

PLAN COMMISSION HEARING MARCH 21, 2022 (7:00 PM) Case No. PC 22-05

855 East Roosevelt/IL 38

USMANIA

-PRIME -





DEVELOPMENT TEAM

CONCEPT:

SAFA NOOR, S. SULEMAN NOOR, AND MOHAMMAD YAQOOB (SKOKIE)

CIVIL ENGINEERING & SURVEYING:

JEFF MILLER, WATERMARK ENGINEERING RESOURCES (AURORA)
JOSEPH GENTILE, GENTILE & ASSOCIATES, INC. (LOMBARD)

LANDSCAPE DESIGN:

JOSEPH D. DA VITO, J. DAVITO DESIGN, INC. (ISLAND LAKE)

CONSTRUCTION:

RICK SCALI, RMJ CONSTRUCTION, LTD. (LEMONT)

ARCHITECT:

GEORGE W. SIMOULIS (CHICAGO)

SIGNS:

SIGNS & GRAPHICS, INC. (CHICAGO)

LEGAL:

MARK W. DANIEL, DANIEL LAW OFFICE, P.C. (OAKBROOK TERRACE)

About SAFA PROPERTY, LLC

- Illinois company held by a family in the north suburbs of Chicago with substantial holdings and operations (City, north, west, far west and south)
- Closest affiliated new development: BP/Olivia's Market (Midwest, OBT)
- 2017: Initiated Lombard search
- 2018: First staff inquiry about available properties
- 2020: Identification of 855 E. Roosevelt
- Fall 2021: First plan discussion with Village staff
- Summer 2022: Permitting and Mass Grading
- December 2023: Grand Opening

Neighborhood Observations March 2021-Present

Development Team Assembly Summer 2021



Lombard Engagement October 2021-Present

County Engagement
December 2021-Present

York Center Park District February 2022

Neighbor Zoom, Visits & Calls February-March 2022

About USMANIA PRIME

https://usmaniarestaurant.com/

Active Usmania Brand Locations

Usmania Fine Dining 2244 W Devon Avenue, Chicago

Usmania Chinese 2253 W Devon Avenue, Chicago





About USMANIA PRIME (continued)

- Anticipated First Year Lombard Sales
 - Dining: \$3.2 million
 - Banquet: \$1.7 million
 - Catering: \$1.0 million
- Anticipated Subsequent Year Lombard Sales
 - Dining: \$4.2 million
 - Banquet: \$2.1 million
 - Catering: \$1.6 million



About USMANIA PRIME (continued—Dining)

• Extended menu (3 kitchen styles):

- Pakistani-Indian
- Chinese
- American
- No lounge or bar (no alcohol)
- Could operate on all three floors
 - 1st Floor 92 seats, 1,530 square feet (largest of three kitchens)
 - 2nd Floor use depends on social distancing or normal spacing and timing
 - 156 seats, 2,140 square feet
 - 3rd Floor will almost entirely be dining (few banquets or events)
 - 72 seats, 1,600 square feet (indoor); 28 seats, 770 square feet (outdoor)

LIKELY DINING HOURS

NOT TO EXCEED ALLOWABLE DISTRICT HOURS

11:00 AM to 1:00 AM Monday through Thursday

11:00 AM to 1:30 AM Friday and Saturday

11:00 AM to 11:00 PM Sunday

(BANQUETS AND DINING HOURS MAY VARY)

3RD FLOOR PATIO CLOSES:

10:30 PM Monday through Thursday 11:30 PM Friday and Saturday 9:30 PM on Sunday

About USMANIA PRIME (continued—Banquet)

- Primarily 2nd floor (flexible)
- 156 seats; 2,140 square feet
- 4 top configuration, 39 tables
- 12 top configuration, 13 tables
- No fixed hours
 - Evening typ. 8:30 PM − 1:00 AM
 - Some lunch, some morning





About USMANIA PRIME (continued—Catering)

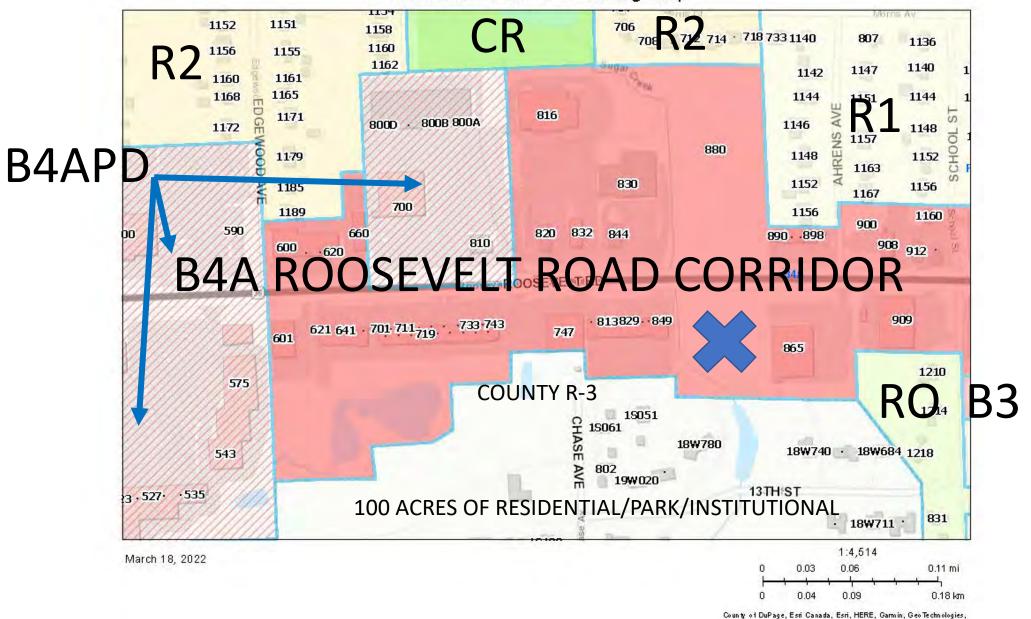
- Catering program is well-respected and extends throughout the Chicago metro area, downstate and into IN, MI and WI
- Published catering menu features standards



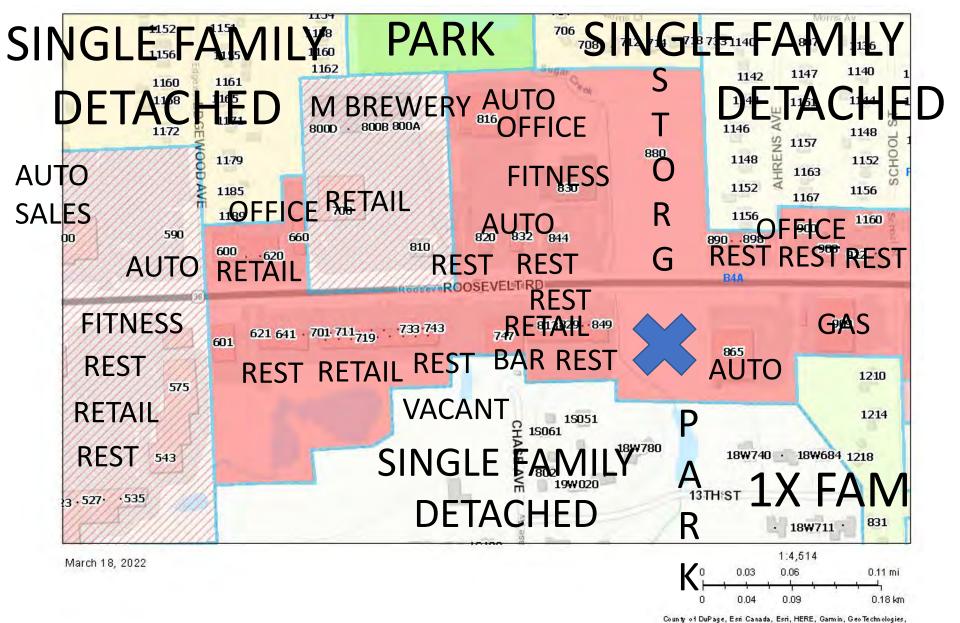
Cultural Elements of Usmania Prime

- No alcohol
- Dominating family and group dining environment
- Shared plates most popular
- Banquet area too small for weddings or large banquets
 - Fills a role of convenience in the banquet segment
 - Not a conference location
 - Event invitations are heavily focused on full-family invitations
- Cultural bazaars Saturdays and Sundays (12:00-7:00 PM)
- With the exception of weekday lunches, large parties often arrive in few cars to dine

