

- (4) All parking area and driveway lighting shall comply with City Code. Poles and fixtures shall be consistent among lighting type for each development site. All concrete foundations for poles shall be set at six (6) inches above adjacent grade. Concrete foundations shall be used for all poles located within a hardscape. Pole foundations, other than concrete may be considered for poles located within landscaped or lawn areas; these foundations are to be at grade.
- (5) Building mounted lighting is restricted to (i) loading and storage locations or similar areas except as permitted in Section 10.5-9, (ii) building accent lighting, (iii) doorways of building ingress and egress including emergency exits, and (iv) parking areas, sidewalks or roadways within seventy-five (75) feet of the building façade. Building mounted light fixtures shall be shielded and shall not project above the fascia or roofline. The shields and/or light fixtures, shall be selected to match the color of the surface to which they are attached, or other pole mounted light fixtures, building mounted fixtures visible from parking lots, streets or off-site areas shall be integral to the building architecture or visually similar to parking lot fixtures, as determined by the Authority.
- (6) All low level lighting fixtures shall comply with City Code.

(G) *Utility installation.*

- (1) All permanent utilities shall be located underground and in easements of sufficient width for utility operation, maintenance and repair. Where feasible, utilities shall be located immediately adjacent to the lot line.
- (2) All utility, data and communications appurtenances, including telephone pedestals, utility meters, transformers, etc. shall be screened.

(H) *Construction phase.*

- (1) Development of any lot shall follow the soil erosion procedure of the City.
- (2) Construction sites shall be maintained in a neat and orderly manner. All construction debris and other trash shall be kept in enclosed containers and frequently removed.
- (3) Existing roads shall be kept free and clear of all dirt, soil construction material and/or debris on a daily basis.
- (4) Construction fences shall be installed by the applicant to protect existing landscape materials, as well as lawns and underground landscape drainage systems.
- (5) Portable toilet facilities shall be provided at all construction sites.

(I) *Architectural design standards.*

- (1) Corrugated metal or pre-engineering metals installed with exposed fasteners are prohibited on any building exterior wall, except that, in the commercial parcels zone, architectural grade metal and metal products may be used on the exterior of buildings and structures, and for rooftop screening, if incorporated into an overall architectural scheme for such the building(s) or structure(s) on a zoning lot.
- (2) All buildings on a lot shall be of similar, compatible design and materials.
- (3) Rooftop equipment, vents and ducts shall be screened from adjacent street frontages of the subject zoning lot and adjacent parcels, at eye-level.
- (4) All buildings shall be insulated to protect from noise by overhead and nearby air traffic.

(J) *Sight triangles.*

- (1) In order to protect views at vehicular, bicycle and pedestrian intersections, a vision sight triangle, per City code, will be required.

10.5-5. - Landscape standards.

(A) *Purpose.* This section defines landscape performance standards and sets guidelines and specifications for the design of the Airport Zoning District. These standards are established to ensure a high quality of performance, construction, and aesthetic value that will benefit landowners, businesses, the general public, and the community as a whole while recognizing the Authority's responsibility for aviation safety. This section is intended to facilitate the following purposes:

- (1) To establish an aesthetically cohesive and functional design throughout the Airport Zoning District.
- (2) To promote the airport's wildlife management plan to minimize wildlife migration and enhance air traffic safety.
- (3) To enhance views and minimize the adverse visual and environmental impact of all large paved areas.
- (4) To protect and preserve the appearance and character of the community.
- (5) To consider the scale and nature of the landscaping material.
- (6) To incorporate lush vegetation and emulate a natural, park-type setting.
- (7) To encourage environmental sensitivity with regards to wetlands, trees and other existing desirable natural amenities.
- (8) To protect and promote the health, safety, and welfare of the residents of DuPage County, Kane County, the City of West Chicago, the surrounding communities and the Authority.
- (9) Promote sustainable and responsible landscape design and maintenance.

(B) *Plant palette.*

- (1) Plant materials, identified in item (3) below, have been selected to maintain a consistent landscape image. Materials have been chosen for their durability, disease resistance, low maintenance and character compatibility with the regional ecosystem. Most all plant materials listed are 'indigenous or native' to this region; however, some materials have been included because of successful performance, ability to perform specific functions, visual interest and expectations of similar business center development landscapes. Subsequently, plant materials not listed may be approved provided they meet the aforementioned criteria and are approved by the Authority.
- (2) All plants supplied shall conform to the "American Standard for Nursery Stock," latest edition, and shall be installed according to the current standards of the American Association of Nurserymen.
- (3) Plants shall be selected to minimize conflicts between the flight path of planes, bird, and small mammal habitats.
 - a) The landscape within the Airport Zoning District shall be designed to minimize potential wildlife hazards of raptors, small mammals that may attract birds of prey and small birds that congregate into large flocks. Plant materials and planting design that provides food and or habitat shelter to these types of birds and mammals shall be avoided.

