONG SAID SOUTH LINE TO A POINT OF INTERSECTION WITH THE EAST LINE OF LOT 1 IN SAM'S CLUB RESUBDIVISION RECORDED SEPTEMBER 7, 2017 AS DOCUMENT R2017-092244; THENCE SOUTHEASTERLY ALONG THE AFORESAID EAST LINE OF LOT 1 610.21 FEET TO THE SOUTHEAST CORNER THEREOF, BEING ALSO THE NORTHEAST CORNER OF LOT 6 IN NORTHERN ILLINOIS GAS COMPANY YORK TOWNSHIP ASSESSMENT

PLAT NO. 1 AS MONUMENTED AND DELINEATED ON SAID SAM'S CLUB RESUBDIVISION; THENCE SOUTHEASTERLY ALONG THE SOUTHEASTERLY EXTENSION OF THE AFORESAID EAST LINE OF LOT 1 IN SAM'S CLUB RESUBDIVISION A DISTANCE OF 83.57 FEET TO THE NORTH LINE OF INTERSTATE 88 (ILLINOIS TOLL HIGHWAY) AS MONUMENTED AND DELINEATED ON SAID SAM'S CLUB RESUBDIVISION, ALSO BEING THE SOUTH LINE OF SAID LOT 6 IN NORTHERN ILLINOIS GAS COMPANY YORK TOWNSHIP ASSESSMENT PLAT NO. 1 AFORESAID; THENCE SOUTHWESTERLY ALONG SAID NORTH LINE OF INTERSTATE 88 AND SOUTH LINE OF LOT 6 AFORESAID, BEING THE ARC OF CURVE, CONVEX TO THE SOUTHEAST, HAVING A RADIUS OF 11334.19 FEET, WHOSE CHORD BEARS SOUTH 68 DEGREES 47 MINUTES 10 SECONDS WEST A DISTANCE OF 342.77 FEET FOR AN ARC DISTANCE OF 342.78 FEET; CONTINUING THENCE SOUTHWESTERLY ALONG SAID NORTH LINE OF INTERSTATE 88 AND SOUTH LINE OF LOT 6, 674.18 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY LINE OF VACATED FAIRFIELD AVENUE (PER DOCUMENT R1971-061911); THENCE NORTHWESTERLY ALONG A PROPERTY LINE OF SAID LOT 6 IN NORTHERN ILLINOIS GAS COMPANY YORK TOWNSHIP ASSESSMENT PLAT NO. 1 AFORESAID 26.29 FEET; CONTINUING THENCE SOUTHWESTERLY ALONG A SOUTH PROPERTY LINE OF LOT 6 AFORESAID TO A POINT OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE MOST EASTERLY LINE OF LOT 1 IN WINDY HILL ACRES RECORDED FEBRUARY 18, 1958 AS DOCUMENT R1958-871168; THENCE NORTHERLY ALONG SAID SOUTHERLY EXTENSION, ALSO BEING THE WEST LINE OF LOT 6 AFORESAID, ALSO BEING THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 29 AFORESAID AND THE WEST LINE OF A 33 FOOT EASEMENT FOR PUBLIC ROAD DEDICATED PER DOCUMENT R1954-741488 AND SHOWN AS GILMORE STREET PER DOCUMENT R1958-871168 (SUBSEQUENTLY VACATED), 86.75 FEET TO THE ORIGINALLY PLATTED MOST SOUTHEASTERLY CORNER OF SAID LOT 1 IN WINDY HILL ACRES; THENCE NORTHERLY ALONG THE MOST EASTERLY LINE OF SAID LOT 1, ALSO BEING THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 29 AND THE ORIGINALLY PLATTED WEST LINE OF AFORESAID GILMORE ST. A DISTANCE OF 197.25 FEET (ACCORDING TO THE PLAT OF HIGHWAYS RECORDED AS DOCUMENT R1988-023382) TO THE SOUTHEAST CORNER OF PARCEL ONE OF ARLEY BOZICNIK PLAT OF SURVEY RECORDED OCTOBER 15, 1954 AS DOCUMENT R1954-733706; THENCE NORTHERLY ALONG THE EAST LINE OF SAID PARCEL ONE, ALSO BEING THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 29 AFORESAID A DISTANCE OF 225.23 FEET TO THE SOUTH LINE OF ILLINOIS ROUTE 56 (BUTTERFIELD ROAD) AS SHOWN ON AFORESAID PLAT OF HIGHWAYS DOCUMENT R1988-023382 (SAID SOUTH LINE OF BUTTERFIELD ROAD AS TAKEN PER DOCUMENT R1968-049027 FROM SAID PARCEL ONE); THENCE NORTHWESTERLY PERPENDICULAR TO THE SAID SOUTH LINE OF BUTTERFIELD ROAD TO THE NORTH LINE OF SAID BUTTERFIELD ROAD RIGHT OF WAY; THENCE NORTHEASTERLY ALONG SAID NORTH LINE OF THE BUTTERFIELD ROAD RIGHT OF WAY TO A POINT OF INTERSECTION WITH THE AFORESAID EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 29 (ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NUMBER 06-29-400-001 SHOWN ON YORKTOWN, DOCUMENT NO. R1968-044972 AS