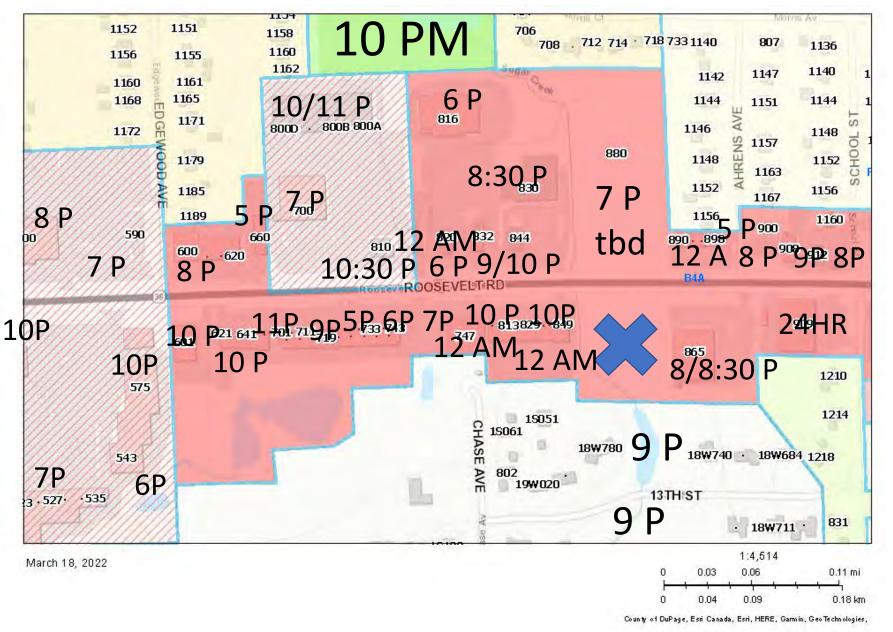
Lombard Parcel & Zoning Map



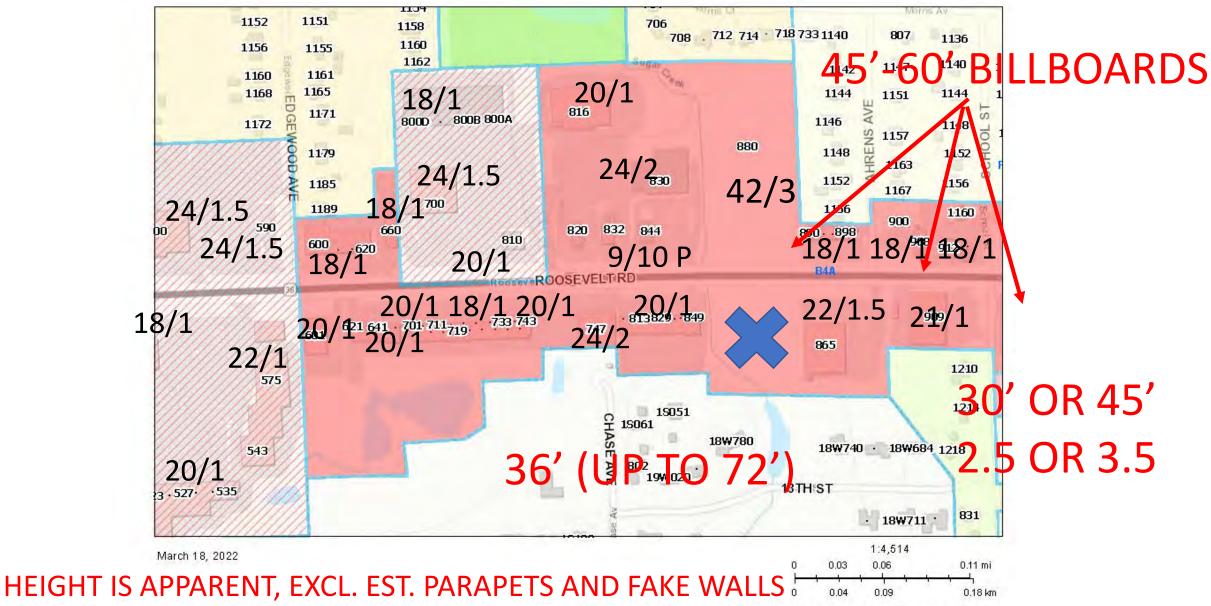
SURROUNDING LAND USE

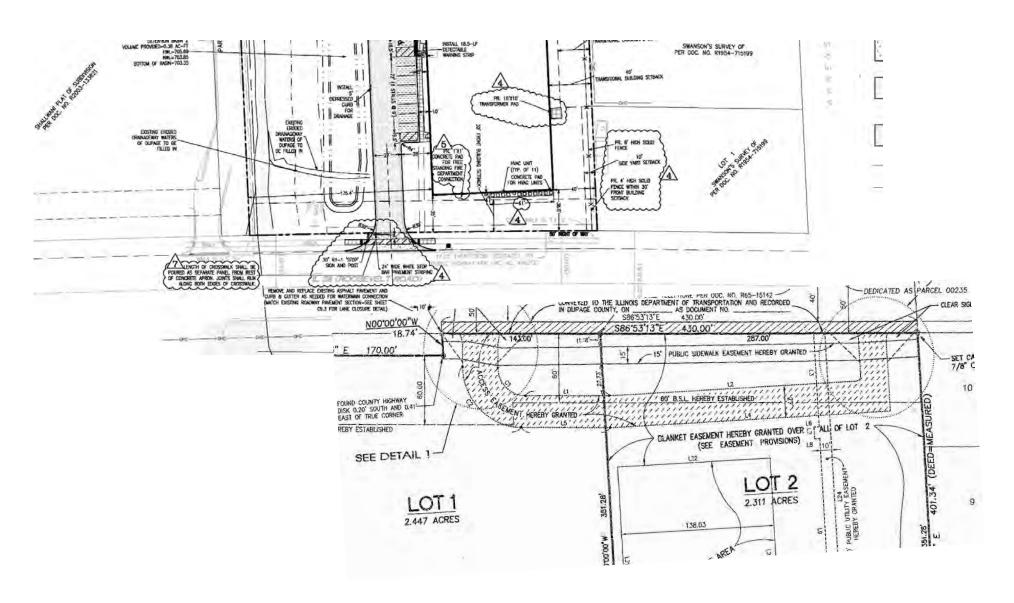


CURRENT END HOURS OF OPERATION

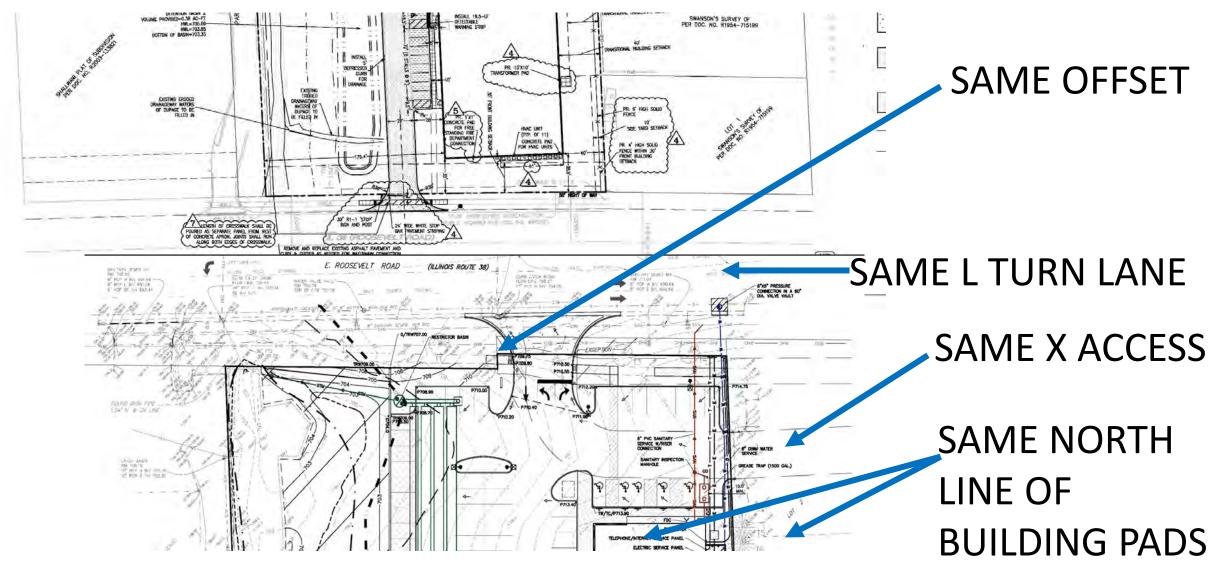


CURRENT HEIGHT FEET/STORIES





1997 PLAT WITH SELF STORAGE DRIVEWAY



2022 PROJECT WITH SELF STORAGE DRIVEWAY





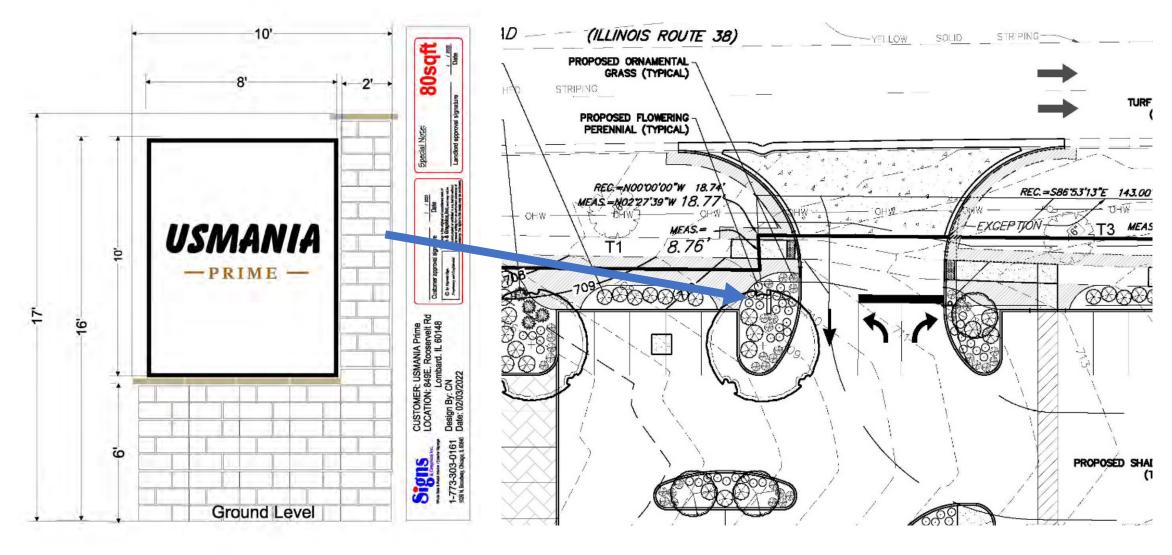


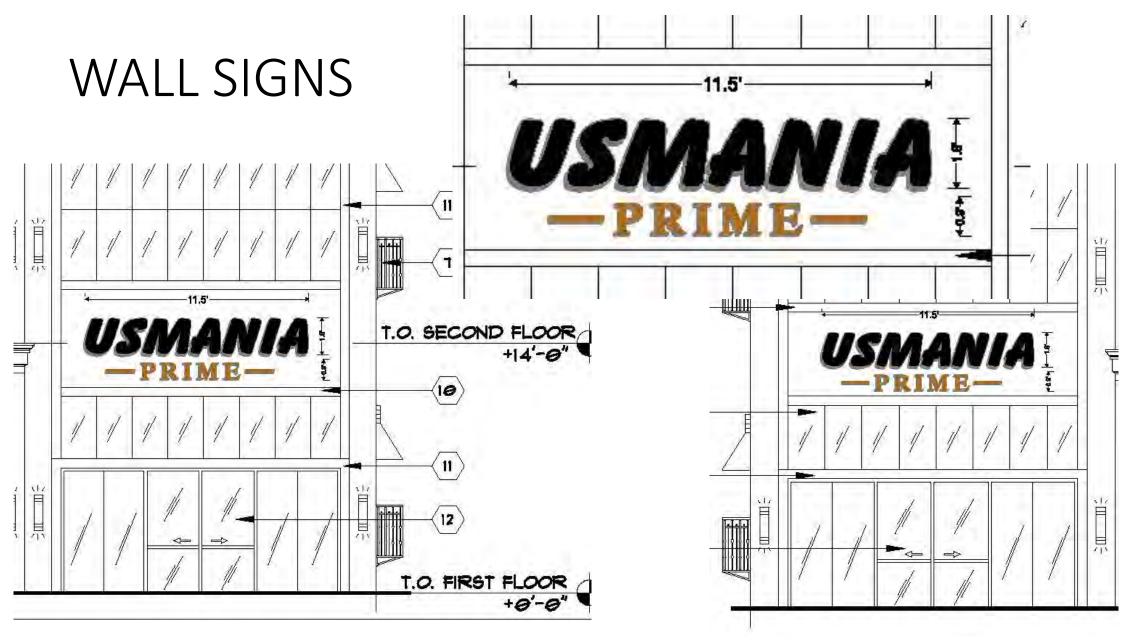






FREESTANDING/MONUMENT SIGN

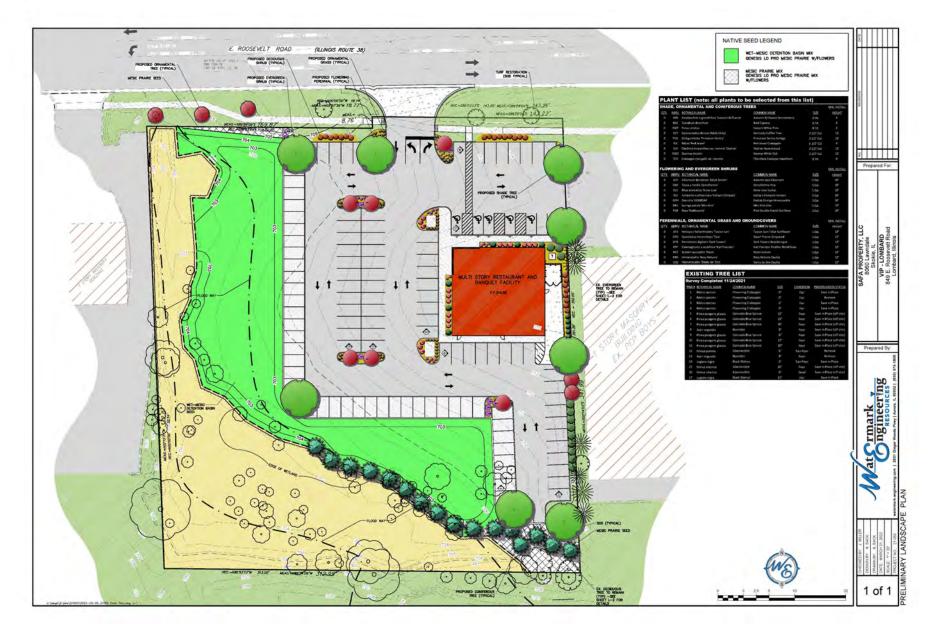


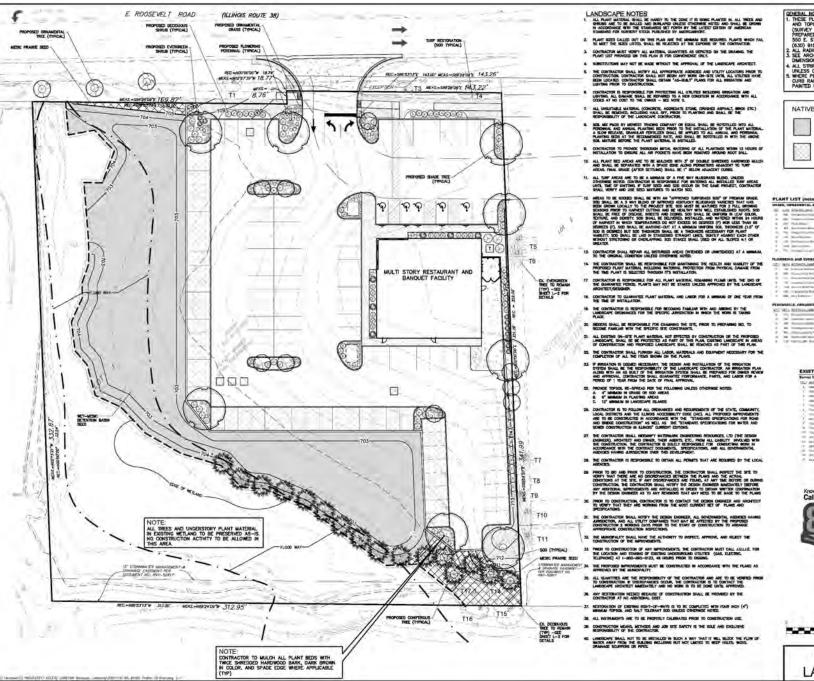


NORTH

EAST

LANDSCAPE PLAN





GDERAL NOTES:

1. HIGSE FLANS ARE BASED ON THE ALTA/NSPS LAND TITLE.

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(SURVEY PROJECT (271-22354 DATED 08/16/2021)

PREPARED BY: GDYTTLE AND ASSOCIATES, INC.

500 E. ST. CHARLES PLACE, LOMBAPB, LIMINOS 60146

(830) 915-6262

ALL RADIUS DIMENSIONS ARE TO BACK OF CURB.
SEE ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS.

DIMENSIONS.

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UNLESS OTHERMSE NOTED.

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NATIVE SEED LEGEND

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EXISTING TREE LIST

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Know what's Below. Call before you dig. DAVITU-157-00092

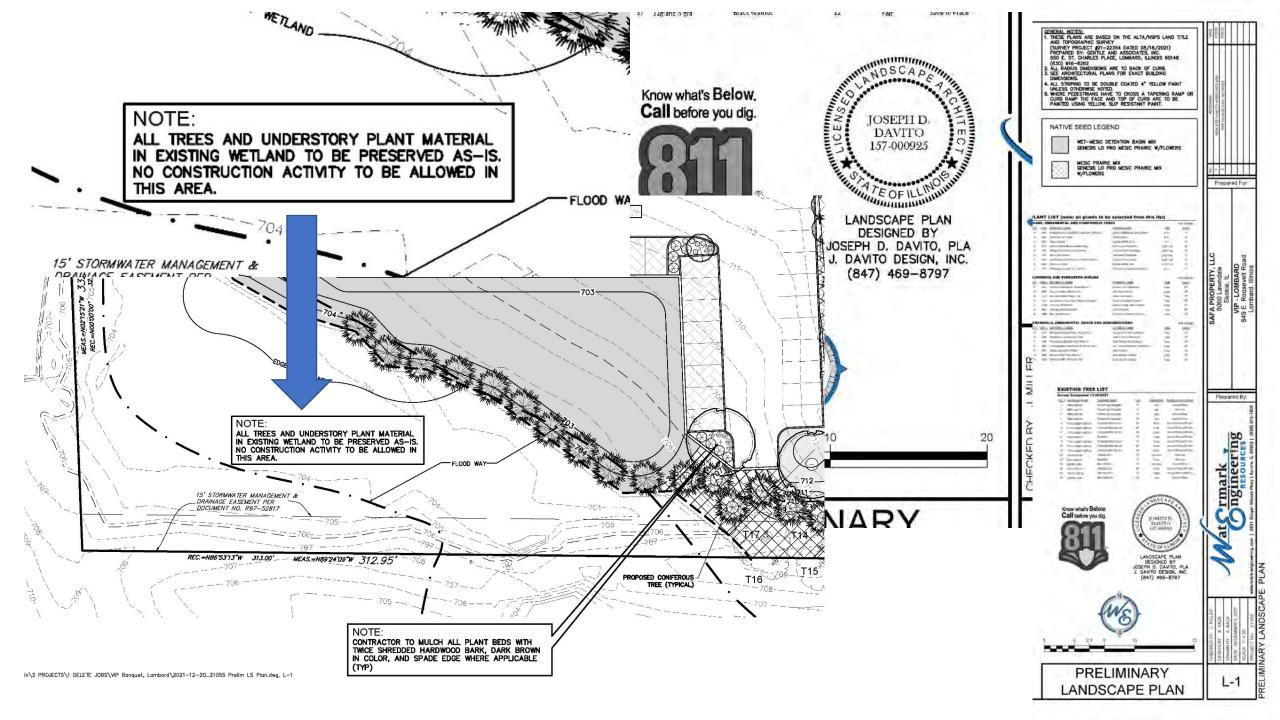
LANDSCAPE PLAN
DESIGNED BY
COSEPH D. DAVITO, PLA
1 DAVITO DESIGN, INC.

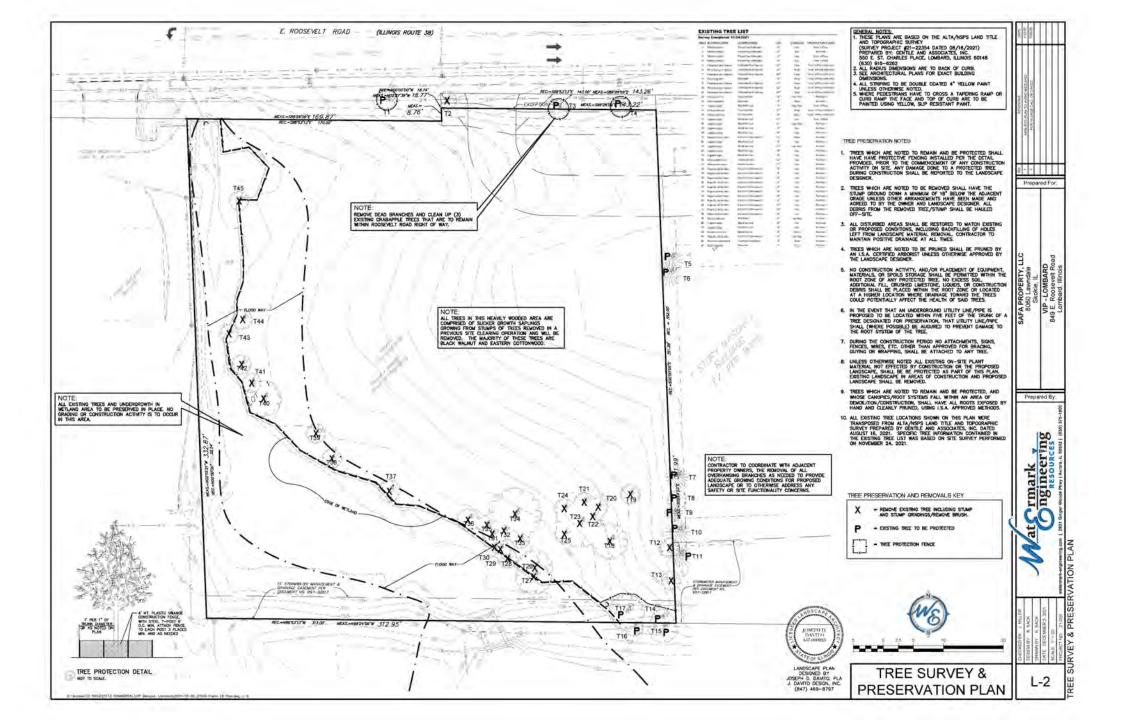
PRELIMINARY LANDSCAPE PLAN

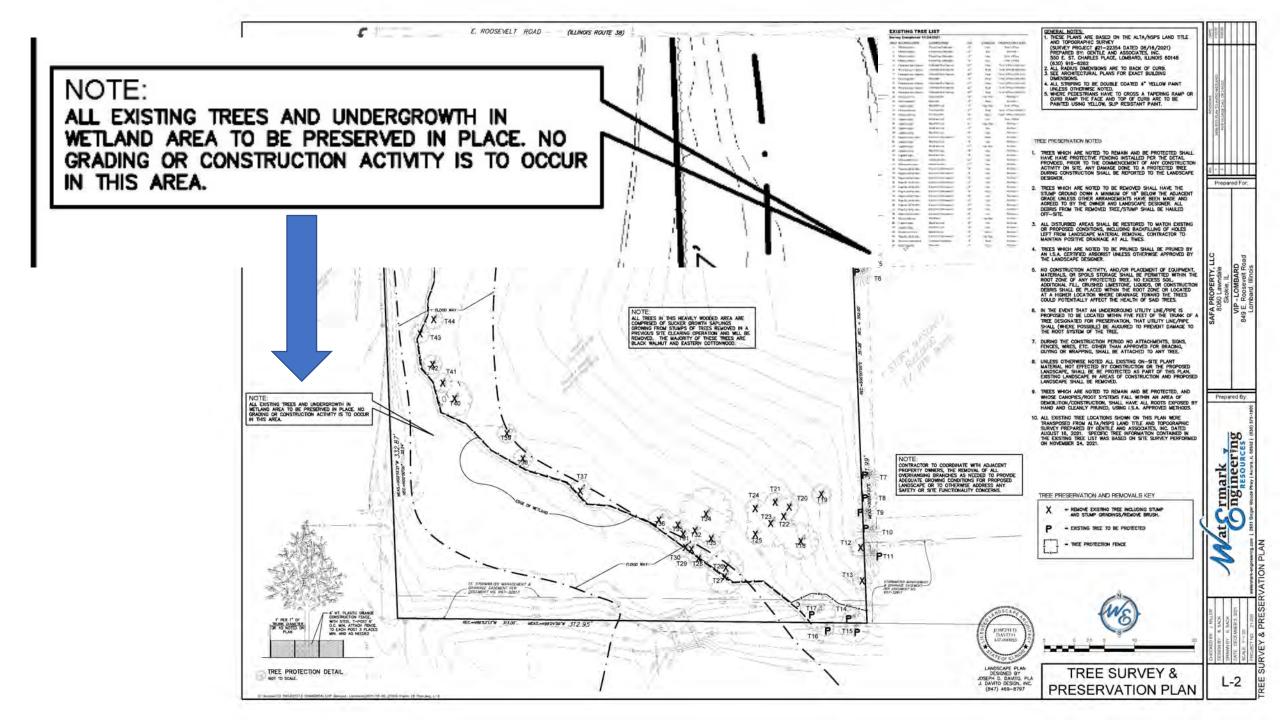
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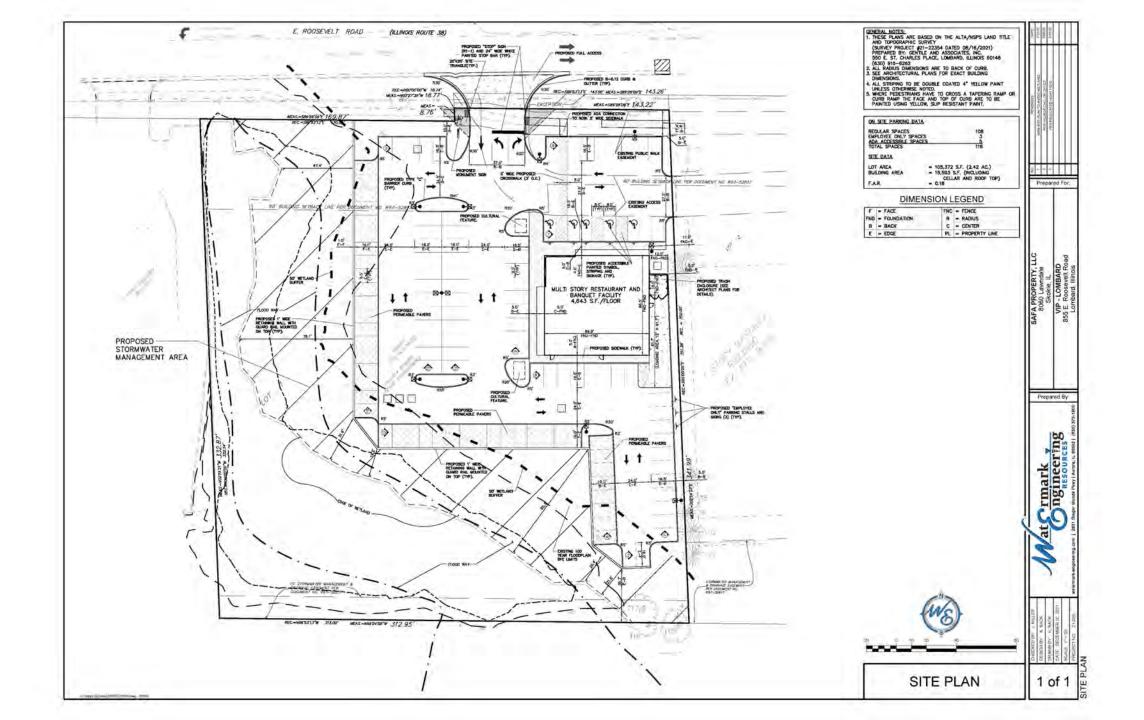
Prepared By