- b) Tree species shall be selected and located so that at maturity, tree crowns shall not overlap to minimize habitats that are potentially attractive to European starlings and other wildlife species of concern to airport operations. Trees shall be spaced to maintain a minimum of fifteen (15) feet between anticipated mature crown sizes for each tree species selected.
- c) Selected tree species should tend toward a vertical or ascending branching habit to minimize perching and nesting opportunities for birds. Densely branched and foliated tree species shall not be allowed.
- d) No more than 40% (forty percent) of selected trees shall be evergreen; however, where loading docks and/or storage is allowed in the front yard, then a maximum of 65% (sixty five percent) is allowed.
- e) Trees, shrubs, forbs and grasses that provide fruit, seed or forage palatable to grazing animals shall be avoided.

The following is a suggested list of plants to achieve this purpose:

- (a) *Shade trees.*
 - Aesculus 'glabra'Ohio Buckeye
 - Acer x freemaniiFreeman Maple
 - Acer x freemanii 'Crimson Sunset'Freeman Maple
 - Acer miyabeiState Street Maple
 - Acer platanoidesNorway Maple
 - Acer rubrumRed Maple
 - Acer rubrum 'Red Pointe'Red Pointe Maple
 - Acer saccharumSugar Maple**
 - Betula nigraRiver Birch
 - Carya ovataShagbark Hickory
 - Celtis occidentalis sppCommon Hackberry
 - Carya CordiformisBitternut Hickory
 - Catalpa speciosaCatalpa *
 - Gleditsia triacanthos var. inermis 'Shademaster'Shademaster Honey locust
 - Gleditsia triacanthos var. inermis 'Skyline'Skyline Honey locust
 - Gymnocladus dioicaKentucky Coffee Tree***
 - Juglans nigraBlack Walnut *
 - Juniperus VirginianaRed Cedar
 - Liriodendron TulipiferaTulip Tree
 - Nyssa sylvaticaBlack Tupelo
 - Picea glauca 'Densata'Black Hills Spruce
 - Picea abiesNorway Spruce
 - Picea pungensColorado Green Spruce
 - Pinus sylvestrisScotch Pine
 - Pinus strobusWhite Pine
 - Quercus bicolorSwamp White Oak
 - Quercus MuehlenbergiiChinkapin Oak
 - Quercus macrocarpaBur Oak
 - Quercus palustrisPin Oak
 - Quercus roburEnglish Oak

- Quercus rubraRed Oak
- Ulmus x 'varieties'Elm****
- Ulmus americana 'American Liberty'American Liberty Elm
- Ulmus davidiana variety japonica 'Prospector'Prospector Elm
- Ulmus hollandica 'Pioneer'Pioneer Elm

* These species shall be planted in non-lawn areas and at a minimum of forty (40) feet from potential right-of-way in accordance with Section 4 (B) of the City Resolution 04-R-0060.

** Select varieties that will perform well in clay soils and are drought tolerant.

*** When proposed for planting within a roadway parkway or right-of-way, use the variety a fruitless variety (i.e. 'Espresso').

**** Cultivars more resistant to disease than early developed varieties should be used (i.e. New Horizon, Morton Plainsman, Morton Glossy, Homestead and Frontier).

(b) *Ornamental trees.*

- Acer campestreHedge Maple
- Amelanchier arboreaJuneberry
- Amelanchier canadensisServiceberry**
- Carpinus carolinianaAmerican Hornbeam
- Cornus alternifoliaPagoda Dogwood
- Cornus mas Cornelian Cherry Dogwood
- Cornus florida Flowering Dogwood
- Crataegus phaenopyrum 'inermis'Washington Hawthorn * (**)
- Magnolia stellataStar Magnolia
- Viburnum prunifoliumBlackhaw Viburnum

* Do not locate adjacent to pedestrian walkways or bicycle paths.