“CEMETERY” PARCEL); CONTINUING THENCE NORTHEASTERLY ALONG SAID NORTH RIGHT OF WAY LINE, 990.79 FEET, MORE OR LESS, TO THE MOST SOUTHEASTERLY CORNER OF PARCEL 2 IN YORKTOWN COMMONS PHASE 1 ASSESSMENT PLAT RECORDED SEPTEMBER 1, 2017 AS DOCUMENT R2017-090478, ALSO BEING THE SOUTHWEST CORNER OF LOT 1 IN THE RESUBDIVISION OF LOT 5 OF YORKTOWN PER DOCUMENT RECORDED AUGUST 4, 1971 AS DOCUMENT NO. R1971-037779; THENCE NORTHWESTERLY ALONG THE WEST LINE OF SAID LOT 1 (PER DOCUMENT R1971-037779) 295.00 FEET; THENCE NORTHEASTERLY ALONG THE NORTH LINE OF SAID LOT 1, 150.00 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTHWESTERLY 212.19 FEET TO A POINT OF INTERSECTION WITH A LINE BEING 30 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF LOT 1 IN RESUBDIVISION OF LOT 1 IN PEHRSON SECOND RESUBDIVISION PER DOCUMENT R2015-128216; THENCE NORTHWESTERLY 165.00 FEET ALONG SAID PARALLEL LINE; THENCE SOUTHWESTERLY PERPENDICULAR TO THE LAST DESCRIBED COURSE, 85.00 FEET; THENCE SOUTHEASTERLY ALONG A LINE 50 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF LOT 1 (PER DOCUMENT R2015-128216) AFORESAID, 149.12 FEET; THENCE SOUTH 38 DEGREES 25 MINUTES 42 SECONDS WEST (DEED, 44 SECONDS WEST CALC.) 604.76 FEET; THENCE SOUTH 66 DEGREES 33 MINUTES 07 SECONDS WEST, 515.96 FEET; THENCE SOUTHWESTERLY, 189.32 FEET (DEED, CALC.=190.92 FEET) TO A POINT ON THE MOST SOUTHWESTERLY LINE OF LOT 6 IN YORKTOWN (PER DOCUMENT R1968-044972) AFORESAID; THENCE NORTHEASTERLY ALONG MOST SOUTHWESTERLY LINE OF LOT 6 AFORESAID, 156.59 FEET TO A PROPERTY CORNER THEREOF, ALSO BEING A PROPERTY CORNER IN COMMON WITH LOT 1 OF HIGHLAND-YORKTOWN RESUBDIVISION RECORDED AS DOCUMENT R2006-198283; THENCE NORTHWESTERLY ALONG A SOUTHWESTERLY LINE OF LOT 6 AFORESAID, 231.096 FEET TO ANOTHER CORNER OF SAID LOT 6, ALSO IN COMMON WITH LOT 1 (PER DOC. R2006-198283, 231.10 FEET); THENCE NORTHWESTERLY ALONG A LINE COMMON TO SAID LOT 6 AND LOT 1, 102.16 FEET TO A POINT ON THE MOST NORTHWESTERLY PROPERTY LINE OF SAID LOT 6; THENCE NORTHEASTERLY ALONG SAID PROPERTY LINE (ALSO BEING A COMMON PROPERTY LINE WITH PARCEL 2 IN YORKTOWN COMMONS PHASE 1 ASSESSMENT PLAT PER DOCUMENT R2017-090478), 147.40 FEET; THENCE NORTHWESTERLY PERPENDICULAR TO THE LAST DESCRIBED COURSE, 17.93 FEET (DEED, CALC. = 17.29 FEET), THENCE NORTHEASTERLY PERPENDICULAR TO THE LAST DESCRIBED COURSE, 65.00 FEET; THENCE NORTHWESTERLY PERPENDICULAR TO THE LAST DESCRIBED COURSE, 451.59 FEET TO A POINT ON A NORTHWESTERLY PROPERTY LINE OF SAID PARCEL 1 PER DOCUMENT R2017-090478; THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY LINE 138.17 FEET TO AN ANGLE POINT; THENCE SOUTHWESTERLY ALONG A NORTHWESTERLY PROPERTY LINE OF SAID PARCEL 1, 165.00 FEET; THENCE NORTHWESTERLY, 240.24 FEET TO A POINT OF INTERSECTION WITH A LINE BEING 40 FEET EAST OF AND PARALLEL WITH THE EAST LINES OF LOTS 2 AND 3 IN CARSON'S ASSESSMENT PLAT OF YORKTOWN SHOPPING CENTER PER DOCUMENT R2000-120890; THENCE NORTHWESTERLY ALONG SAID PARALLEL LINE, 680.98 FEET TO A POINT OF CURVATURE; THENCE 36.54 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING