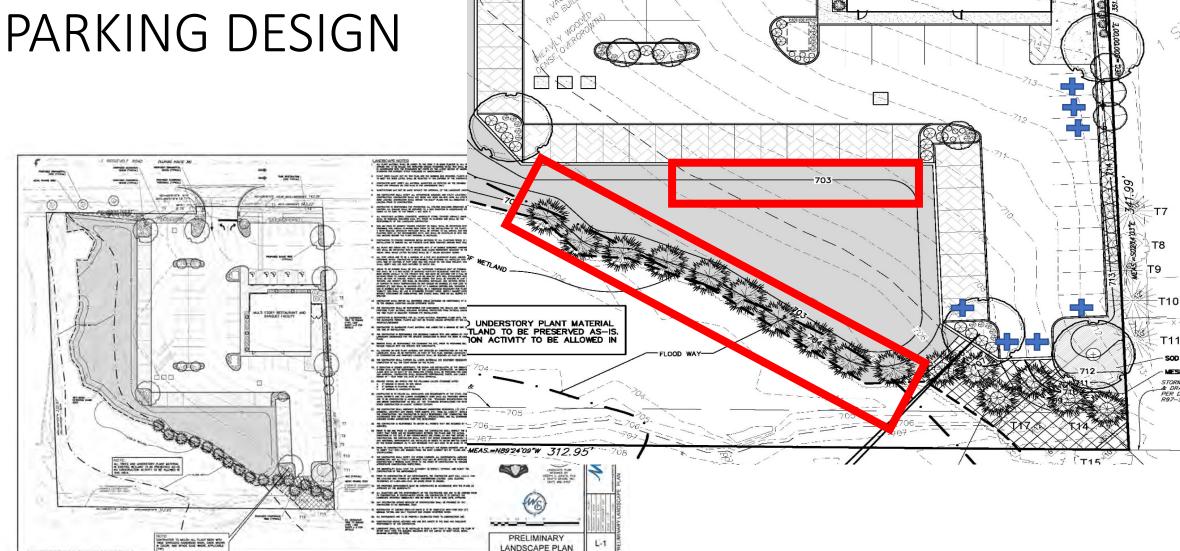
Congineering Resources

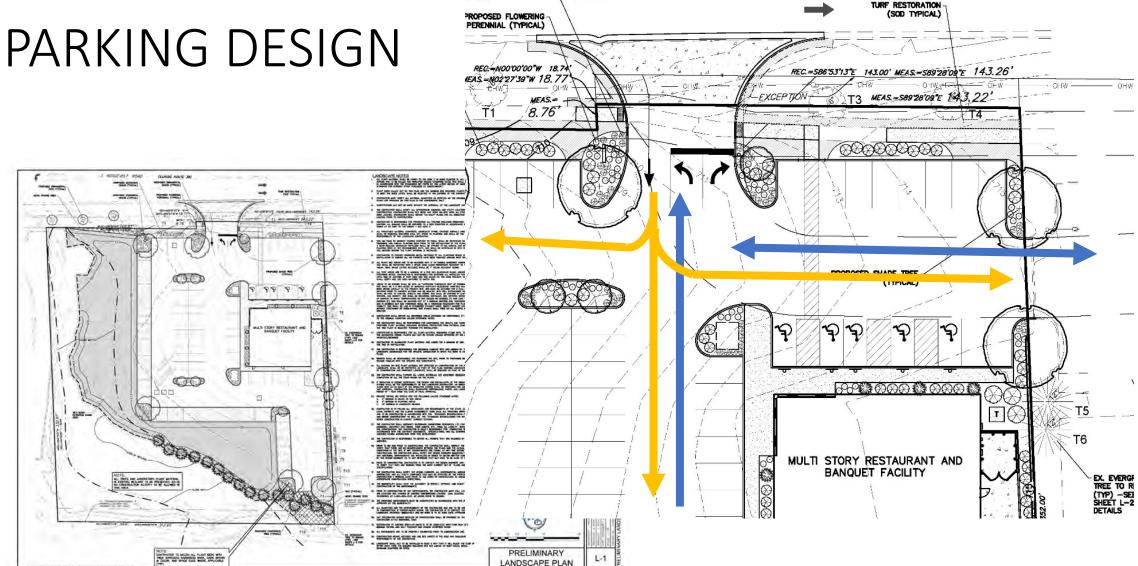


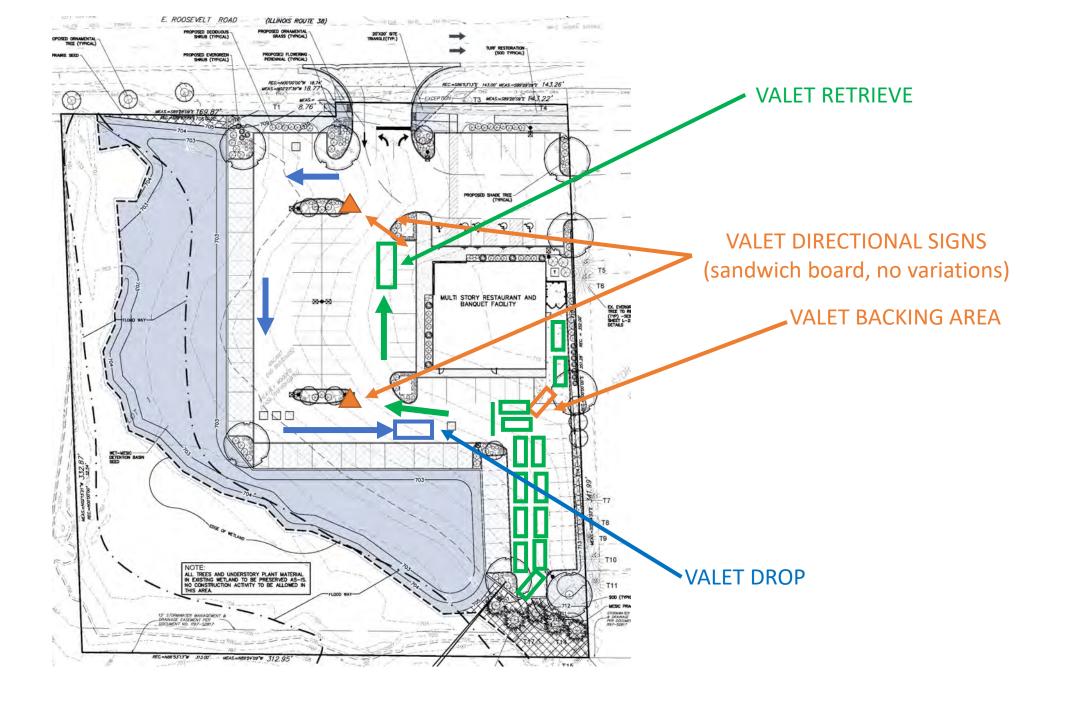












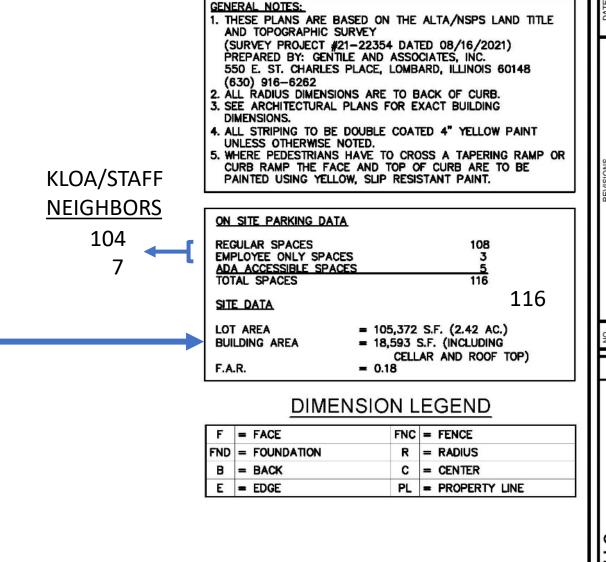
PARKING SUPPLY

FLOOR	SEATS	DINING AREA
Cellar	0	0 SF
First	92	1,530 SF
Second	156	2,140 SF
Third (indoor)	72	1,600 SF
Third (outdoor)	28	770 SF
TOTAL	348	5,270 SF - 6,040 SF

ONE (1) SPACE PER THREE (3) SEATS
PLUS 15 WITH OFF-SITE EMPLOYEE SPACES
PLUS 15-18 WITH VALET OPERATION
MAXIMUM EMPLOYEE SHIFT OF 22

INSTITUTE OF TRAFFIC ENGINEERS DATA SUBMITTED WITH APPLICATION SAYS THE SUPPLY IS SUFFICIENT FOR THE USE

60% IS THE NORMAL DINING AREA 28-32% IS THE PROJECT DINING AREA



Prepared For:

OMBARD

awndale

COMPARISON OF PARKING REGULATIONS AND EFFECT

2	COMPARISON OF PARKING REGULATIONS AND EFFECT								
MUNICIPALITY	PER 1000	SEATS	EMPLOYEE	BAR	GFA DEFINITION	PROJECT			
Addison	33	N/A	N/A	N/A	Dining + Kitchen	295			
Arlington Heights	22	N/A	N/A	N/A	Seating area only	184			
Bensenville	10	N/A	N/A	1:100 SF	Gross, no exclusions	131			
Bloomingdale	13	N/A	N/A	1 per 30%	Gross, limited exclusions	167			
Burr Ridge	10	N/A	1:1 emp	N/A	Dining + Kitchen	122			
Carol Stream	16	N/A	N/A	N/A	Dining + Kitchen	130			
Downers Grove	10	1:4 seats	N/A	N/A	Gross, limited exclusions	131			
DuPage County	15	N/A	N/A	N/A	Gross, limited exclusions	208			
Elmhurst	10	N/A	N/A	N/A	Gross, limited exclusions	122			
Glen Ellyn	N/A	1:3 seats	N/A	N/A	Dining + Kitchen	116			
Glendale Heights	10	N/A	N/A	N/A	All no basement	139			
Hinsdale	5	1:3 seats	1:2 emp	N/A	Dining + Kitchen	126			
Lisle	10	1:3 seats		N/A	Seating	123			
Lombard <7000	16	N/A	N/A	N/A	Gross, limited exclusions	158			
Lombard >7000 Min	18.5	N/A	N/A	N/A	Gross, limited exclusions	181			
Lombard Project	26.7	N/A	N/A	N/A	Gross, limited exclusions	246			
Naperville	10	N/A	N/A	N/A	All no basement	139			
Oak Brook	10	N/A	N/A	N/A	All no basement midwall	128			
Oak Park	4	N/A	N/A	N/A	Gross, no exclusions	37			
Oakbrook Terrace	12	N/A	N/A	N/A	Gross, limited exclusions	161			
Orland Park	10	N/A	N/A	N/A	Gross, no exclusions	180			
Schaumburg	16	N/A	N/A	N/A	Dining + Most Kitchen	90			
Skokie	10	N/A	N/A	N/A	Gross, many exclusions	110			
St. Charles	10	N/A	N/A	N/A	Gross, limited exclusions	180			
Villa Park	N/A	3:1 seats	N/A	N/A	All no basement	127			
West Chicago	10	N/A	N/A	N/A	All no basement	138			
Westmont	10	4:1 seats	2:3 emp	N/A	Gross, many exclusions	106			
Wheaton	15	N/A	N/A	N/A	Gross, excludes most, note that it is also TBD by code Council approval	131			
Woodridge	12	N/A	N/A	N/A	Dining + Kitchen	98			

60% IS THE NORMAL DINING AREA 28-32% IS PROJECT DINING AREA

LOMBARD

<10 OF:
Naperville,
West Chicago



Wheaton determines parking on each project without variations.

PARKING SUFFICIENT IN:

Bensenville, Burr Ridge,

Carol Stream, Downers

Grove, Elmhurst, Glen

Ellyn, Hinsdale, Lisle,

Oak Brook, Oak Park,

Schaumburg, Skokie,

Villa Park, Westmont,

Wheaton, Woodridge

Land Use: 931 Quality Restaurant

Description

This land use consists of high quality, full-service eating establishments with a typical duration of stay of at least one hour. They are also commonly referred to as fine dining. Quality restaurants generally do not serve breakfast; some do not serve lunch; all serve dinner. This type of restaurant often requests and sometimes requires a reservation and is generally not part of a chain. A patron commonly waits to be seated, is served by wait staff, orders from a menu and pays after the meal. Some of the study sites have lounge or bar facilities (serving alcoholic beverages), but they are ancillary to the restaurant. Fast casual restaurant (Land Use 930) and high-turnover (sit-down) restaurant (Land Use 932) are related uses.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a Monday-through-Thursday weekday (one study site) and a Friday (one study site) in a general urban/suburban setting.

	Percent of Peak Parking Demand	
Hour Beginning	Weekday	Friday
12:00–4:00 a.m.		
5:00 a.m.	2	-
6:00 a.m.	- H	
7:00 a.m.		
8:00 a.m.		-
9:00 a.m.	- E	(-)
10:00 a.m.		
11:00 a.m.	20	-11
12:00 p.m.	51	37
1:00 p.m.	56	54
2:00 p.m.	40	29
3:00 p.m.	27	22
4:00 p.m.	27	14
5:00 p.m.	39	18
6:00 p.m.	71	42
7:00 p.m.	100	91
8:00 p.m.	97	100
9:00 p.m.	-	-

Quality Restaurant

(931)

Peak Period Parking Demand vs: Seats

On a: Friday

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 7:00 - 9:00 p.m.

Number of Studies: 9 Avg. Num. of Seats: 189

Peak Period Parking Demand per Seat

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.47	0.24 - 1.00	0.33 / 0.86	***	0.22 (47%)

Quality Restaurant

(931)

Peak Period Parking Demand vs: 1000 Sq. Ft. GFA

On a: Friday

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 7:00 - 9:00 p.m.

Number of Studies: 11 Avg. 1000 Sq. Ft. GFA: 6.1

Peak Period Parking Demand per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
14.84	7.84 - 29.70	11.93 / 22.52	***	5.32 (36%)

Land Use: 932 High-Turnover (Sit-Down) Restaurant

Description

This land use consists of sit-down, full-service eating establishments with a typical duration of stay of 60 minutes or less. They are commonly referred to as casual dining. This type of restaurant is usually moderately priced and frequently belongs to a restaurant chain. Generally, these restaurants serve lunch and dinner; they may also be open for breakfast and are sometimes open 24 hours a day. These restaurants typically do not accept reservations. A patron commonly waits to be seated, is served by wait staff, orders from a menu, and pays after the meal. Some facilities offer carry-out for a small proportion of its customers. Some facilities within this land use may also contain lounge or bar area for serving food and alcoholic drinks. Fast casual restaurant (Land Use 930), quality restaurant (Land Use 931), fast-food restaurant without drive-through window (Land Use 933), and fast-food restaurant with drive-through window (Land Use 934) are related uses.

The analysis of parking demand for this land use has identified different parking demand rates between high-turnover restaurants with and without lounges. The term "family restaurant" is used interchangeably as an abbreviated version of "high-turnover (sit-down) restaurant without lounge or bar facilities."

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a weekday at family restaurants that serve breakfast, lunch, and dinner (12 study sites); family restaurants that serve lunch and dinner (38 sites), and restaurants with a lounge or bar (four sites).

	Percent of Weekday Peak Parking Demand			
Hour Beginning	Family (breakfast, lunch, and dinner)	Family (lunch and dinner)	Lounge or Bar	
12:00-4:00 a.m.			-	
5:00 a.m.		-	-	
6:00 a.m.	10	-		
7:00 a.m.	25	-	-	
8:00 a.m.	68	-		
9:00 a.m.	72	100		
10:00 a.m.	77	26	9	
11:00 a.m.	83	43	15	
12:00 p.m.	100	95	100	
1:00 p.m.	91	95	81	
2:00 p.m.	56	49	54	
3:00 p.m.	42	39	33	
4:00 p.m.	42	37	26	
5:00 p.m.	64	62	29	
6:00 p.m.	87	99	58	
7:00 p.m.	79	100	70	
8:00 p.m.	65	83	77	
9:00 p.m.	42	51	61	
10:00 p.m.	21	28	41	
11:00 p.m.	32	2	-	

High-Turnover (Sit Down) Restaurant - Family (932)

Peak Period Parking Demand vs: Seats

On a: Friday

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 12:00 - 1:00 p.m.; 6:00 - 8:00 p.m.

Number of Studies: 5
Avg. Num. of Seats: 91

Peak Period Parking Demand per Seat

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.47	0.33 - 0.58	0.38 / 0.58	***	0.10 (21%)

High-Turnover (Sit Down) Restaurant - Family (932)

Peak Period Parking Demand vs: 1000 Sq. Ft. GFA

On a: Saturday

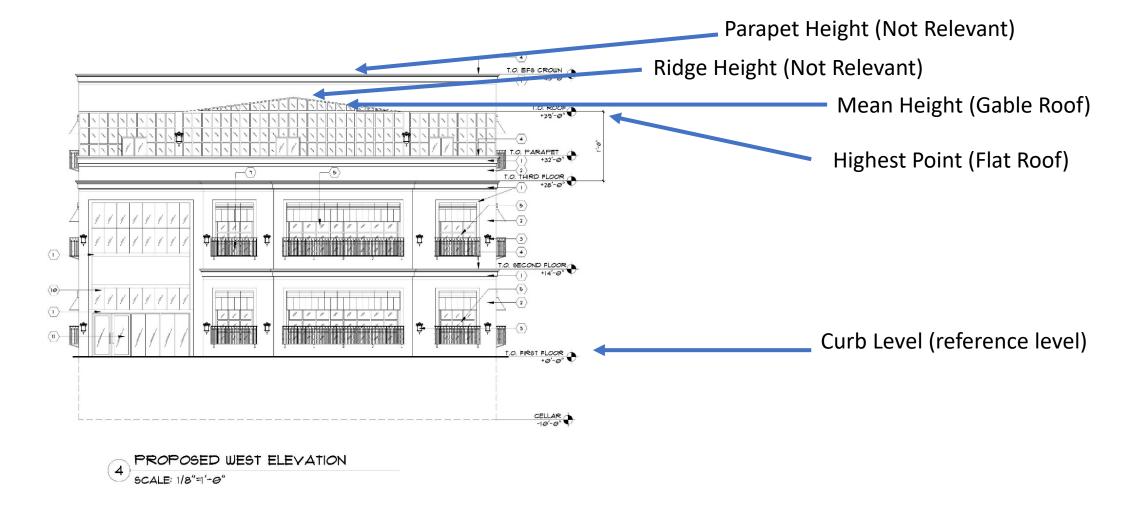
Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 10:00 a.m. - 12:00 p.m.; 6:00 - 9:00 p.m.

Number of Studies: 14 Avg. 1000 Sq. Ft. GFA: 3.7

Peak Period Parking Demand per 1000 Sq. Ft. GFA

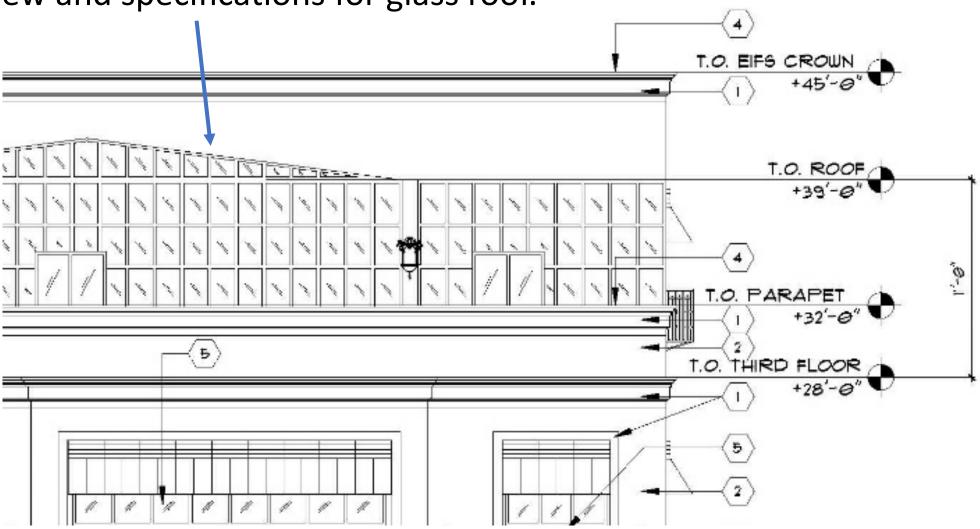
Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
12.28	7.03 - 26.49	8.17 / 24.91	***	6.10 (50%)



Building height is the vertical distance measured from the reference level (curb level, or its equivalent, or the average elevation of the finished lot grade in front of the building) to the highest point of the roof surface of a flat roof; to the deck of a mansard roof; and to the mean height level between eaves and ridge of gable, hip, pitch and gambrel roofs.

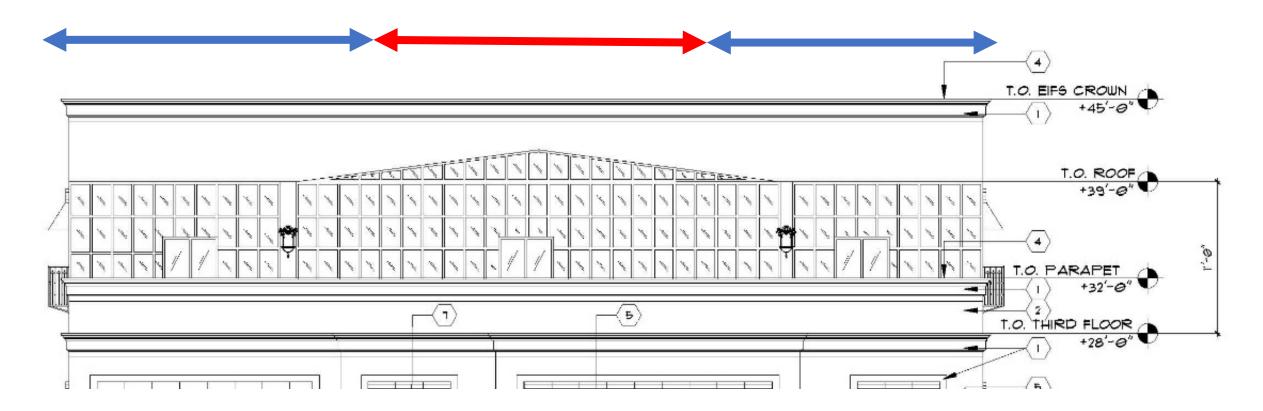
Applicant cannot determine height to mean until structural review and specifications for glass roof.