** To be used with caution given the potential to attract wildlife

(c) *Large deciduous shrubs.*

- Aesculus parvifloraBottlebrush Buckeye
- Cornus racemosaGrey Dogwood
- Cornus stoloniferaRedtwig Dogwood
- Hamamelis virginianaCommon Witchhazel
- Hamamelis vernalisVernal Witchhazel
- Ilex verticillata Winterberry*
- Prunus x cistenaPurpleleaf Sand Cherry
- Prunus virginianaChokecherry***
- Rhus typhina 'copallina'Flameleaf Sumac
- Spiraea x vanhoutteiVanhoutte Spirea
- Syringa vulgarisCommon Lilac**
- Viburnum x burkwoodiiBurkwood Viburnum
- Viburnum carlesiiKoreanspice Viburnum
- Viburnum d. 'Synnestvedt'Arrowwood Viburnum
- Viburnum lentagoNannyberry
- Viburnum x juddiiJudd Viburnum

* Winterberry shall be planted at the ratio of one male for every five female plant materials

**Locate adjacent to verticle structures and not freestanding as a specimen.

*** To be used with caution given the potential to attract wildlife

(d) *Small deciduous shrubs.*

- Aronia melancarpaBlack Chokeberry**
- Aronia arbutifolia 'Brilliantissima'Red Chokeberry**
- Buxus x. microphylla 'Glencoe' Chicagoland Green Boxwood*
- Chaenomeles x superba speciosa 'Texas Scarlet'Texas Scarlet Flowering Quince **
- Clethra alnifolia 'Humingbird'Summersweet
- Cornus sericea 'Isanti'Isanti Redosier Dogwood
- Corylus AmericanaAmerican Hazelnut
- Euonymus fortunei 'Sarcoxie'Sarcoxie Euonymus
- Forsythia viridissima 'Bronxensis'Bronx Greenstem Forsythia
- Juniperus chinensis 'sargentii'Sargent Juniper
- Juniperus chinensis 'Kallay's Compact'Kallay's Compact Pfitzer Juniper
- Lindera benzoinSpicebush
- Potentilla fruticosa 'Gold Drop'Gold Drop Cinquefoil
- Potentilla fruticosa 'McKay's White'McKay's White Cinquefoil
- Rhododendron 'PJM Compact'Compact PJM Azalea
- Ribes alpinum 'Green Mound'Green Mound Alpine Currant
- Rosa x bonica 'Bonica'.....Bonica Rose
- Rosa x 'Knock Out'Knock Out Rose
- Rosa x 'Nearly Wild'Nearly Wild Rose
- Rosa rugosa 'Pavement'Pink Pavement Rose
- Rosa rugosa 'varieties'Rugosa Rose
- Rosa x 'Scarlet Meidiland'Scarlet Meidiland Rose
- Spirea albaMeadowsweet
- Syringa patula 'Miss Kim'Miss Kim Lilac
- Spiraea x bumalda 'Anthony Waterer'Anthony Waterer Spirea
- Spiraea x bumalda 'Froebeli'Frobel's Spirea
- Spiraea x bumalda 'Goldflame'Goldflame Spirea
- Spiraea japonica 'Goldmound'Goldmound Spirea
- Spiraea japonica 'Little Princess'Little Princess Spirea
- Syringa meyeri 'Palibin'Dwarf Korean Lilac
- Viburnum trilobum 'Bailey Compact'American Cranberry Spicebush Viburnum**
- Viburnum dentatum 'KLM Seventeen' Little JoeLittle Joe Viburnum

* Utilize these varieties sparingly at focal points of visual interest and building ingress.

** To be used with caution given the potential to attract wildlife

(e) *Ornamental grasses (for use in detention and retention areas).*

- Andropogon gerardiiBig Blue Stem
- Schizachyrium scopariumLittle Blue Stem

- Bouteloua curtipendulaSide-Oats Grama
- Calamagrostis acutiflora 'Karl Foerster'Feather Reed Grass
- Carex sppSedge Grass*
- Molinia caerulea arundinacea 'Skyracer'Tall Moor Grass
- Miscanthus sinensis 'Purpurascens' Prairie Flame Grass
- Panicum virgatum. 'Shenandoah'Shenandoah Switch Grass
- Panicum virgatum 'Northwind'Northwind Switch Grass
- Panicum virgatum 'Heavy Metal'Heavy Metal Switch Grass
- Sporobolus heterolepisPrairie Dropseed

* Utilize Sedge Grass native sedge grass varieties.