A RADIUS OF 210.00 FEET; WHOSE CHORD BEARS NORTHEASTERLY 36.496 FEET TO A POINT ON THE NORTH LINE OF LOT 1 IN SAID CARSON'S ASSESSMENT PLAT; THENCE SOUTHEASTERLY ALONG SAID NORTH LINE, 561.13 FEET TO AN ANGLE POINT; THENCE SOUTHEASTERLY ALONG A NORTH LINE OF SAID LOT 1, 70.00 FEET; THENCE NORTHWESTERLY, 296.83 FEET (MORE OR LESS) TO A POINT OF CURVATURE IN THE NORTH LINE OF PARCEL 2 PER HIGHLAND AVENUE ASSESSMENT PLAT PER DOCUMENT R2012-012175 (SAID POINT ALSO BEING ON THE SOUTH LINE OF LOT 4 IN FINAL PLAT OF SUBDIVISION OF YORKTOWN COMMONS PHASE 1 PER DOCUMENT R2016-093310); THENCE SOUTHWESTERLY ALONG THE SOUTH LINE OF SAID LOT 4 PER DOCUMENT R2016-093310, 189.38 FEET, BEING THE ARC OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 500.00 FEET, WHOSE CHORD BEARS SOUTHWESTERLY, 188.25 FEET (MORE OR LESS) TO A POINT OF TANGENCY ON THE SOUTH LINE OF LOT 3 IN SAID FINAL PLAT OF SUBDIVISION OF YORKTOWN COMMONS PHASE 1 AFORESAID; THENCE SOUTHWESTERLY ALONG SAID SOUTH LINE OF LOT 3 (ALSO BEING THE NORTH LINE OF PARCEL 2 PER DOCUMENT R2012-012175 AFORESAID), 558.702 FEET TO A POINT OF INTERSECTION WITH A LINE BEING 13.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF HIGHLAND AVENUE AS DEDICATED PER DOCUMENT NO. R68-10770 (SAID POINT BEING THE SOUTHEAST CORNER OF PROPERTY DESCRIBED AS EXCEPTION TO LOT 1 OF PEHRSON'S RESUBDIVISION (RECORDED AS DOCUMENT R1975-052797) PER DEED RECORDED AS R2017-010084 (AND OTHERS); THENCE NORTHWESTERLY ALONG THE EASTERLY LINE OF SAID EXCEPTION PARCEL, BEING A LINE PARALLEL WITH THE WEST LINE OF SAID LOT 1; 47.30 FEET; THENCE NORTHWESTERLY, 28.28 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1, BEING 67.26 FEET NORTH OF (MEASURED ALONG THE WEST LINE THEREOF) THE SOUTHWEST CORNER THEREOF; THENCE CONTINUING NORTHWESTERLY ALONG SAID WEST LINE, 319.173 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTHEASTERLY ALONG THE NORTH LINES OF LOTS 1 AND 2 IN SAID PEHRSON'S RESUBDIVISION 360.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 2 (SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 3 IN FINAL PLAT OF SUBDIVISION YORKTOWN COMMONS PHASE 1, PER DOCUMENT R2016-093310 AFOREMENTIONED); THENCE NORTHEASTERLY ALONG THE NORTH LINE OF SAID LOT 3 PER DOCUMENT R2016-093310, 281.24 FEET TO THE NORTHEAST CORNER THEREOF, ALSO BEING THE NORTHWEST CORNER OF LOT 4 IN SAID FINAL PLAT OF SUBDIVISION; THENCE NORTHEASTERLY ALONG THE NORTH LINE OF SAID LOT 4, 742.45 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF 67.00 FOOT WIDE SOUTH GRACE STREET RIGHT OF WAY AS DEDICATED PER DOCUMENT R1972-057164; THENCE NORTHEASTERLY ALONG THE EASTERLY PROLONGATION OF THE SAID NORTH LINE OF LOT 4 TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID SOUTH GRACE STREET RIGHT OF WAY; THENCE SOUTHERLY ALONG SAID EAST RIGHT OF WAY LINE TO A POINT OF INTERSECTION WITH THE NORTH LINE OF A 30 FOOT EASEMENT FOR UNDERGROUND UTILITIES PER DOCUMENT R1968-045002, ALSO BEING THE EASTERLY PROLONGATION OF THE SOUTH LINE OF LOT 4 IN FINAL PLAT OF SUBDIVISION OF YORKTOWN COMMONS PHASE 1 AFORESAID; THENCE