The height to mean may be 40 feet (which complies), but it will likely be 41-43 feet.



COMPLIES

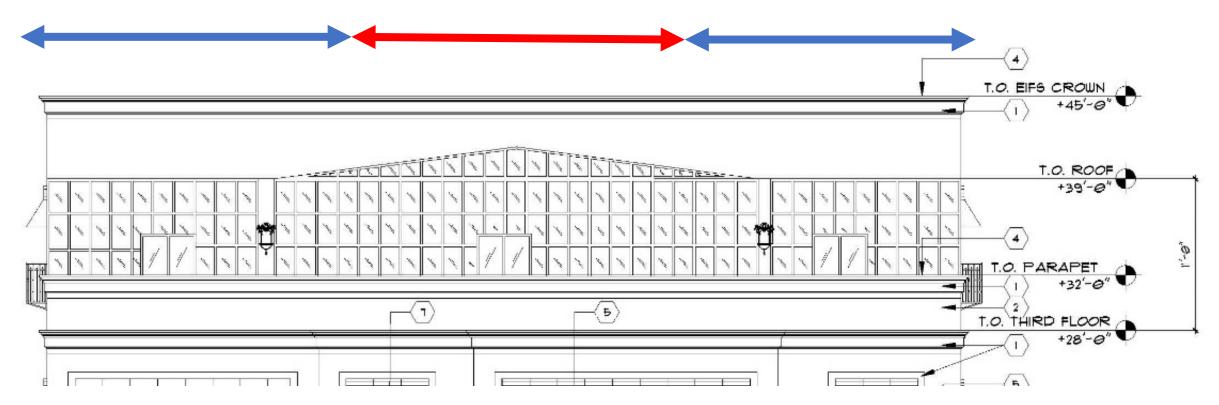
20-42 SF of the glass roof, appearing 2-3 feet below a solid parapet, may exceed the height limit.



WEST ELEVATION

COMPLIES

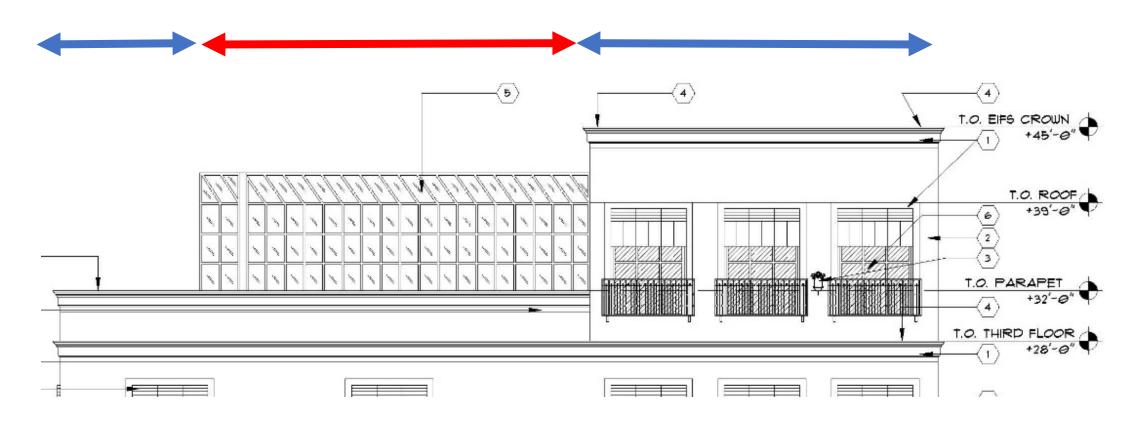
20-42 SF of the glass roof, appearing 2-3 feet below a solid parapet, may exceed the height limit.



SOUTH ELEVATION

COMPLIES

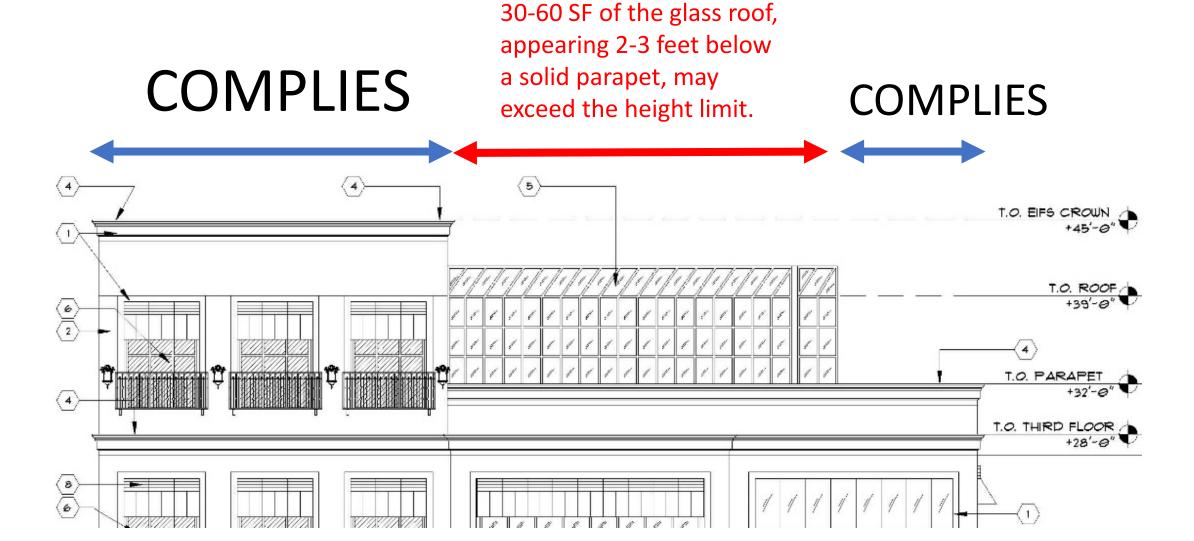
30-60 SF of the glass roof, appearing 2-3 feet below a solid parapet, may exceed the height limit.