(f) *Groundcovers (for use in foundation areas, front yards and parking islands).*

- Coreopsis palmataPrairie Coreopsis
- Euonymus fortuneiPurpleleaf Wintercreeper
- Fern sppFern
- Pachysandra terminalisPachysandra*
- Rhus aromatica 'Gro-Low'Gro-Low Fragrant Sumac
- Vinca minorPeriwinkle

* Utilize these varieties sparingly at focal points of visual interest and building ingress.

(g) *Perennials (for use in foundation areas, front yards and parking islands).*

- Achillea sppYarrow
- Allium 'Summer Beauty'Summer Beauty Onion
- Aster laevisSmooth Aster
- Baptisia leucanthaWhite Wild Indigo
- Boltonia asteroidesFalse Aster
- Chasmanthium latifoliumNorthern Sea Oats
- Coreopsis sppCoreopsis
- Echinacea purpureaPurple Coneflower
- Eutrochium purpureumJoe-Pye Weed
- Hemerocallis sppDaylily
- Hosta sppHosta
- Liatris sppLiatris
- Monarda didyma 'Raspberry Wine'Beardtongue
- Penstemon spp.....Raspberry Wine Bee Balm
- Ratibida pinnata Yellow Coneflower
- Rudbeckia fulgida 'Goldsturm'Black-Eyed Susan
- Solidago rugosa 'Fireworks'Goldenrod
- Verbena 'hastata'Blue Vervain

(C) *General planting and design requirements.*

- (1) All shade trees shall be a minimum of three (3) inches in caliper, measured six (6) inches above the root flare, at time of installation.
- (2) All shade trees located in turf areas that require mowing or adjacent to intersections, roadways and driveways where there is a need for sight distance requirements shall

have a minimum height of six (6) feet of clear trunk, free of branches and with a well-shaped canopy.

- (3) Large shrubs (shrub species with an anticipate growth height of thirty-six (36) inches or greater) shall be supplied in containers or balled and burlapped at a minimum height of twenty-four (24) inches and eighteen (18) inch spread.
- (4) Small shrubs (shrub species with an anticipate growth height of less than thirty-six (36) inches) shall be supplied in containers or balled and burlapped at a minimum height eighteen (18) inches and twelve (12) inch spread.
- (5) Perennials and ornamental grasses may be planted in lieu of small shrubs. Three (3) perennial plants or ornamental grasses shall equal one (1) small or large shrub.
- (6) All groundcovers shall be planted so that an effective covering is obtained within five (5) growing seasons, or at a maximum spacing of one (1) foot on center in all directions.
- (7) All lawn areas adjacent right-of-way shall be either seeded or sodded (see Subsection (T) Installation, for implementation of seed time period requirements).
- (8) Screening of transformers, above ground utilities, and loading docks shall consist of planting material or natural materials or a combination thereof.
- (9) Any area of the lot not used for structures or circulation elements shall be landscaped or otherwise improved in accordance with the landscape and architectural standards of the Airport Zoning District.
- (10) The following no planting zones shall apply around a utility structure, such as but not limited to, a fire hydrant, buffalo box, water shut off valve, valve vault, manhole, catch basin, or inlet:
 - (a) Fifteen (15) feet for shade, ornamental or evergreen trees.
 - (b) Ten (10) feet for large or small shrubs.
 - (c) Five (5) feet for perennials and ornamental grasses.

(D) *Berms.*

- (1) Berms(contoured topography) , in combination with plant materials, may be utilized to screen parking lots from street views.
- (2) All slopes in landscaped areas shall be no greater than 3:1.

(E) *Landscaping for parkways.* One (1) shade tree shall be provided for every fifty (50) feet of frontage, excluding curb cuts and utility structures and shall be centered within the parkway area between the curb and sidewalk or as necessary to avoid underground utility locations. Species selection shall conform to the minimum spacing requirements specified in Section 10.5-5(B)(2)(b).

(F) *Landscaping for parking areas.*

- (1) Parking lots shall be a minimum of fifteen (15) feet from a front yard building facade. All other parking lots shall be a minimum of ten (10) feet from building façade.
- (2) A minimum of one hundred and sixty-two (162) square feet of landscaped islands shall be provided for every twenty (20) parking stalls provided by end, intermediate and/or center landscape islands.
- (3) Landscaped islands shall be a minimum of nine (9) feet in width and eighteen (18) feet in length from back of curb to back of curb and required at the ends of parking rows.