SOUTHWESTERLY TO A POINT OF CURVATURE, BEING THE NORTHWESTERLY CORNER OF LOT 2 IN SAID FINAL PLAT OF SUBDIVISION OF YORKTOWN COMMONS PHASE 1; THENCE CONTINUING THE FOLLOWING SEVEN (7) COURSES, ALL BEING ALONG PROPERTY LINES OF SAID LOT 2, 1) 30.17 FEET, BEING THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 20.00 FEET WHOSE CHORD BEARS SOUTH 25 DEGREES 50 MINUTES 49 MINUTES WEST, 2) SOUTH 17 DEGREES 21 MINUTES 56 SECONDS EAST, 83.14 FEET; 3) SOUTH 02 DEGREES 39 MINUTES 50 SECONDS EAST, 26.41 FEET TO A POINT OF CURVATURE, 4) 28.09 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 18.00 FEET, WHOSE CHORD BEARS SOUTH 47 DEGREES 22 MINUTES 03 SECONDS EAST, 5) NORTH 87 DEGREES 55 MINUTES 45 SECONDS EAST, 209.84 FEET, 6) SOUTH 65 DEGREES 23 MINUTES 09 SECONDS EAST, 127.04 FEET, 7) NORTH 27 DEGREES 57 MINUTES 54 SECONDS EAST, 171.44 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG THE PROLONGATION OF THE LAST DESCRIBED COURSE TO A POINT OF INTERSECTION WITH THE NORTH LINE OF LOT 1 IN SAID FINAL PLAT OF SUBDIVISION OF YORKTOWN COMMONS PHASE 1; CONTINUING THENCE SOUTHEASTERLY ALONG THE NORTH LINE OF SAID LOT 1, 290.74 FEET (MORE OR LESS PER DOCUMENT R1995-162762), BEING THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 518.00 FEET TO A POINT OF INTERSECTION WITH THE MOST WESTERLY NORTH PROPERTY CORNER OF LOT 5 IN YORKTOWN PERIPHERAL/TARGET SUBDIVISION PER DOCUMENT R1995-162762; THENCE THE FOLLOWING THREE (3) COURSES ALONG THE NORTHERLY PROPERTY LINES OF SAID LOT 5, 1) NORTHEASTERLY, 94.59 FEET, 2) NORTHWESTERLY 13.00 FEET, 3) NORTHEASTERLY 543.37 FEET TO THE NORTHEAST CORNER THEREOF (SAID POINT ALSO BEING ON A WEST PROPERTY LINE OF PARCEL 1 OF NORTHERN BAPTIST THEOLOGICAL SEMINARY ASSESSMENT PLAT PER DOCUMENT R2007-159301 AND THE SOUTHEAST CORNER OF LOT 2 IN YORKTOWN PERIPHERAL/TARGET SUBDIVISION AFOREMENTIONED; THENCE NORTHWESTERLY 160.75 FEET ALONG THE PROPERTY LINE COMMON TO SAID YORKTOWN PERIPHERAL/TARGET SUBDIVISION AND THE NORTHERN BAPTIST THEOLOGICAL SEMINARY ASSESSMENT PLAT TO AN ANGLE POINT; THENCE NORTHWESTERLY ALONG SAID COMMON LINE, 251.35 FEET TO AN ANGLE POINT; THENCE SOUTHWESTERLY, 36.67 FEET TO A POINT ON A WESTERLY PROPERTY LINE OF SAID PARCEL 1 IN SAID ASSESSMENT PLAT; THENCE NORTHWESTERLY ALONG SAID WESTERLY PROPERTY LINE, 116.51 FEET TO AN ANGLE POINT; THENCE NORTHEASTERLY ALONG A WESTERLY PROPERTY LINE OF SAID PARCEL 1, 157.16 FEET TO THE MOST NORTHWESTERLY CORNER THEREOF; THENCE SOUTHEASTERLY ALONG THE MOST NORTHERLY LINE OF SAID PARCEL 2, 282.40 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY 70.50 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 1,661.83 FEET, WHOSE CHORD BEARS SOUTHWESTERLY TO A POINT OF REVERSE CURVE; THENCE SOUTHWESTERLY 103.23 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 767.39 FEET, WHOSE CHORD BEARS SOUTHWESTERLY TO A POINT OF INTERSECTION WITH A NORTH PROPERTY LINE OF SAID PARCEL 1 (ALL CURVE INFORMATION PER SAID ASSESSMENT PLAT), SAID POINT OF

INTERSECTION ALSO BEING THE MOST SOUTHERLY LINE OF LOT 2 IN 701-747 22ND STREET SUBDIVISION PER DOCUMENT R2010-043541; THENCE NORTHEASTERLY ALONG THE SOUTH LINE OF SAID LOT 2, 229.59 FEET TO THE SOUTHEAST CORNER THEREOF, ALSO BEING THE SOUTHWEST CORNER OF LOT 1 IN SAID 701-747 22ND STREET SUBDIVISION; THENCE THE FOLLOWING TEN (10) COURSES, ALL ALONG THE MOST WESTERLY PROPERTY LINES OF SAID LOT 1, 1) NORTHWESTERLY, 326.45 FEET, 2) NORTHWESTERLY 154.85 FEET, 3)NORTHEASTERLY 3.07 FEET, 4) NORTHWESTERLY 122.51 FEET, 5) SOUTHWESTERLY 3.07 FEET, 6) NORTHWESTERLY 32.04 FEET, 7) NORTHWESTERLY 48.33 FEET, 8) NORTHEASTERLY 42.43 FEET, 9) NORTHEASTERLY 34.93 FEET, 10) NORTHEASTERLY 21.85 FEET TO THE NORTHWEST CORNER OF SAID LOT 1 (ALSO BEING ON THE SOUTH RIGHT OF WAY LINE OF 22ND STREET); THENCE NORTHWESTERLY, PERPENDICULAR TO THE NORTH LINE OF SAID LOT 1 AND THE SAID SOUTH RIGHT OF WAY LINE OF 22ND STREET 100.00 FEET TO THE NORTH RIGHT OF WAY LINE OF SAID 22ND STREET; THEN NORTHEASTERLY ALONG SAID NORTH RIGHT OF WAY LINE 817.98 FEET TO A POINT 100.00 FEET NORTH OF (AS MEASURED PERPENDICULAR TO) THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTHERLY, ALONG A LINE PERPENDICULAR TO THE AFORESAID NORTH RIGHT OF WAY LINE OF 22ND STREET TO THE NORTHEAST CORNER OF LOT 1, BEING THE AFORESAID POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