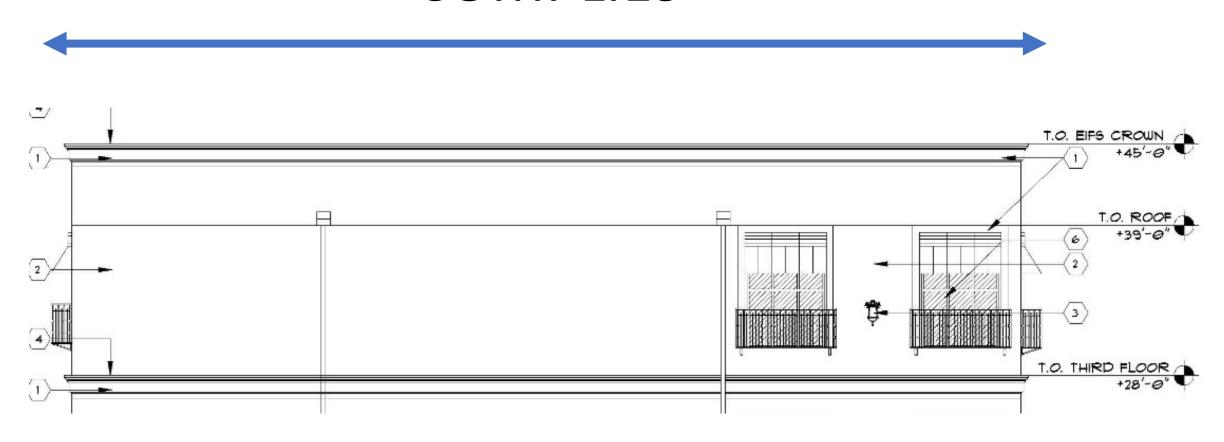


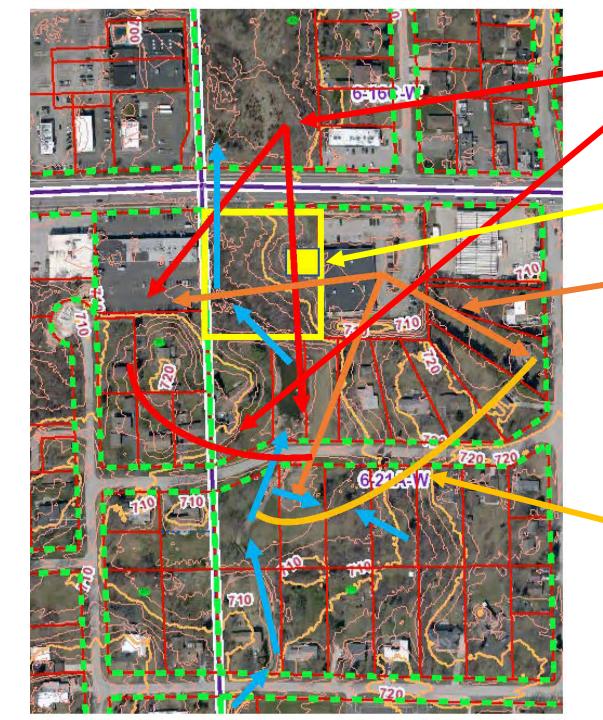


NORTH ELEVATION



EAST ELEVATION



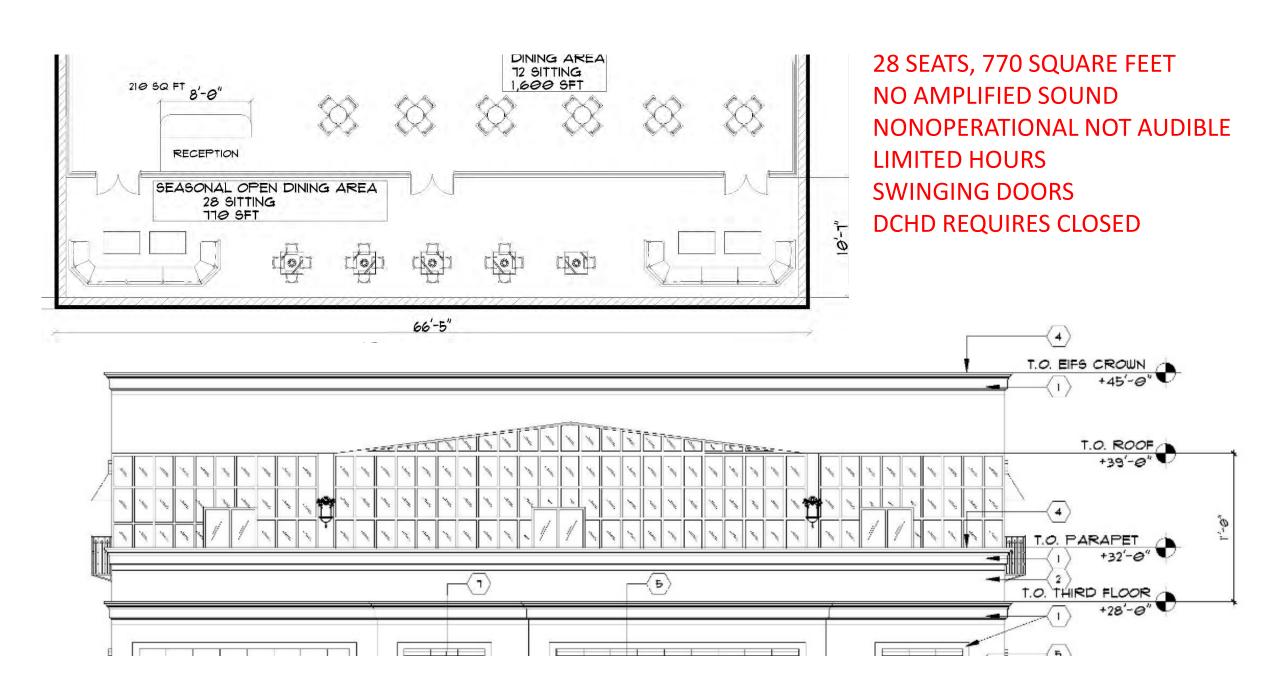


SELF STORAGE CONSTRUCTION NOISE

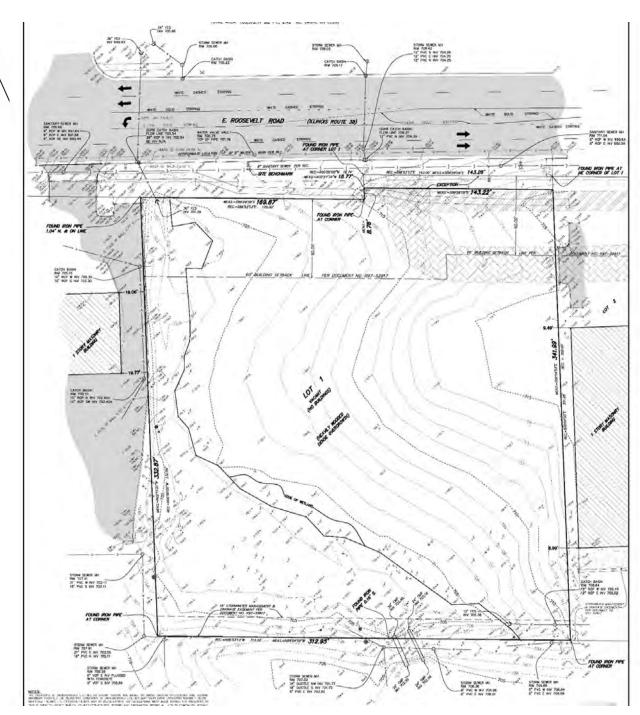
SUBJECT PROPERTY

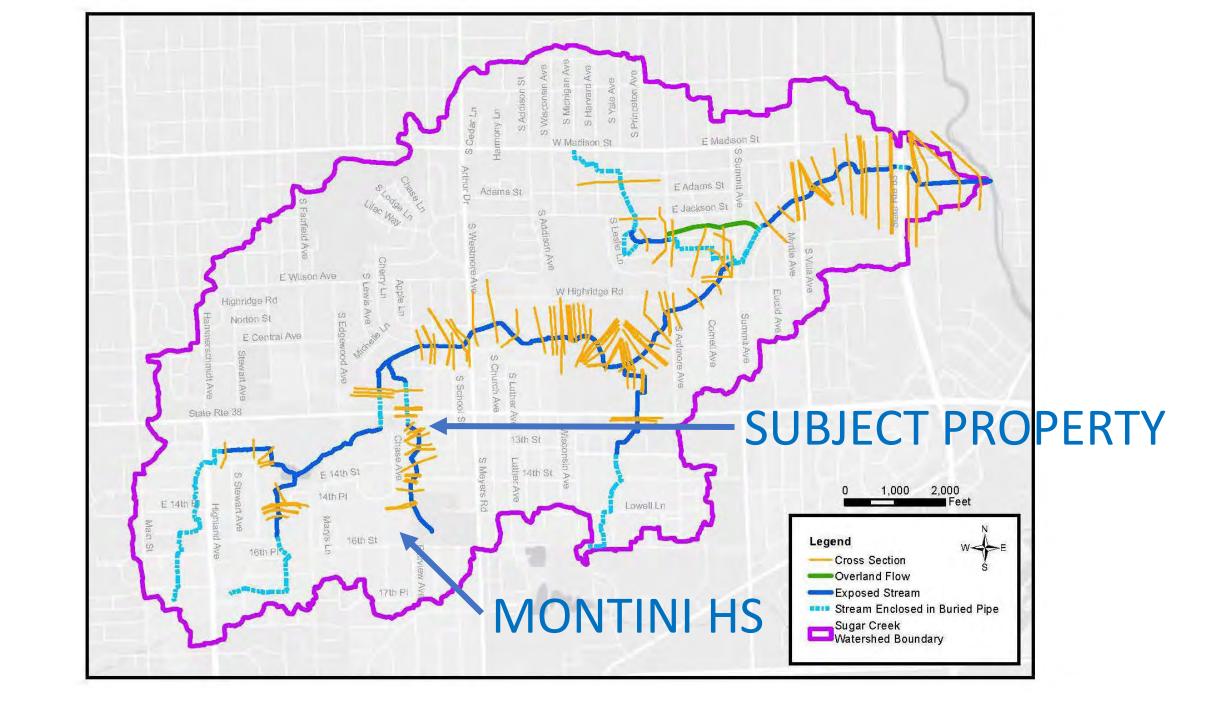
PEPBOYS NOISE

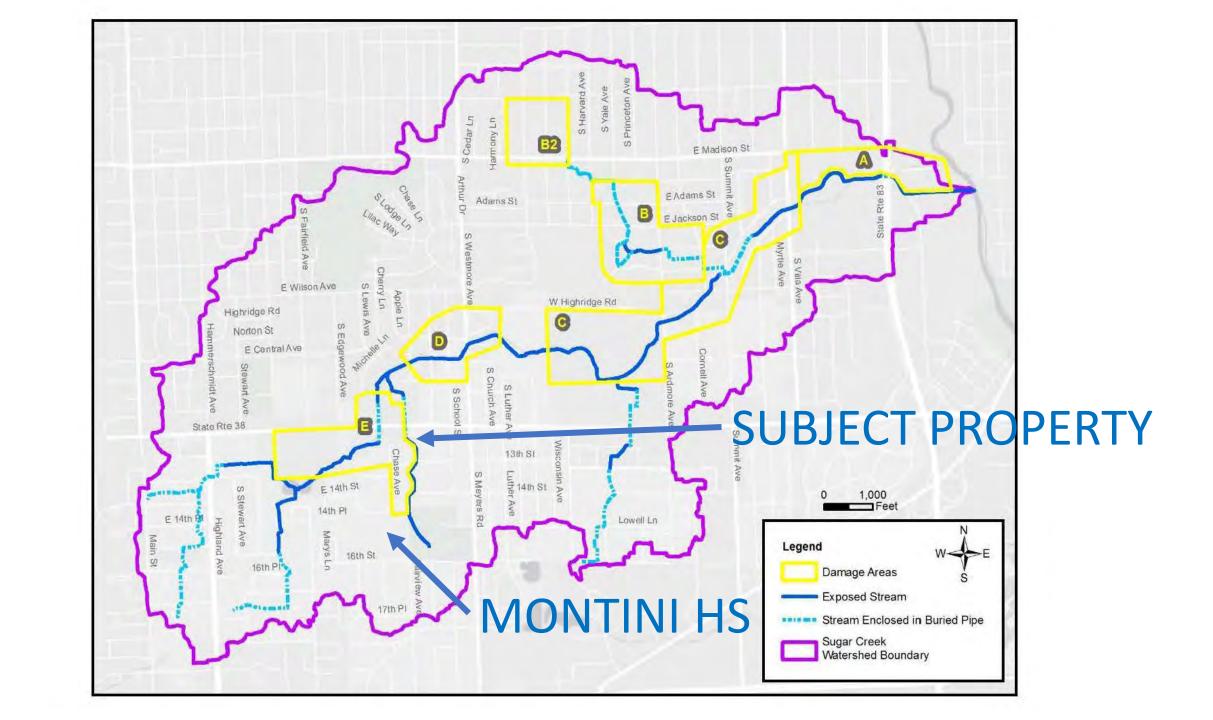
RT 38/CONSTR/PEPBOYS NOISE







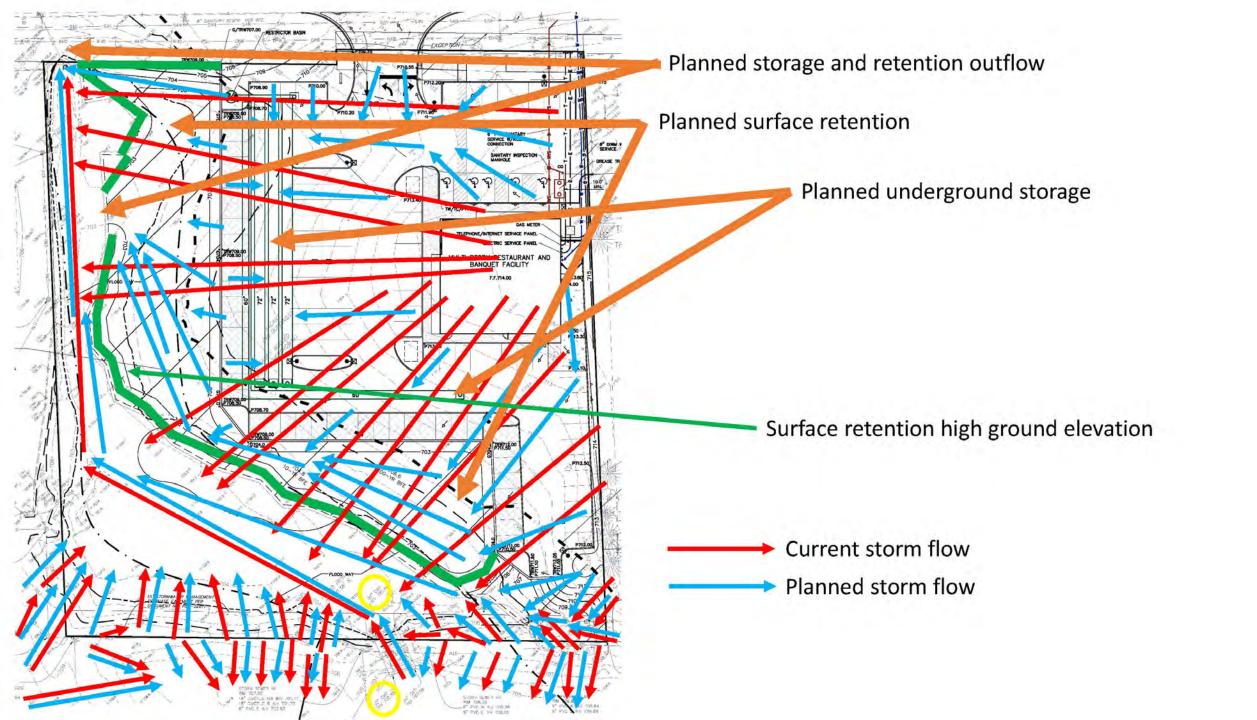


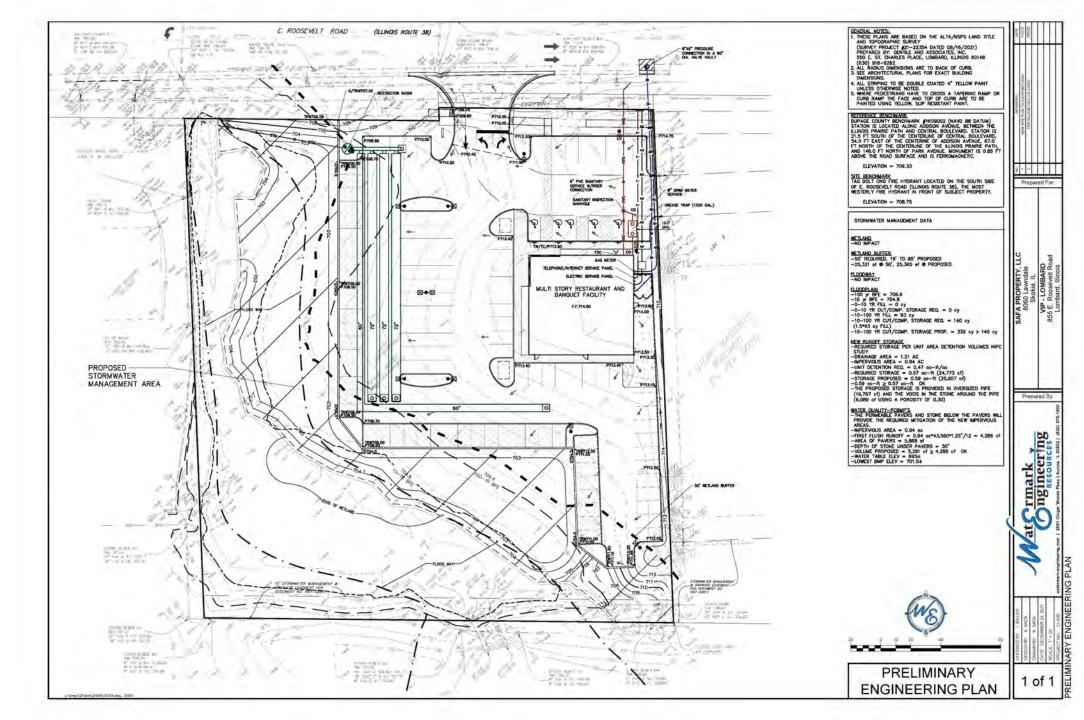


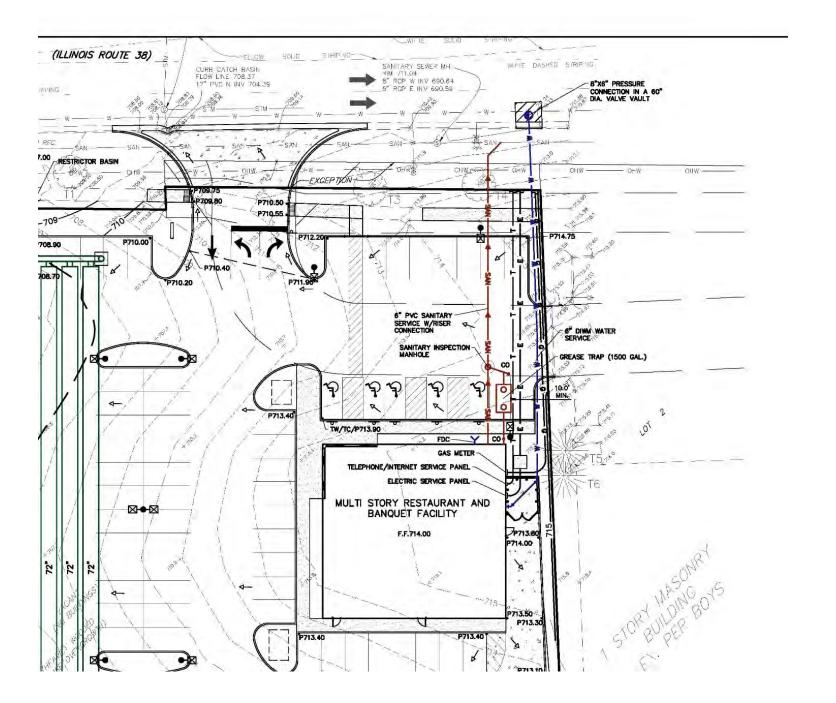
NO AREA E
RESIDENTIAL
FLOOD
DAMAGES IN
60 YEARS

\$2,000 IN
NON-RES
FLOOD
DAMAGES IN
60 YEARS

Location (shown on Figure 4-1)	Total Computed Damages (60 year)	Number of Structures Flooded	Buyout Eligible Structures if No Further Action Is Taken	Number of Structures with Associated Damages Only
	Re	sidential		
Lower Sugar Creek, Damage Area A	\$0	0	0	1
Tributary No. 1 Damage Area B	\$1,316,000	15	11	3
Tributary No. 1 Damage Area B2	\$1,210,000	19	7	15
Middle Sugar Creek,	\$327,000	8	0	11
Upper Sug. Creek, Damage Area D	\$173,000	6	1	5
Dalling Control D	Businesses	/Public Buildings		
Lower Sugar Creek, Damage Area A	\$4,000	1	0	1
Middle Sugar Creek, Damage Area C	\$1,336,000	1	0	0
Upper Sugar Creek, Damage Area E	\$2,000	0	0	i
Totals:	\$4,369,000	50	19	37
Average Annual Damages:	\$73,000			







GENERAL MOTTS:

1. DESS PLANS ANE BASED ON THE ALTA/ASPS LAND TITLE
AND TROCKAPHIC SURVEY
(SURVEY WIGHER) 121-12354 DATED 08/14/7021)
(SURVEY WIGHER) 121-12354 DATED 08/14/7021)
505 E ST COMMENS FALSE, LOMBAND, LULMOS 00148
(0.00) 914-0202
2. ALL RADDUS COMPASONS ANE TO BACK OF CLARB.
3. DELECTIONS. PLANS FOR DACET BRIDGING
ALL STORMS TO BE DOUBLE COATED 4" VILLUM PAINT
LULESS OTHERWISE MOTED.

1. WHERE PLEISTMANS HAVE TO CHOOSE A TAMERIME BRAIN
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FOR THE PAINTED USING YELLOW, SLP RESISTANT PAINT. BOTTECHOE BRUCHMARK
DUFACE COUNTY BENCHMARK PROSDED PHAND BE DATING
DUFACE COUNTY BENCHMARK PROSDED ARRIVE BETRECH THE
BULKHOS PRANEP PARH AND CENTRAL BULKEVARD. STATON IS
313 FT SOUTH OF THE CONTENIES OF CONTRAL BULKEVARD.
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THE NORTH OF THE CONTENIES OF THE LIMINOS PARMET PARTH
AND 146 OF THORTH OF PARK AVOILE MORADERT IS ORD F
ROWN THE ROAD SURFACE AND SERBOLAGORIEST IS ORD F 2 - 1 SITE BENCHMARK TAG BOLT ING FIRE HYDRANT LOCATED ON THE SOUTH SIDE Prepared For OF E. ROUSEVELT ROAD (ILLINOIS ROUTE 38), THE MOST MESTERLY FIRE HYDRANT IN FRONT OF SUBJECT PROPERTY. STORWWATER MANAGEMENT DATA WETLAND -NO IMPACT

#ETLAND BUFFER. -50" REQUIRED, 19" TO 85" PROPOSED -25,321 M ♥ 50", 25,365 M ♥ PROPOSED

ELECTRANE = 706.5 =100 yr Set = 706.5 =10-10 yr Set = 706.6 =10-10 yr Cut/ycomp Storage Red. = 0 ey =10-100 yr Cut/ycomp Storage Red. = 140 ey =10-100 yr Cut/ycomp Storage Red. = 140 ey (1.5*93 by Fill) -10-100 VP CUT/COMP. STORAGE PROP. - 339 by > 146 by

NEW PURIOES STORAGE

- REQUIRED STORAGE POR UNIT AREA DETENTION VOLUMES WIFE

- STUDY
- DRAINGE AREA = 1.21 AC
- AMPERIOUS AREA = 0.94 AC

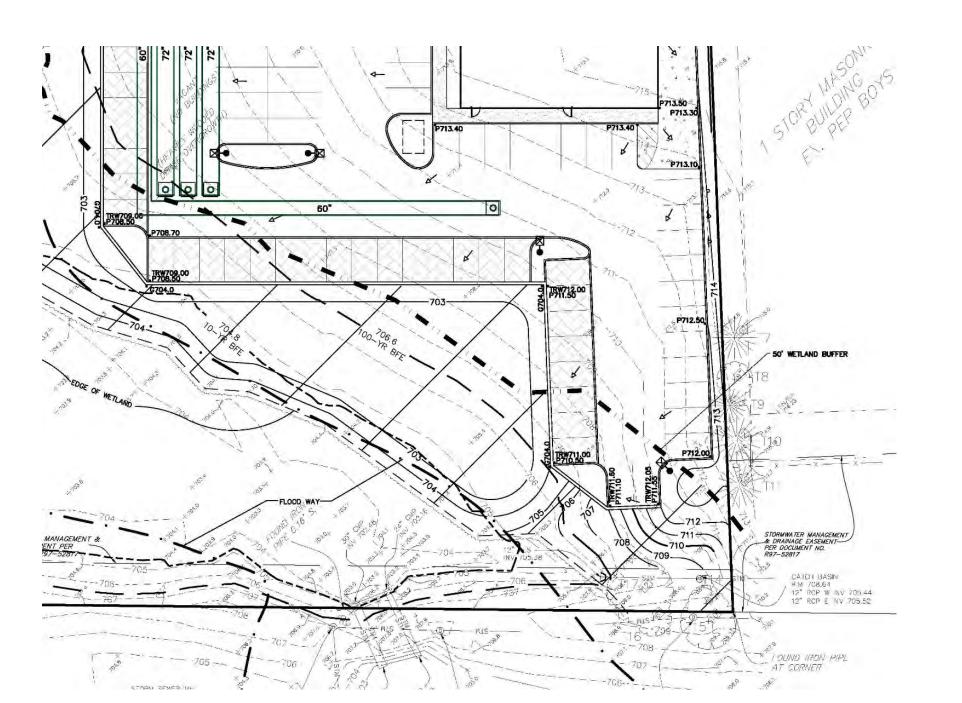
WATER SHALLEY-PERMITS AND STORE BELOW THE PAYERS WILL FAMILY AND STORE BELOW THE PAYERS WILL ARREST AND STORE BELOW THE PAYERS WILL ARREST ELIZIF REGISTED WHISAIRON FOR A CHASON 1.25 1/2 = 4.260 ct - 10FPH OF STONE UNDER PAYERS = 3.0° CVLULEE PROFESSE = 3.28 ct 2 4.266 ct OK - WATER TABLE SLEY = 505.5

C ngineering

Prepared By

PRELIMINARY ENGINEERING PLAN

1 of 1



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(SURVEY WIGHER) 121-12354 DATED 08/14/7021)
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ELEVATION = 709.33

SITE BENCHMARK
TAG BOLT ONG FIRE HYDRANT LOCATED ON THE SOUTH SIDE
OF E. ROUSEYELT ROAD (ILLING'S ROUTE 38), THE MOST
NESTURY, FIRE HYDRANT IN FRONT OF SUBJECT PROPERTY.

ELEVATION = 708.75

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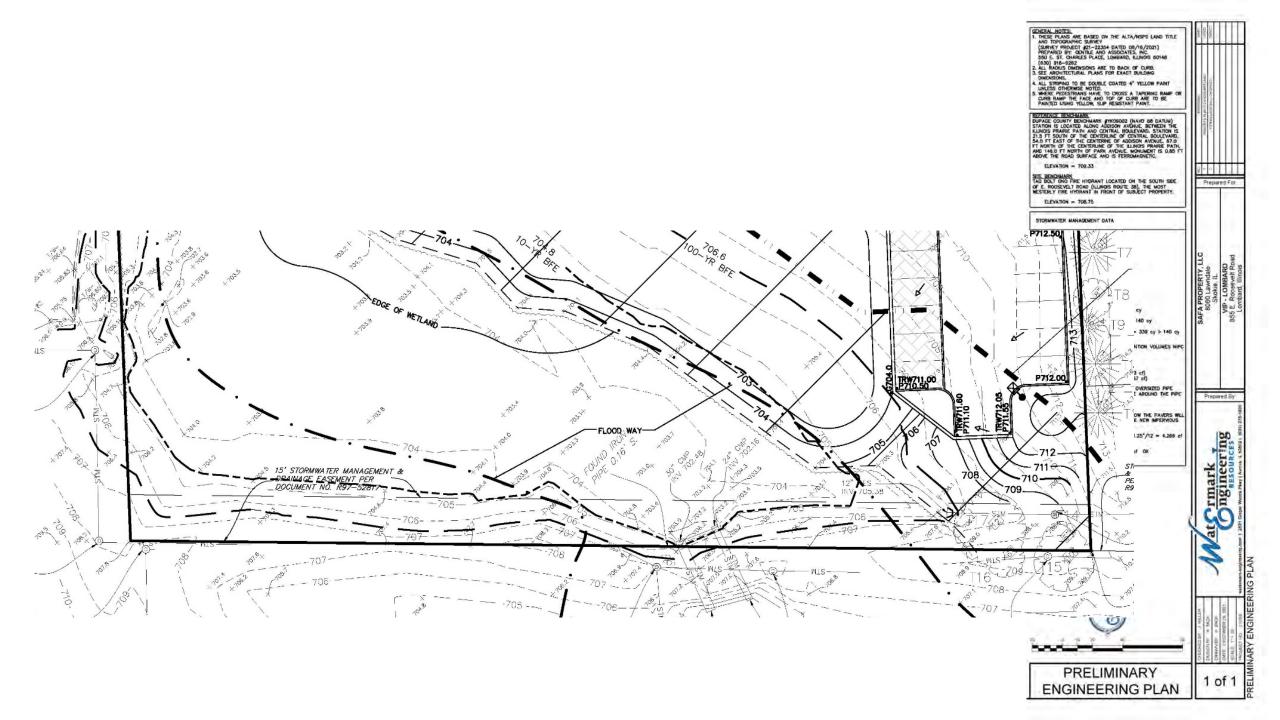
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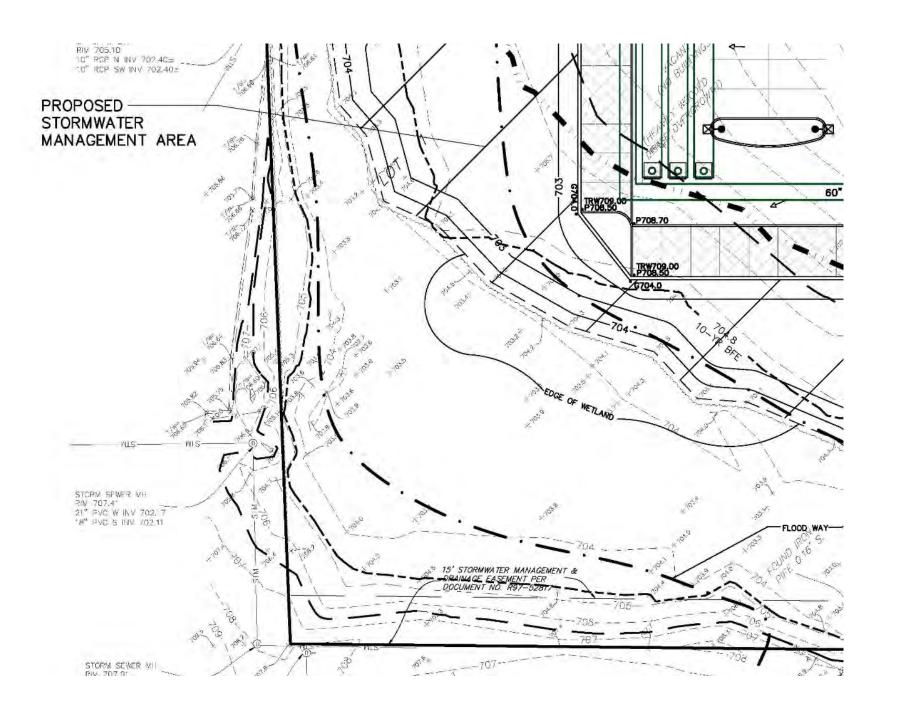
Prepared For

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PRELIMINARY ENGINEERING PLAN

1 of 1





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WATER SHALLTY-PERMITS

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-MITGATE TILLIAN MINORY = 0.04 acr43.500*1.25*/12 = 4.266 cf