<u>P.I.N.</u>	<u>Common Address</u>	
06-29-101-019	3 Yorktown Center	Lombard, Illinois 60148
06-29-101-035	1 Yorktown Center	Lombard, Illinois 60148
06-29-101-038	230 Yorktown Center	Lombard, Illinois 60148
06-29-101-044	175 Yorktown Center	Lombard, Illinois 60148
06-29-101-046	2 Yorktown Center	Lombard, Illinois 60148
06-29-101-047	20 Yorktown Center	Lombard, Illinois 60148
06-29-101-048	203 Yorktown Center	Lombard, Illinois 60148
06-29-101-049	155 Yorktown Center	Lombard, Illinois 60148
06-29-200-017	85 Yorktown Center	Lombard, Illinois 60148
06-29-200-051	72 Yorktown Center	Lombard, Illinois 60148
06-29-200-052	78 Yorktown Center	Lombard, Illinois 60148
06-29-200-056	610-690 E. Butterfield Rd.	Lombard, Illinois 60148
06-29-200-059	747 E. 22 nd Street	Lombard, Illinois 60148
06-29-200-061	80 Yorktown Center	Lombard, Illinois 60148
06-29-200-062	84 Yorktown Center	Lombard, Illinois 60148
06-29-301-008	145 Yorktown Center	Lombard, Illinois 60148
06-29-400-002	145 Yorktown Center	Lombard, Illinois 60148
06-29-401-007	477 E. Butterfield Rd.	Lombard, Illinois 60148
06-29-401-010	435 E. Butterfield Rd.	Lombard, Illinois 60148
06-29-401-012	455 E. Butterfield Rd.	Lombard, Illinois 60148
06-29-402-016	555 E. Butterfield Rd.	Lombard, Illinois 60148
06-29-402-022	2900 S. Fairfield Ave.	Lombard, Illinois 60148
06-29-402-032	601 E. Butterfield Rd.	Lombard, Illinois 60148

EXHIBIT B

**Map of the Boundaries of the Lombard
Butterfield Road/Yorktown Business
District No. 2**

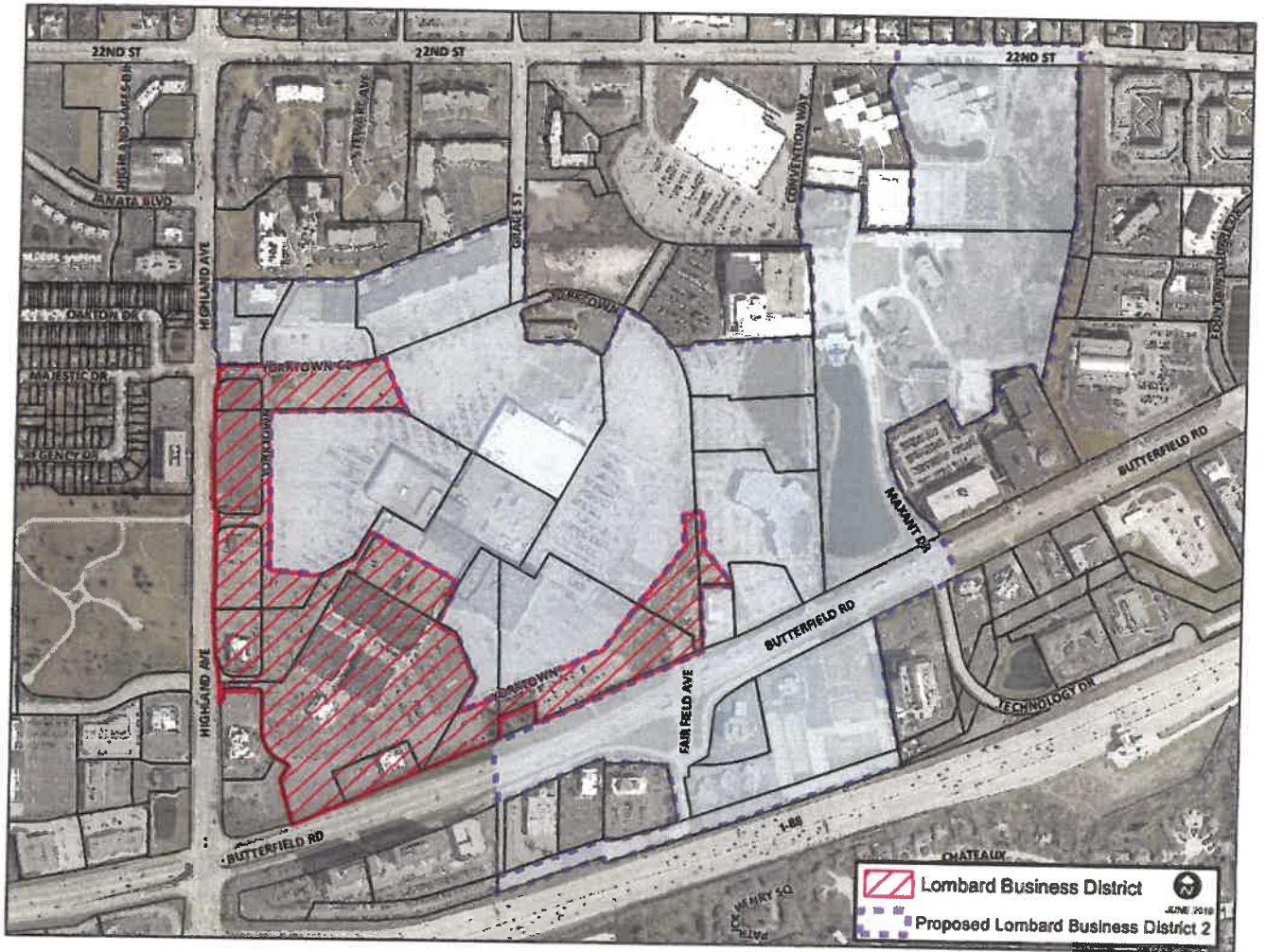


EXHIBIT C

Existing Land Uses Within the
Boundaries of the Lombard
Butterfield Road/Yorktown
Business District No. 2