-DEPTH OF STONE UNDER PAYERS = 3.07

-VOLUME PROPOSED = 3.281 cf 2 4.266 cf 0X

-WATER TABLE SIEV = 505.6

-ORBIT MEM ELEY = 9.05.2



PRELIMINARY ENGINEERING PLAN

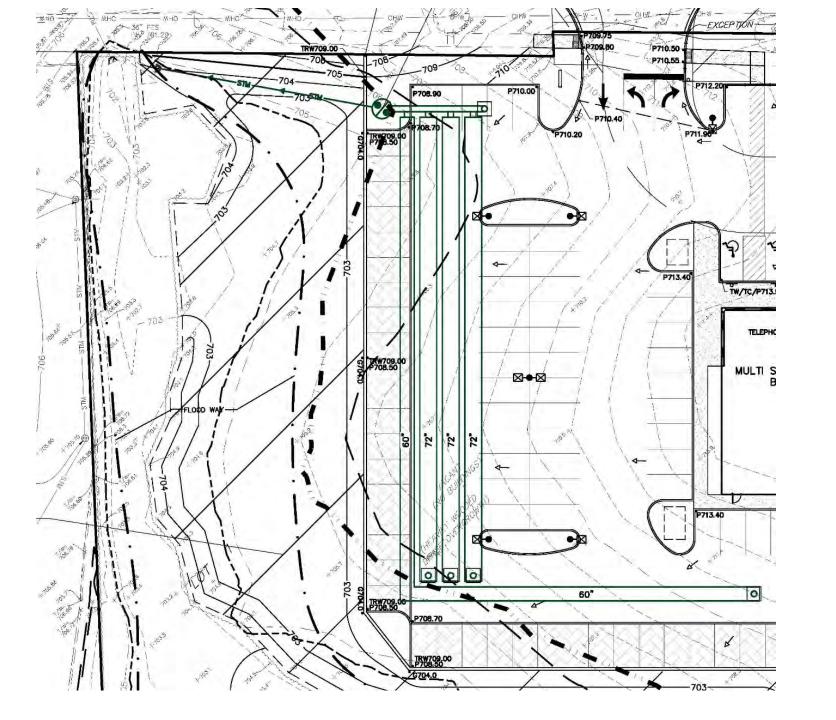
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Prepared By

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Prepared For



CCHEAL HOTTS:

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RETTRENCE TRUNCATIONS

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DUPAGE COUNTY BENCHMARK ENCODED ANALYSE BETREND THE

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THE NOTH OF THE CONTENIES OF THE LIBROR SHARE PARTH

AND 1-46-0 FT NORTH OF PARK AVOILL MORALESHT IS ORD IT

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ELEVATION = 708.75

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(1.5493 by Fill) -10-100 YF CUT/COMP. STORAGE PROP. - 339 by > 146 by

REF BLRICET STORAGE

-REQUIRED STORAGE PER LIMIT AREA DETENTION VOLUMES MIPC
STUDIOGE AREA = 1,21 AC
-IMPERINOUS AREA = 0.04 AC
-IMPERINOUS AREA = 0.04 AC
-REQUIRED STORAGE = 0.57 oc-41 (24.773 cf)
-STORAGE PROPOSED = 0.59 oc-11 (25.557 cf)
-0.50 oc-11 2,0.57 oc-11 (24.773 cf)
-0.50 oc-11 2,0.50 oc-11 (25.555 cf)
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Prepared By

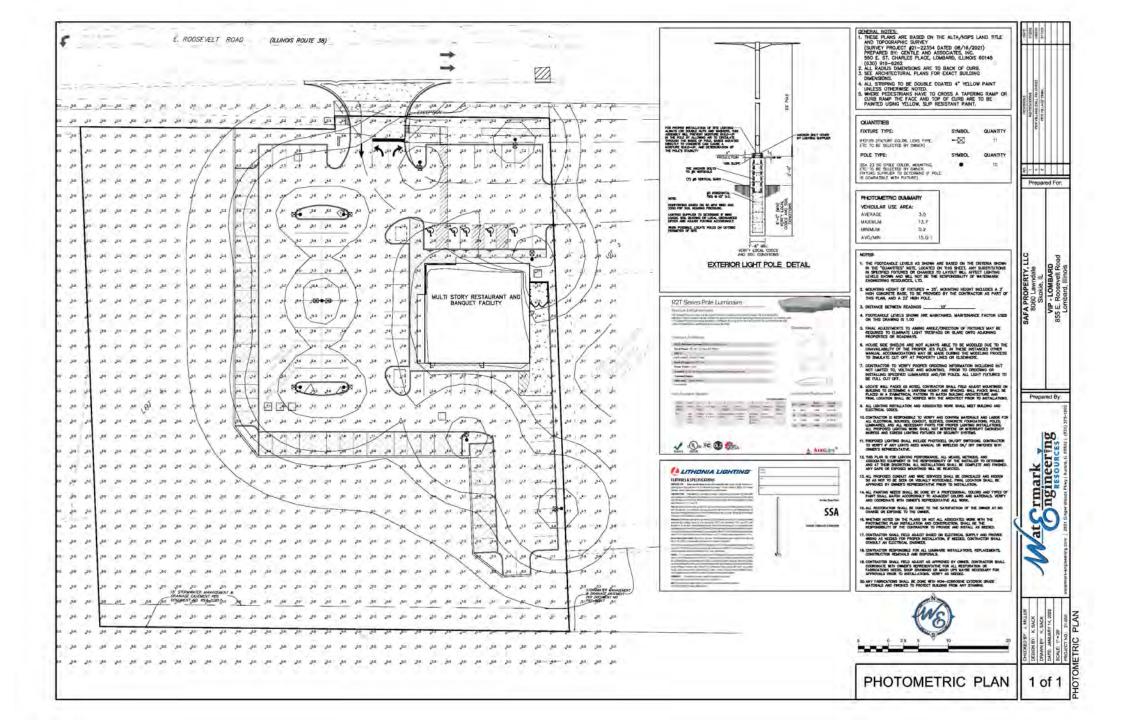
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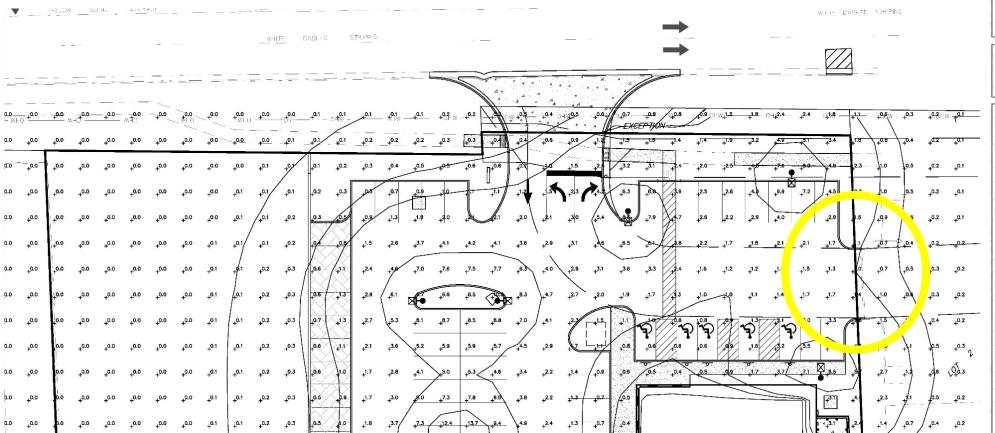
Prepared For



1 of 1

PRELIMINARY ENGINEERING PLAN





- CENERAL HOTES

 1. THESE PLANG ARE BASED ON THE ALTA/MSPS LAND TITLE
 AND TREPORAPHIC SURVEY
 (SURVEY PROJECT SURVEY)
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POLE TYPE:	SYMBOL	QUANTIT
SEA 23 SG (POLE COLOR, MEMOTING) FIC TO MI MILITATED BY DANGE FATURE SUPPLEA TO DETERMINE IF POLE		15

PHOTOMETRIC SUMMA	VRY
VEHICULAR LISE AREA:	
AVERAGE	3.1
MAXIMUM	13
MINIMUM	D,
AVC/MIN	15

- EG ANY FARRICATIONS SHALL HE DONE WITH HON-COMPOSINE EXTERIOR CRAIX.
 MATERIALS AND PROCESS TO PROTECT MINISTERS FROM ANY STAMONS.



PHOTOMETRIC PLAN

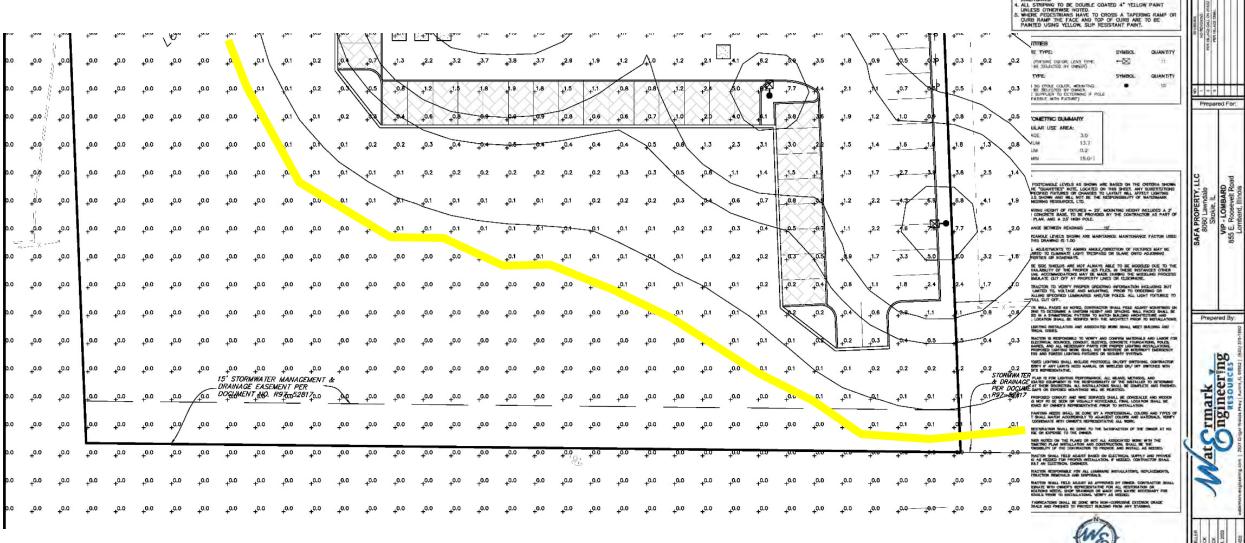
1 of 1

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Prepared For:

Prepared By:

Ongineering



CENERAL BOTES

1. THESE PLANS ARE BASED ON THE ALTA/NSPS LAND TITLE
AND TROPOGRAPHIC SURVEY
(SURVEY PROJECT (211—22354 DUTED 08/18/2021)
500 L 51 TO HARLES BAGE, LOMBARD, ILLINOIS 80149
(BSD) 916—8282

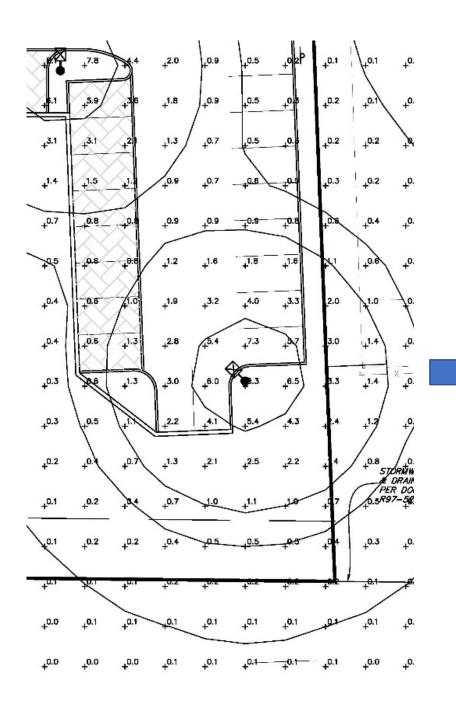
2. ALL RADIUS DIMENSIONS ARE TO BACK OF CURRE.
3. SURVEY DIMENSIONS ARE TO BACK OF CURRE
4. ALL STRIPMIN TO BE DOUBE COATED 4" VELLOW PAINT
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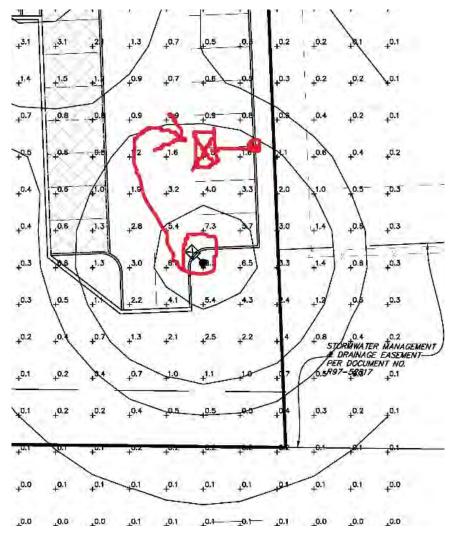
WHERE PROSESTIMANS HAVE TO CHOOSE A TAPSTRING FAMILY OR
PAINTED USING YELLOW, SUP RESISTANT PAINT.



PHOTOMETRIC PLAN

1 of 1 5





REPHEBAL NOTES:

1. NICES: PLANS ARE BASED ON THE ALTA/ASPS LAND TITLE AND THEORYMPIC SURVEY

PRIPARED BY: DEVINE AND ACTED 08/16/2021)

PRIPARED BY: DEVINE AND ASSOCIATES INC.

500 L ST. CHANGE PLACE, COMPAND, LUNCIS 60146

(500) 916-6362

2. ALL RADDISCUSS DIMPSISONS ARE TO BACK OF CURB.

3. SEL ARCHITECTURAL PLANS FOR DIXACT BUILDING DIMPSISONS OF THE TOP ACT O

DIMENSIONS.

ALL STREPING TO BE DOUBLE COATED 4" YELLOW PAINT UNLESS OTHERWISE NOTED.

S. WHERE PEDESTRIAINS HAVE TO CROSS A TAFFERING RAMP OR CURB RAMP THE FACE AND TOP OF OURE ARE TO BE PAINTED URBIT YELLOW, SUP RESISTANT PAINT.

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PHOTOMETRIC SUMMARY VEHICULAR USE AREA: MAXIMUM 127 MINIMUM 0.2 AVC (New 15.0

MOTER

- DESTANCE DETWEEN BEADINGS
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- ALL PARTIES REAL IN COME BY A PROPERTIES, CALORS AND TIPLE .
 PART SHALL MATCH ACCORDINGLY TO ADMICTOT CREATS AND MATERIALS WORF AME DOCHOMATE WITH COMET'S REPRESENTATIVE ALL NOTE.

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PHOTOMETRIC PLAN

1 of 1 5

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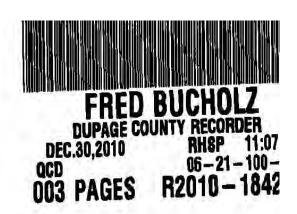
Prepared By:

rmark ,

York Center Park District

QUIT CLAIM DEED

Statutory (ILLINOIS)
(Individual to Individual)
Grantee and
After Recording, mail to:
York Center Park District
1609 S. Luther Ave.
Lombard, IL 60148



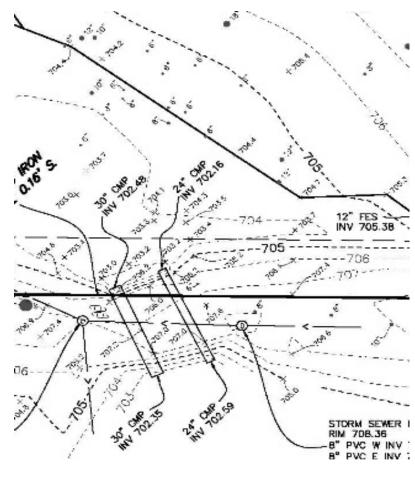
THE GRANTOR, York Center Community Cooperative, Inc., a judicially dissolved Illinois not-for-profit corporation, of the County of DuPage, State of Illinois, for and in consideration of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration in hand paid, CONVEYS AND QUIT CLAIMS to the York Center Park District, a political subdivision of the State of Illinois, of Lombard, County of DuPage, State of Illinois, in fee simple, the following described Real Estate situated in the County of DuPage in the State of Illinois, to wit:

- The York Center Park District may not have acted like it on March 15, 2022, but it is a political subdivision of the State of Illinois
- Any neighbor claiming to be a "member" must be confusing the membership fees charged for programs. There are no members.
- In 2010, YCPD took over the land after years of neglect by the York Center Cooperative.

YORK CENTER PARK DISTRICT OPPOSITION

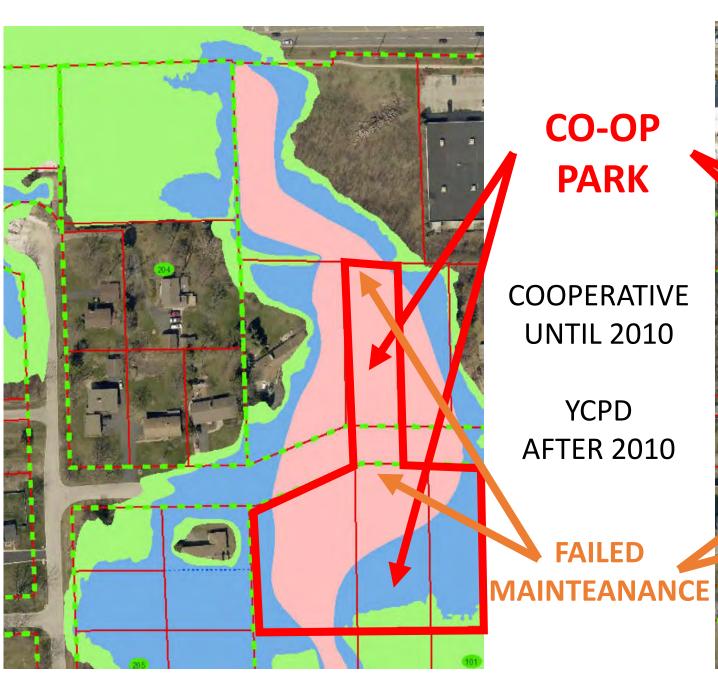
- Daniel observations at least monthly since September 2021 show minimal use of the south park and zero use of the north pond which has expanded to cover portions of two private parcels.
- Several calls/emails with E.D. Scott Nadeau from February 23, 2022 (no opposition).
- Comm'r Bob Fritz was on Neighbor Zoom Meeting March 2, 2022 (no opposition).
- New plan visits with all neighbors, call/email Nadaeu (March 8, 2022)
- March 16, 2022 letter opposes variations but not conditional uses and expresses no basis for opposition to variations.
- March 15, 2022 illegal meeting to allow neighbors to vent (no notice, no agenda, no call or email to Daniel despite contact).

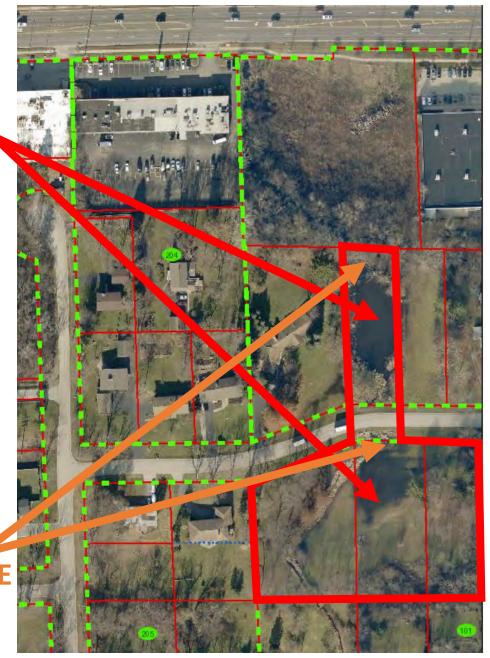
Co-Op Park is a drainage way; unplanned passive recreation, if that. Not maintained well.