BUTTERFIELD-YORKTOWN BUSINESS DISTRICT 2 LAND USE

Lombard Business District 2

July 2019

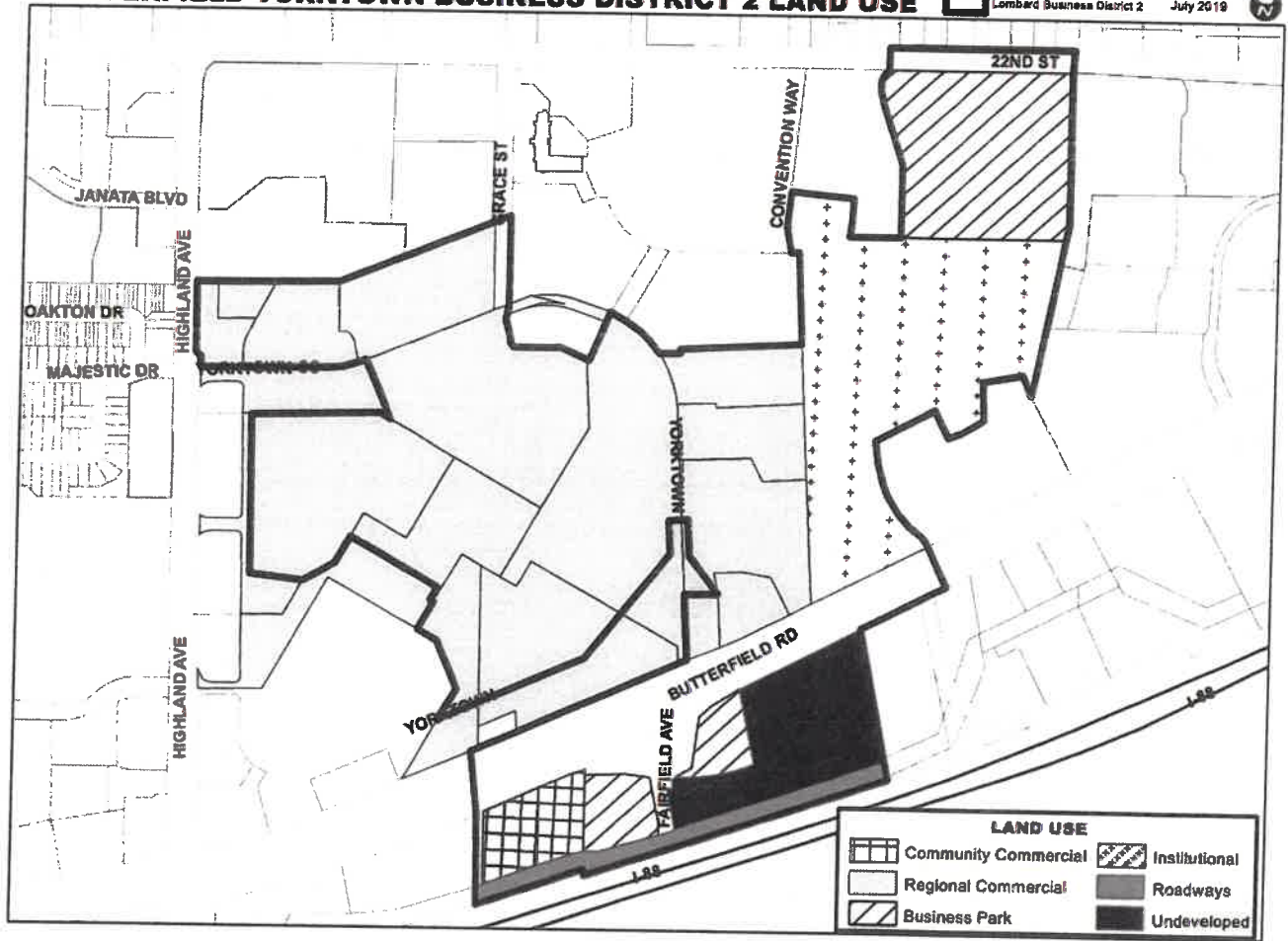


EXHIBIT D
KLOA Traffic Report



MEMORANDUM TO: William Heniff
Village of Lombard

FROM: Javier Millan
Senior Consultant

Michael Werthmann, PE, PTOE
Principal

DATE: February 27, 2017

SUBJECT: Preliminary Access and Circulation Evaluation
Yorktown District
Lombard, Illinois

This memorandum summarizes the results of a preliminary access and circulation evaluation conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) for the potential redevelopment of the Northern Baptist Theological Seminary located at 660 Butterfield Road in Lombard, Illinois. The site is bordered to the north and south by office buildings, the Fountain Square retail center to the east and the Yorktown Shopping Center/Westin Hotel to the west. The main signalized access drive (Maxant Drive) off Butterfield Road is located approximately 1,250 feet northeast of the signalized intersection of Fairfield Avenue and Butterfield Road that serves the Yorkton Shopping Center.

The purpose of this study was to preliminarily evaluate the Northern Baptist Theological Seminary parcel of land for qualification pursuant to 65ILCS 5/11-74.3-2 and 5/11-74.3-5. Should the Village concur that this area be identified as a blighted area, this study supports that this area is impacted by reason of predominance of defective or inadequate road layout and further that these conditions impact the accessibility to and from the site and circulation around the Yorktown Business District.

Existing Conditions

The Northern Baptist Theological Seminary, as previously indicated, is located east of the Yorktown Shopping Center/Westin Hotel. **Figure 1** shows the location of the subject parcel in relation to the surrounding area and the area roadways. Land uses in the vicinity of the site include office on the north and south sides and retail on the east and west sides.



Aerial View of Site Location

Figure 1

The principal roadways in the vicinity of the site are described in the following paragraphs.

Arterial Roadways

Butterfield Road (IL 56) is an east-west major arterial, providing three through lanes in each direction separated by a raised median with curb/gutter provided on both sides of the roadway. Butterfield Road has a posted speed limit of 45 mph in the vicinity of the site and parking is prohibited on both sides of the roadway. At its signalized intersection with Maxant Drive/Technology Drive, both approaches provide an exclusive left-turn lane, two through lanes and a combined through/right-turn lane. A single point interchange with Highland Avenue and a full interchange with I-355 are provided approximately 0.7 and 1.7 miles west of the site, respectively. Butterfield Road is under the jurisdiction of the Illinois Department of Transportation (IDOT), is designated as a Strategic Regional Arterial (SRA) and carries an average daily traffic (ADT) volume of 48,400 vehicles (Year 2015)

22nd Street is an east-west arterial that provides two lanes in each direction separated by a raised landscaped median. 22nd Street has a posted speed limit of 40 mph. At its signalized intersection with Convention Way, 22nd Street provides an exclusive left-turn lane and two through lane in the westbound approach. The eastbound approach provides an exclusive through lane and a combined through/right-turn lane. 22nd Street is under the jurisdiction of the Village of Lombard and carries an ADT of approximately 15,000 vehicles.

Highland Avenue is a north-south arterial that provides two lanes in each direction separated by a raised median in the vicinity of the area with exclusive turn lanes generally provided at all of the intersections in the vicinity of the area. Highland Avenue has a single point interchange with Butterfield Road and a partial interchange with I-88. Highland Avenue is under the jurisdiction of the Village of Lombard and carries an ADT of approximately 14,000 vehicles.

Northern Baptist Theological Seminary Access

The Northern Baptist Theological Seminary is mainly accessed via Maxant Drive. There is a minor connection to the east with Fountain Square. However, this connection is hidden from plain sight as it connects with the Dick's Sporting Goods service drive. Below is a description of Maxant Drive.

Maxant Drive is a north-south road that serves the Butterfield Centre office complex and the Northern Baptist Theological Seminary to the north. To the south, the road becomes Technology Drive and serves the Embassy Suites hotel, Chick-fil-A, Extended Stay America hotel, the Surgical Center of DuPage Medical Group and other commercial/retail uses. At its signalized intersection with Butterfield Road, Maxant Drive/Technology Drive provides an exclusive left-turn lane and a combined through/right-turn lane on both approaches.

Access and Circulation Evaluation

Based on a review of the existing transportation system serving the area, traffic volumes on the adjacent roadway system gathered from previous traffic studies conducted in the area, the land-uses in the area as well as field observations of the existing conditions, KLOA, Inc. conducted a preliminary evaluation of the transportation system serving the site. The results of the evaluation showed that access to and from the site and its internal circulation is mostly disconnected from the adjacent land uses surrounding the site. As a result, having limited accessibility to the regional roadways and no connection to the surrounding land uses results in additional circulation and trips on the local roads. The following outlines some of the issues/concerns with the existing transportation system,

- The only access serving the site is Maxant Drive at its signalized intersection with Butterfield Road which is also shared with the Butterfield Centre office building. Although the access drive is signalized and provides exclusive left-turn lanes on both approaches, no protected-permissive left-turn phases are provided. Furthermore, given Butterfield Road's designation as an SRA route, Maxant Drive gets a limited amount of green time thus limiting how much traffic can be processed from the north and south approaches.
- The site is tucked in in the middle of the Yorktown Business District and is bordered to the north by an office building ranging in size from four to five stories, to the south by a four story building, to the east by wetlands and the Fountain Square development and to the west by the Yorktown Shopping Center (Target, Westin Hotel, AMC Cinemas) thus limiting the visibility of the site from the main roads in the area (Butterfield Road and 22nd Street).
- Given that there are no connections to either the north and west and a very limited connection to the east with the Fountain Square retail center, the vehicular, pedestrian and bicycle accessibility is poor and adds to a key issue experienced within the Yorktown Shopping Center. As it was identified in the Lombard Village-wide Bicycle and Pedestrian Master Plan, access to the Yorktown Shopping Center by any mode other than a car can be a difficult experience.
- In summary, the existing access configuration is inadequate and not completely efficient to accommodate a potential future redevelopment of the Northern Baptist Theological Seminary. The lack of connectivity to the north, the west and the east hinders the viability of any future development and does not meet the Village's desire for complete connectivity (vehicular, pedestrian and bicycles) to the Village's streets and the Yorktown Shopping Center.
- Lastly, given these concerns, any type of redevelopment within the Northern Baptist Theological Seminary would most likely generate more traffic than what is currently being generated by the site and will have a noticeable impact on the ingress/egress efficiency of the site without any new connection and/or improvements to the intersection of Maxant Boulevard/Technology Drive and Butterfield Road.

Potential Land Uses

Based on our experience in the vicinity of the site and on the previously identified transportation deficiencies, the site as it is, limits the potential redevelopment land uses that could be considered for the site.

Potential Mitigation Measures

The following are preliminary suggestions that could be implemented to mitigate some of the existing transportation deficiencies.

North Connection

To enhance access to/from the site and the flexibility of the circulation system, consideration should be given to providing a connection to the north via Convention Way. This would provide the site with a connection to 22nd Street via the existing signalized intersection of 22nd Street and Convention Way.

East and West Connections

Consideration should be given to providing easily accessible connections to the east with Fountain Square and to the west with the Yorktown Shopping Center. These potential connections could be additional collector roads and/or shared use paths that would enhance the pedestrian and bicycle accessibility between all of the adjacent land uses. Therefore, the additional connections would comply with the Village's desire to promote bicycle and pedestrian traffic as well as connectivity throughout the Village and to the Yorktown Shopping Center.

Exhibit C

**Publisher's Certificate
for the Public Hearing Notice**

(attached)



PUBLIC NOTICE
The President and Board of Trustees of the Village of Lombard, Illinois, do hereby certify that the following is a true and correct copy of the Business District Plan for the Proposed Butterfield Road/Vorktown Business District No. 2, as amended, as approved by the Board of Trustees of the Village of Lombard, Illinois, on July 22, 2019.

CERTIFICATE OF PUBLICATION
Paddock Publications, Inc.

DuPage County
Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the DuPage County DAILY HERALD. That said DuPage County DAILY HERALD is a secular newspaper, published in Naperville and has been circulated daily in the Village(s) of: Addison, Aurora, Bartlett, Bensenville, Bloomingdale, Carol Stream, Darien, Downers Grove, Elmhurst, Glen Ellyn, Glendale Heights, Hanover Park, Hinsdale, Itasca, Keeneville, Lisle, Lombard, Medinah, Naperville, Oakbrook, Oakbrook Terrace, Plainfield, Roselle, Villa Park, Warrenville, West Chicago, Westmont, Wheaton, Willowbrook, Winfield, Wood Dale, Woodridge

County(ies) of DuPage and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DuPage County DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 7/22/19 7/23/19 in said DuPage County DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY [Signature]
Designee of the Publisher and Officer of the Daily Herald

Control # 4528422

A copy of the Business District Plan under consideration for the Proposed Butterfield Road/Vorktown Business District No. 2 is available to the public at the Village of Lombard, Illinois, 255 E. Wilson Avenue, Lombard, Illinois, for review. If you wish to be added to the list of persons who have been notified of the proposed Business District Plan, please contact the Village of Lombard, Illinois, at 708-329-1100, extension 4200, or by email at planning@lombard.il.gov. The Business District Plan is also available on the Village of Lombard website at www.lombard.il.gov. The Business District Plan is subject to public hearing and approval by the Board of Trustees of the Village of Lombard, Illinois, on July 22, 2019.