2021 2021



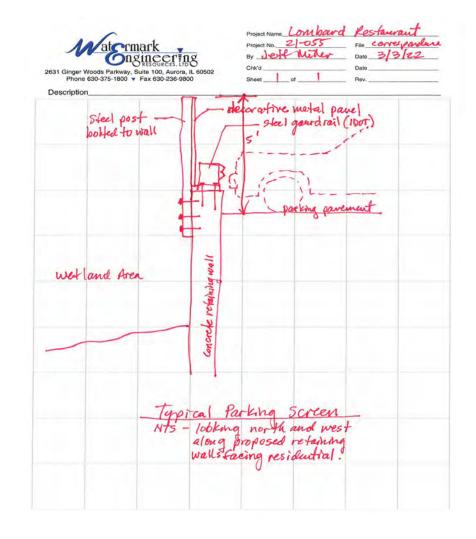


Standard Obstructionist Operating Procedure

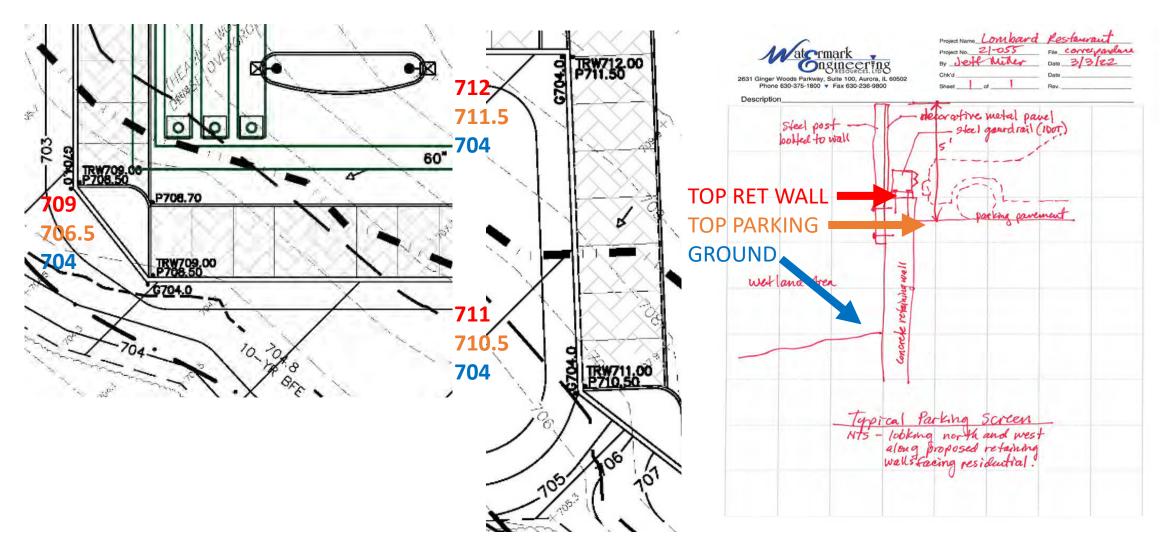
- Informational meeting held due to importance of sharing project information in advance of zoning hearing and obtaining feedback.
- Plan modifications in coordination with neighbors and YCPD executive director at the urging of a neighbor (screening, pole lighting, wall lighting, lighting dimming and switches, no outdoor amplified sound).
- Neighbors ask for more trees on Roosevelt and seek elimination of lighting variations they will not see, soundproofing of walls, and trees south of 13th.
- Neighbor/YCPD seek bald cypress trees despite existing screen (provided).
- Neighbors falsely claim windows and doors stay open.
- Park district hosts an illegal meeting with no notice, no agenda on Internet, no phone call or email and allow neighbors to vent while never having a presentation of the project by anyone with appropriate knowledge.

Some Neighbors Want Fence at Head of Spaces

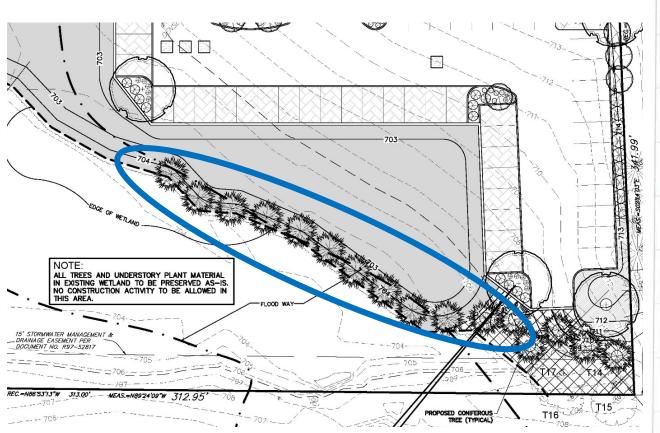
- Denies Safa the benefit of the wetland and natural area it is spending money to preserve.
- Creates a sound chamber for noise reverberation from the use and from PepBoys and west neighbor (harming the south and southeast).
- Impractical as the existing screen already works well and it will be supplemented by neighbor's chosen trees (bald cypress).
- Poses maintenance and hazard issues.



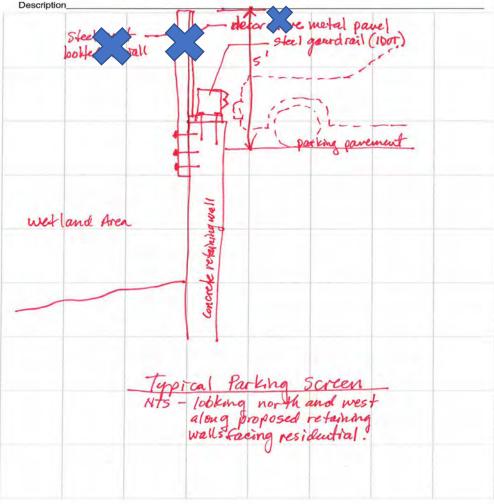
Some Neighbors Want Evergreens at Spaces



RESOLUTION



	Project Na	me Loruba	rd Restaur
Matermark angineering	Project No.	21-055	File corre
Ongineering	By Je	off wither	Date 3/3
2631 Ginger Woods Parkway, Suite 100, Aurora, IL 60502	Chk'd		Date
Phone 630-375-1800 ▼ Fax 630-236-9800	Sheet	of_	Rev.



OTHER NEIGHBOR COMMENTS

- Three stories is too tall
 - Allowed by code
 - 3 stories directly north
 - Limited building area pushes height
- Traffic, parking, lighting too much
 - Exactly as intended in B4A district
- Lighting will impact homes
 - False, zero footcandles
 - 0.3-0.5=full moon, see photometric
- Wildlife
 - EcoCAT clearance (report if seen)
- Impact on property values
 - No evidence, this any residence north or south of the B4A would be similar
 - Lighting variances imperceptible

Noise

- No homes within 330 feet
- Nearest usable park, 450-500 feet
- No outdoor amplified sound
- Windows and doors not open

Flooding

- False, see plans which reduce sheet flow, store and retain water, move outlet along Roosevelt Road
- Walter quality per County PCBMPs
- YCPD failed to maintain pipes, affecting owners east and south
- It will rain more in the future
 - County SWFPO covers this
 - Lombard and County will insist on proper planning and drainage

OTHER NEIGHBOR COMMENTS (continued)

- Go someplace else
 - Allowed at site by code
 - 3 stories directly north
 - Looked for four years
 - Not a shopping center use (High Point)
 - Not environmentally friendly (waste)
 - Conflicts with retail needs
- "My experience with Bucky's"
 - Not relevant at all
- Windows or doors will stay open
 - False (knowingly false at YCPD)
- Multiple variations in drainage sought
 - False. No drainage variations in requests.

- Variations impact habitat and species
 - False, see EcoCAT
 - False, wetland untouched with better low flow management and retention
 - False, variations are all near or north of building
 - False, having the right amount of parking is better for habitat than excessive parking
 - False, 1.23 acres on site remains open and properly connected to the 3.11 acres in Co-Op Park, 0.56 north
 - Eliminated rows of parking
 - Removed wall lights, dimming, shutoff
 - Relocated south light pole 30' further north
 - Relocated dumpster to east of building
 - Added two trees and ten bald cypress

OTHER NEIGHBOR COMMENTS (continued)

- Impact on Public Land
 - Public land actually impacts the Subject Property because the tributary would not exist but for Montini and other schools and the drainage needs of York Center
 - The passive recreation purpose relates as much to stormwater as it does any habitat concern
- "Enraged to hear Daniel refer to wetland as insignificant"
 - The wetland is not a significant wetland
- "... and the park as insignificant"
 - The attached park space offers only the slightest ability to recreate even passively
- Pursue a Dark Skies community
 - The cooperative was a collection of city dwellers who escaped to a Christian-run farm community--not a forested woodland area

- Chicago Region Trees Initiative
 - Our goal is to make a significant, measurable improvement to the regional forest and the lives of its inhabitants by the year 2050.
 - Preserves a diverse 1.23 acre open area that includes wetland tree stand
 - Adds three times the same species the YCPD has added in Co-Op Park recently
- Variances that allow more lights to showcase the building on the south AND west side of the building are unacceptable.
 - Variances do no allow more light south and west. Variances do not allow showcasing of the building.
- We, the members of the Co-Op Park, deserve a dark skies compliant neighbor.
 - False. The Cooperative failed to maintain the park area and the drainage for 30-40 years before it was dissolved in 2010. The YCPD continued this.

OTHER NEIGHBOR COMMENTS (continued)

- It will ruin Co-Op Park
 - False, drainage will continue
 - Usable park is 450-500 feet south
 - Large wetland and tree stands
 - Co-Op Park is not an active park
 - Nothing interferes with passive rec
 - 10 bald cypress requested by YCPD
 - YCPD failed to maintain at outflows in two locations
 - YCPD vote was a sham proceeding
- Sightlines affected
 - Building is 2 degrees above PepBoys on the northerly horizon
 - Wetland screen, SE landscaping.

- Our neighborhood park land is significantly impacted by the development of this property.
 - False. Sugar Creek tributary flows from south to north.
 - For decades, the cooperative did not have paved roads, leading to erosion and sediment that was so bad the federal government referred to it as blighted.
 - It is this sediment that has robbed 13th Street property owners of land and caused ponding in the park.
- Drainage is more important north of Roosevelt
 - True. They suffer many times more damage than York Center (Area E).

Other Neighbor Comments (continued)

- "The design calls for lighting on all four stories & all four sides."
 - False. On three stories except east.
- "include[e] ground lighting that shines skyward"
 - True. At rickshaws and plantings.
 - Lighting shines up. Not skyward.
- The parking lot does not have a fence that will block car headlights from shining into surrounding houses
 - East line has full arbor vitae screen with full wrap of the corner
 - West and south have bald cypress

- The neighborhood already deals with water issues in the park and surrounding houses.
 - Co-Op Park was always a drainage way and intended as such
 - Cooperative and YCPD neglect leads to downed trees, eroded support for pipes and excess ponding near 13th Street culvert.
 - "In surrounding houses" is false inasmuch as there is no report of property damage in Area E over the last 60 years.
- [T]he developer has indicated they would like to primarily utilize existing foliage in flood-ways for screening.
 - See landscape plan.

Other Neighbor Comments (continued)

- Customers parking in residential areas and trespassing for egress/regress of the site
 - No pedestrian connection, no reasonable access between any residential area and the site.
 - The park north of 13th is a bog.
- The square footage can maintain a larger occupancy than what is published
 - Preliminary kitchen and FFE indicates the area for diners is less than "published," seats remain at 348

- On 28 rooftop seats, "The philosophy of the Plan Commission is to foresee this type of situation and address before a structure is built."
 - False. The Village permits outdoor dining. Applicant has committed to no outdoor amplified sound and limited hours of rooftop operation.
- The current square footage assigned to the kitchens would easily be able to serve double the occupancy listed.
 - Ignores catering and three styles of kitchens.

Other Neighbor Comments (continued)

- I am asking that events in the parking lot and on the patio not be given a variance as there is no limitation as to how often, when or to what capacity these events can be held.
 - Saturdays, 12P-7P only adjacent to south wall of building
 - No events on rooftop

About Tomas Novickas (not a neighbor)

- "I would respectfully ask that at minimum the consideration of variances is postponed to allow the developer to work on solutions."
 - Mr. Novickas refused to accept geometry.
 - Mr. Novickas insisted on non-native species and, following Daniel's rejection of planting bald cypress, had the YCPD call Daniel to tell him that the YCPD had success with bald cypress and it would appreciate using those for a screen (as would Mr. Novickas).
 - As a result, a line of ten or more bald cypress is shown in the plans despite Mr.
 Novickas being aware that these trees lose their needles.
 - With that said, it is difficult for Mr. Novickas to now shift to insisting on another planting and disingenuous to claim that there is no continuous arbor vitae planting on the east line and no parking lot screen other than the *substantial* existing wetland screen.

- "While I do not expect the property at 855 Roosevelt to remain undeveloped, it is critical that any development of the property maintain the historical integrity of the park's serenity."
 - Historical integrity (the park became serene only when it became permanently flooded; it was farmland before)
 - 1.23 acres is sufficient (the pond lot to the south is less than 50% this size)
- The B4a Roosevelt Road zoning language supports keeping the park serene.
 - This interpretation is incorrect. A transition yard or area is necessary and Applicant meets the B4A regulations south of the building curtilage—well north of the "park" that primarily exists south of 13th Street, upstream from the pond the cooperative and YCPD allowed to develop and continue north of 13th Street.

- [W]e have proposed specific, reasonable, and actionable solutions--which so far have largely not been included.
 - Soundproofing walls is not a reasonable solution.
 - Depriving the owner of year-round views and access to 1.23 acres of land is not a reasonable solution.
 - Constructing fences along the parking lot to reflect sound from PepBoys back to the east and southeast or from the bar back to the west and southwest is not a reasonable solution.
 - Planting trees in an area where they will impact a retaining wall is not a reasonable solution.
 - Eliminating all lighting on the south elevation rather than some is not a reasonable solution.
 - Removal of a light relocated to a point adjacent to the wall of PepBoys is not a reasonable solution.
 - Eliminating lighting for the access route and accent lighting for the rickshaws and landscaping to "protect a pond and park further south" is not a reasonable solution.
 - Dark Skies planning at this location is not a reasonable solution.
 - Adding new street trees where neither IDOT nor Lombard nor the County desires them is not a reasonable solution.

- [U]pon the restaurant closing, the employee designated parking (another variance related request) -- the last people to leave-- is almost directly adjacent to neighboring properties.
 - Employee designated parking is not a variation
 - The designation places those who will lose a job in a position of respecting neighbors near the lot line rather than a guest who we lack control over
- The developer has verbally indicated that noise would be minimal simply because there is no alcohol served, however there is no written guarantee (that we are aware of) that would ensure this form of "noise mitigation" would be perpetual.
 - Usmania does not serve alcohol. Mr.
 Novickasand others refuse to investigate this or
 accept the proposition that a restaurant can
 succeed without alcohol. There is no more to
 discuss on this front. Alcohol is not served due to
 personal beliefs that have nothing to do with
 noise.

- The developer has indicated they would selfenforce noise issues related to parties and employees leaving at the end of the night (early morning hours) but no clear process or guidelines have been shared.
 - Closed doors and windows
 - Limited rooftop hours
 - No alcohol
 - No amplified sound outdoors
 - Avoidance of a fence where reflective sound issues would arise
 - Employee parking closest to the park and abutting neighbor
- Section 155.417 (2) "Site landscaping shall buffer unwanted views and sound"
 - He reads "buffer" as "blocks"

- "[C]ritically, 155.417(G)(14) also states that "Screening of lights from residential areas ... shall be required" which is not being accomplished by the developer's proposal."
 - False, see photometric plan
 - False, all lights for which a variance is requested are situated near or north of the building and screened from any home

- The rooftop deck with apparent "VIP" lounge areas
 - He is making this up based on his own apparent lifestyle
 - The deck will close well before the restaurant.
- "[N]o provisions have been made to reduce noise from the rooftop deck to adjacent properties nor park."
 - False. No outdoor amplified sound.

The building will tower over our existing trees.

USMANIA



USMANIA

The building will tower over our existing trees.



The building will tower USMANIA over our existing trees.



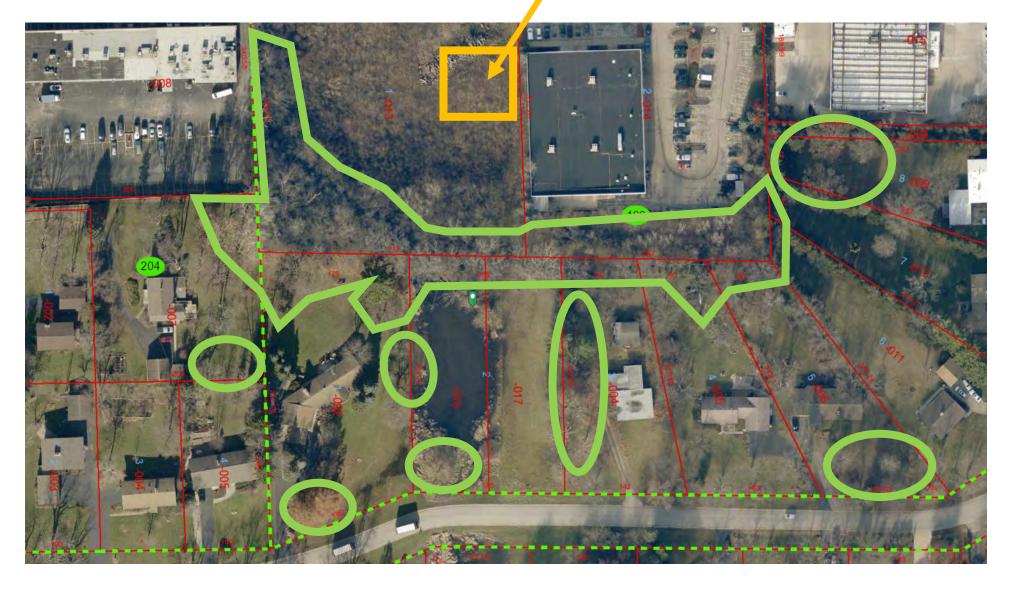
USMANIA

The building will tower over our existing trees.



It's not true...

USMANIA



828 13th Street

- I am asking that the lighting on the west and south sides of the building be baffled so that the intensity of the lighting in my back yard are minimized. I suggest the same for the parking lights. That they be baffled and angled down toward the parking lot.
 - Reduced wall lighting on south; upper will turn off, lower will dim late.
 - Relocated light pole near southeast corner as noted above.
- Happy if a line of shrubs and 40' trees could be planted on the south and west sides of the parking lot
 - YCPD/"Neighbor" specified line of bald cypress will reach 40'
 - Placed at first available location west and south of parking lot
- Concerned about three story height of building
 - 45' to parapet from southeast (E/SE elevation complies with 40' roof height limit)
 - A two story building would disturb more of the site

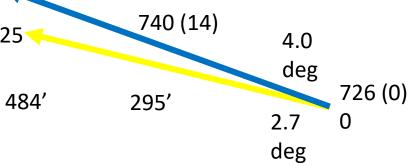
828 13th Street (continued)



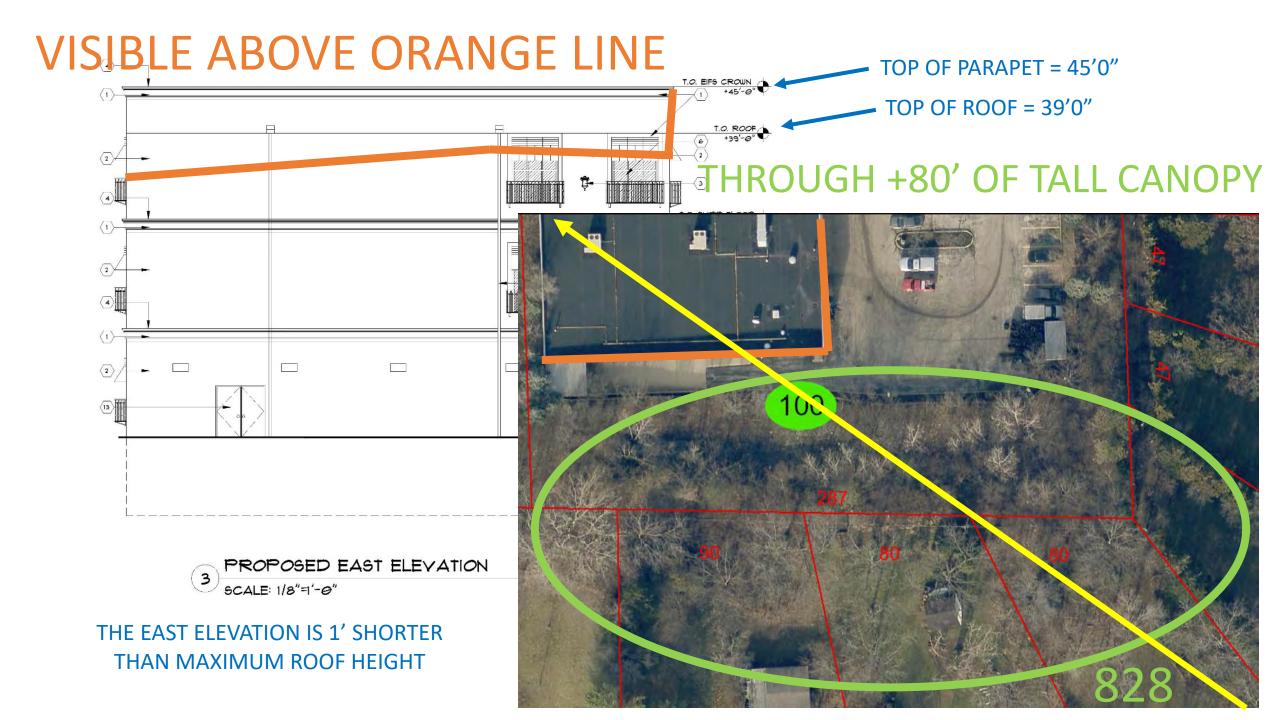
MAXIMUM VISIBLE USMANIA

9-11 **FEET** FROM 484 FEET

760 (34)



EYE LEVEL IS 726'



Questions from Neighbors

- Where is it written that there will not be alcohol served on this development for the next 50 years. The developing owners may not serve alcohol, but what happens if/ when ownership changes?
 - If a license is available, the owner who decides to serve alcohol will comply with the liquor control ordinance.
 - The liquor control ordinance does not amend the relief provided or the conditions imposed.
- Where would overflow guests park?
 - If valet is required, the east aisle would be used for this parking.
- Please use sound dampering walls.
 - This will not be required.

- The increased light will lower the quality of life for near by houses.
 Please address.
 - Some lighting was removed from south wall, upper floors shut off, first floor will dim at closing. Lighting on east elevation was limited before March 2.
- People trying to find or leave the restaurant will eventually end up on 13ths Street in confusion and drive too fast. We already have a speeding problem on that road. Signs have minimal impact and they look bad. Please address traffic safety concern.
 - These are York Center residents and guests. There is no pedestrian connection to Usmania from 13th Street. No traffic heading to or from Usmania will benefit from using 13th or School. Zero cut-through risk.
 Westmore-Meyers and Roosevelt Road are the principal nearby street routes.

- What study has been done to understand the impact this development will have on the local park natural space and animals?
 - See photometrics
 - See also the preliminary civil engineering plans





11/18/2021

IDNR Project Number: 2207130

Date:

Applicant: SAFA PROPERTY LLC
Contact: MARK W DANIEL

Address: 2608 WEST PETERSON

SUITE 201

CHICAGO, IL 60659

Project: USMANIA PRIME

Address: 849 E. ROOSEVELT ROAD, LOMBARD

Description: CONSTRUCTION OF A RESTAURANT AND ACCESSORY PARKING AND LOADING, DETENTION.

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

Consultation is terminated. This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary. Termination does not imply IDNR's authorization or endorsement.

- What happens if someone happens to see a nest for the first shorteared owl observed in DuPage County since 2016? (a fair and polite rewording of comments from a neighbors concerning endangered species review
 - Even if the EcoCAT review from IDNR did not turn up anything, we are obligated to stop work and report if we see signs of an endangered species.
 - These signed would have to be more than a bird on an adjacent parcel or a bird in a tree on our parcel, though if we did see such a bird, we would look for a nest and notify.
 - IDNR is aware that the short-eared owl is endangered in DuPage County, but it did not identify this site as being known to be the host of the species.

- What is being done at this location and surrounding for appropriate management of the vulnerable areas once the project is "completed"?
 - DuPage County will determine the permitting aspects of work that affects the amount of water discharged into the wetland
 - Historically, dirt and stone have migrated into the wetland from unpaved roads south of the site
 - Historically, erosion from sheet flow has migrated into the wetland
 - There should be an improvement to the water quality in general, and in particular, in the wetland

- What will the county/village/investor/park district dedicate as resources to improve the natural habitat on both the "developed" and "undeveloped" (adjoining) land at this location? Footprint of the project leaves a significant part of the vulnerable areas "untouched", but that begs the question of what level of land management will encourage a healthy development of the surrounding natural/wetlands/wooded areas and who will share in this common interest?
 - The County will have a blanket easement and continue to evaluate the tributary. The
 owner will remove low volume dead trees and fly dumping. The YCPD should repair
 its pipes and removed dead trees and obstructions to the pipes.
 - No one is required to dedicate funds, but they cannot kill off a wetland or remove trees from the wetland without a proper permit and, in this case other authorizations.

- This would lead me to think that plantings may be more useful in the undeveloped lot to the north of 13th street (privately owned).
 - Applicant refused to plant trees for YCPD, but the owners of land east of the park area north of 13th know that Applicant would be willing to plant a few trees if needed in an area sufficiently south of the berm. Applicant is certain that screening will be adequate to buffer the use from homes, but these owners know that three trees south of the SE corner and berm are an option.
- [V]ehicle headlights should be able to be mitigated by the suggested (guard rails) enhanced by a fence or natural screen above the guard rails to mitigate the lights from traffic movement in the parking lot.
 - Applicant added 12-13 trees from the SE corner along the wetland buffer in a northwesterly direction. A fence on the guard rail is not recommended due to concerns over reflective noise.

- Is there an obligation to the York Center Park District arising from intergovernmental relationships?
 - Lombard owes an obligation to the YCPD to consider the park as a neighbor.
 - In the Applicant's view, the YCPD violated state law in convening a meeting to address action items that were not on a properly published agenda.
 - This prevented the Applicant from being present and presenting accurate information available to the YCPD even though Applicant was checking the YCPD's website daily.
 - The YCPD's action is a nullity and it knows it does not have jurisdiction.
 - With that in mind the executive director will confirm that Applicant has been in touch with him since February 23 and that Applicant added 12 trees to the project and avoided a fence due to sound reflection or reverberation concerns. The YCPD also will acknowledge that the Applicant has identified YCPD maintenance and repair issues that contribute to excessive ponding.

REQUESTED CONDITIONAL USES

- To allow a restaurant, including entertainment and dancing when conducted as part of the restaurant operations and secondary to the principal use (155.4177(G)(2)(a)(vii));
- To allow a building containing a restaurant as a principal use that will exceed 40 feet in height (155.417(G)(2)(c)(vii));
- To allow outdoor display and sales on a seasonal or periodic basis in the row of parking along the south elevation of the building and in the rooftop area (155.417(G)(10)(b));

STANDARDS FOR CONDITIONAL USE

- (a) That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare;
- (b) That the conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood in which it is to be located.
- (c) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- (d) That adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided;

STANDARDS FOR CONDITIONAL USE

- (e) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
- (f) That the proposed conditional use is not contrary to the objectives of the current comprehensive plan for the Village of Lombard; and
- (g) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission.

Illinois Supreme Court

- The listing of the conditional use(s) in the B4A conditional use list is a legislative determination that the use is appropriate at properties in the district.
- The requested conditional use(s) should be approved unless a particular aspect of the use at this particular location renders the use improper at the site when compared to other locations in the B4A district.
- Denial on the basis of impacts from aspects of the permitted use (restaurant smells, outdoor dining noise, parking lot lighting, people talking as they walk to cars, building lighting) is improper.
- Denial based on an impact caused by an aspect of the conditional use that is occurs elsewhere in the B4A district is improper.

Dancing and Entertainment

- The dancing and entertainment is on the inside of a building that is 330 feet from any residence. Most uses in the B4A zoning district have buildings closer to homes.
- Uses that would allow dancing or entertainment often serve alcohol, but the proposed use will not be serving alcohol.
- Dancing and entertainment will be consistent with events and the style of dining and not detrimental to, or an endangerment to public health, safety, morals, comfort, or welfare.
- Since dancing and entertainment will only occur inside a building with closed doors and windows, the use will not be injurious to the uses and enjoyment of other property, nor substantially diminish and impair property values in the B4A neighborhood.
- The dancing will occur on the last of properties to develop in the district and no aspect of the use will cause more traffic or extend beyond the lot lines so as to impede development and improvement of property for uses permitted in the B4A district.
- Adequate public utilities, access roads, drainage and/or necessary facilities are planned.
- The use implicates no aspect of traffic or parking that has not already been addressed.
- The use is consistent with the comprehensive plan.
- The use of which the dancing and entertainment is a part of a use that will conform to B4A regulations, except as modified.

Conditional Use of Height Above 40 Feet

- The height above 40 feet rised above the glass enclosed dining on the third floor, but remains below the top of parapet.
- The building is 330 feet from any residence. Most uses in the B4A zoning district have buildings closer to homes.
- Dancing and entertainment will be consistent with events and the style of dining and not detrimental to, or an endangerment to public health, safety, morals, comfort, or welfare.
- Since dancing and entertainment will only occur inside a building with closed doors and windows, the use will not be injurious to the uses and enjoyment of other property, nor substantially diminish and impair property values in the B4A neighborhood.
- The dancing will occur on the last of properties to develop in the district and no aspect of the use will cause more traffic or extend beyond the lot lines so as to impede development and improvement of property for uses permitted in the B4A district.
- Adequate public utilities, access roads, drainage and/or necessary facilities are planned.
- The use implicates no aspect of traffic or parking that has not already been addressed.
- The use is consistent with the comprehensive plan.
- The use of which the dancing and entertainment is a part of a use that will conform to B4A regulations, except as modified.

Outdoor Events (Saturdays, Noon-7:00 PM)

- The area adjacent to the south wall is 330 feet from any home and having tables and tents set up for cultural events or bazaars in this area will not affect nearby owners.
- Outdoor activities offering goods, services and education will not be detrimental to, or an endangerment to public health, safety, morals, comfort, or general welfare.
- Event timing is concurrent with the busy daytime hours in the area and before busy dining hours, so the use will not be injurious to the uses and enjoyment of other property, nor substantially diminish and impair property values in the B4A neighborhood.
- The events will operate within the capacity of the site, away from the shared access and entrance drive and no aspect of the use will extend beyond the lot lines so as to impede development and improvement of property for uses permitted in the B4A district.
- Adequate public utilities, access roads, drainage and/or necessary facilities are planned.
- The use implicates no aspect of traffic or parking that has not already been addressed.
- The use is consistent with the comprehensive plan and retains people in the district.
- The events will conform to B4A regulations, except as modified, and also comply with Village ordinances applicable to equipment and use.

GENERAL STANDARD FOR VARIATIONS

The variations from the Zoning Ordinance are "in harmony with its general purpose and intent" (155.103(C)(2)(A))

- The variations meet the standards.
- The project and the variations are consistent with the Lombard Comprehensive Plan.
- Kane DuPage Soil and Water Conservation District Land Use Opinion does not indicate that the project or any variations will be a problem.
- The Illinois Department of Natural Resources EcoCAT report did not indicate concerns for flora or fauna or any endangered species.

Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience if the strict letter of the regulations were to be applied.

Water impacts on 1.23 acres of 2.45-acre site



DuPage County DFIRM2019

155.103(C)(7)(A) FINDINGS (continued)

- The wetland is densely wooded and will not be disturbed, leaving ample buffers to allow interior parking lot landscaping relief.
- In 1997, the Village authorized reciprocal access and shared driveways in order to accomplish preferred driveway spacing along IL 38.
- The development must complete this access route and direct lighting to attain a level of illumination appropriate for the cross-access, requiring a variation to direct lighting to the access route where it crosses the lot line and to allow greater footcandles than are allowed on the other side of the lot line for safe operations.
- Conditions (a) reduce area for parking, voluntary loading as well as foundation plantings, (b) impact lighting planning, and (c) support use of planting areas for plants and cultural elements (rickshaws)

The conditions upon which an application for a variation is based are unique to the property for which the variation is sought, and are not generally applicable to other property within the same zoning classification.

- The only B4A parcel impacted in this fashion.
- 1 other similarly impacted IL 38 commercial lot in DuPage County.
- No other B4A lot features such a dense wooded area to screen and buffer active on-site areas.
- 1.23 acres will be governed by maintenance and landcape planning due to the special management areas

The purpose of the variation is not based primarily upon a desire to increase financial gain.

- Avoidance of the apron allows loading east of the building to benefit residential neighbors and adds nothing to the bottom line.
- Decorative lighting for the rickshaws and some plantings allows for creative planning, and does not add to profits.
- Lighting access routes relates to safety across the lot line, not profit.
- The parking variation allows continuation of the wetland and floodway (no amendment to FEMA map) rather than compel loss of the area for parking that is not necessary to the use.
- Planting variations for the special management area are not profit matters.
- Avoidance of southerly foundation landscaping and planning for cultural events is primarily a community benefit even though some profit may result.

The alleged difficulty or hardship is caused by this ordinance and has not been created by any person presently having an interest in the property.

- Applicant acquired the property in Fall 2021, well after:
 - The farmstead extending from Roosevelt Road into York Center was divided for commercial and residential use;
 - The Sugar Creek tributary developed south of the Subject Property;
 - Illinois Route 38 constricted the flow of the tributary as it continued north;
 - Trees grew, were cleared, re-grew, were cleared again and re-grew; and
- Applicant avoids overparking under regulations it did not develop.

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

- The cultural event area is south of the building and 80-100 feet north of the south wall of PepBoys (320 feet from any home).
- The lighting variations enhance values and are not a detriment.
- The landscape variations to avoid plantings in a wetland continue the longstanding screen for homes to the south and southwest.
- The apron waiver allows relocation of the dumpster from near the south lot line and allows loading east of the building rather than south.
- The variations support a project that will reduce substantial sheet flow towards the south lot line.

The granting of the variation will not alter the essential character of the neighborhood.

- The neighborhood is the B4A stretch of Roosevelt Road, not the wholly disconnected area that is York Center.
- The project fulfills the character by improving land for hospitality use in an area where there are numerous food and beverage operations and most of these operations do not provide foundation plantings, full loading aprons, full parking or trees in all landscape islands.
- The lighting variations benefit the neighborhood.
- Some of the variations benefit the adjacent residential neighborhood.
- None of the variations have impacts extending into this area to the south.

The proposed variation will not impair an adequate supply of light and air to adjacent property. . . .

- The apron variation assists in increasing light and air by allowing relocation of the waste enclosure to an area between buildings.
- The only physical variations south of the building relate to avoiding unnatural landscaping in the longstanding wetland.
- The parking variations do not affect light and air.
- The lighting variations do not affect light and air.

The proposed variation will not . . . substantially increase the congestion of the public streets. . . .

- The apron variation occurs in the deep interior of the property and use of the voluntary loading zone avoids congestion in the public streets when necessary parking spaces are not used by a truck.
- The lighting variation supports illumination of the reciprocal easement area and improves access, thereby avoiding congestion of the access were not illuminated.
- The parking variation allows a volume of spaces adequate to serve the use (acceptable under ITE ranges, area municipalities) to avoid multiple same-trip usage of IL 38.
- The timing of cultural events on the south side of the building is such that the use
 of the area will not be during times of high parking demand.
- Landscape variations for style of trees along IL 38 avoids overly planting along and in the right of way where there are multiple aggregations of utility lines.

The proposed variation will not . . . increase the danger of fire. . . .

- None of the variations relate to matters of fire safety.
- The apron variation is for a loading area and not required for fire safety.
- The planned use of the property allows for fire fighting from three of four side of the building, and the east side can be accessed easily.
- There is no structure south of the building, so the parking variation's contemplation of a valet plan will not affect fire safety.
- The variation to allow rickshaws in two planting beds and the other landscape variations do not affect fire planning or rescue.

The proposed variation will not . . . impair natural drainage. . . .

- The reduction of parking by two rows situated south and west of proposed parking avoids impairing natural drainage.
- The County and Village have reviewed preliminary engineering and no aspect of the plans indicates that there could be such an impairment.
- The project will be properly permitted under applicable ordinances.
- The project will actually restore some of the natural drainage across the south property line by eliminating sheet flow that currently impedes flow from the south.
- None of the variations diminish respect for the floodway and wetland.
- The wetland and floodway did not develop naturally.

The proposed variation will not . . . create drainage problems on adjacent properties. . . .

- The reduction of sheet flow from most of the site will avoid a large volume of water flowing south against the volume passing through the pipes in Co-Op Park.
- None of the drainage planning impacts properties to the east or west.
- The project will improve low volume events.
- Drainage will be planned not to cause overflow onto IL 38.
- The project will improve the operation of the floodway.

The proposed variation will not . . . endanger the public safety. . . .

- The lighting variations improve public safety.
- Waiving the loading zone apron does not affect public safety since nearly all loading is done before the business opens.
- The parking variation avoids excessive parking for the use and does not lead to overuse or abuse of the access easement.
- The avoidance of southerly foundation landscaping allows more safety in an area where loading activity occurs.
- The avoidance of southerly foundation landscaping improves safety for persons accessing the area where cultural events will occur.
- Waiving one tree in each of the planting islands hosting a rickshaw allows for a safer rickshaw amenity by allowing views to the rickshaws and those one or around them.

The proposed variation will not . . . substantially diminish or impair property values within the neighborhood.

- The neighborhood is the B4A stretch of Roosevelt Road, not the wholly disconnected area that is York Center.
- The photometric plan reflects compliance with the Lombard Zoning Ordinance and DuPage County standards (County in relation to the access lighting for which two of the variations are requested).
- Since the 1960's, parcels along Roosevelt Road were planned for commercial use and values contemplate the transition in use from York Center north to Roosevelt Road.
- The variations themselves have no effect on land values, and the project supported by the variations is within the envelope created by the Village in the B4A district.

The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

155.103(C)(8) FINDINGS

- None of the variations modify any defined term.
- The project is not eligible for planned development treatment
- None of the variations vary uses between zoning districts. All uses are authorized uses in the B4A Roosevelt Road Corridor district.
 - Restaurants and banquets with outdoor dining are permitted as of right;
 - Cultural activities on some Saturdays are a conditional use because they occur outdoors.
 - Dancing and entertainment are conditional uses in a restaurant or banquet operation.
 - The small portion of a glass roof that is slightly above the 40-foot building height limit requires a conditional use.
- No variation results in a density increase.