- (4) All plants installed in parking lot islands shall be planted at a minimum of three (3) feet from the back of curb.
- (5) Nine (9) feet wide intermediate islands shall require one (1) shade tree and either lawn or plant materials at a maximum of two feet in height.
- (6) Eighteen (18) feet wide intermediate islands shall require one (1) shade tree and either lawn or plant materials at a maximum of two (2) feet in height.
- (7) Nine (9) feet wide end islands shall require two (2) shade trees and either lawn or plant materials at a maximum of two (2) feet in height.
- (8) Nine (9) feet wide center islands shall require either lawn or plant materials at a maximum of two (2) feet in height.

(G) *Landscaping for front and exterior side yards.*

- (1) A minimum of each of the following landscape material shall be provided:
 - (a) One (1) shade tree per one hundred (100) linear feet or portion thereof excluding curb cuts of the yard to be landscaped; and
 - (b) One (1) ornamental and/or evergreen tree per one hundred (100) linear feet or portion thereof excluding curb cuts of the yard to be landscaped; and
 - (c) Ten (10) shrubs per twenty-five (25) linear feet or portion thereof excluding curb cuts of the yard to be landscaped.
- (2) The landscape design shall include the use of groupings of landscape materials and shall conform to the minimum spacing requirements described in Section 10.5-5(B)(2)(b).

(H) *Landscaping for side yards and rear yards.*

- (1) A minimum of each of the following landscape materials shall be provided:
 - (a) One (1) shade, ornamental or evergreen tree per every one hundred (100) linear feet or portion thereof of the yard to be landscaped.
- (2) Tree locations shall not conflict with underground utility locations.

(I) *Landscaping for detention and retention areas.*

- (1) A minimum of each of the following landscape materials shall be provided:
 - (a) One (1) shade or ornamental tree per every one hundred (100) linear feet of detention and retention perimeter or portion thereof, measured at the high water level; and
 - (b) Trees planted in the perimeters of retention and detention areas shall be of a natural and non-linear design and shall be clustered into groups rather than planted evenly around the pond.
- (2) Only plants adaptable to temporary flooding (water standing for less than seventy-two (72) hours) shall be planted below the high water line.
- (3) Ornamental grasses, if proposed, shall be planted in groupings of no less than three (3) to seven (7) to minimize the potential for bird or animal nesting areas.

(J) *Foundation landscaped areas.*

- (1) Landscaped areas at the perimeters of buildings, walls and enclosures, shall a minimum of ten (10) feet in width except for areas identified in item (2) below and as referenced in Section 10.5-4(A)(1), planned building or vehicular use area expansion, exit doors, sidewalks, plazas, loading docks and spaces and driveways to building doors and

openings. Landscaping adjacent to foundation areas shall consist of a combination of plant materials and lawn. A minimum of thirty (30) percent of the required ten (10) foot width shall consist of plant material other than lawn. Food supply and distribution facilities which require a rodent strip shall provide an eighteen (18) inch wide strip with clean washed gravel and a metal edge adjacent to the entire building perimeter.

- (2) Exception to the ten (10) feet in width landscape area at the perimeter of buildings may be considered if the parking area or roadway is not parallel to the building façade.
- (3) Particular attention shall be paid toward softening large expanses of building walls and accenting building entrances and architectural features.

(K) *Landscaping within right-of-way medians.*

- (1) All plantings shall not be less than two (2) feet from the back of curbs.
- (2) All plantings that reach a mature height of more than eighteen (18) inches shall not be less than seven (7) feet from the back of curbs or at such other locations where sight distance requirements exist.
- (3) All ornamental, evergreen or shade trees shall be naturally spaced within the median allowing the maximum growth spread without compromising the growth of the adjacent material.
- (4) Only shrubs or groundcovers that reach a mature height of no more than eighteen (18) inches shall be planted within the median, unless such plantings are located not less than seven (7) feet from the back of curbs, in which case such plantings may exceed eighteen (18) inches in height so long as they do not obstruct sight distance requirements.
- (5) Landscaping shall conform with the City Code.

(L) *Landscaping for ground signs.*

- (1) For every one (1) square foot of sign surface area, there shall be provided one and one-half (1½) square feet of landscape area. Sodded or seeded areas shall not qualify as such a landscaped area.
- (2) The required landscaped areas shall be improved with such plantings as shrubs, ornamental trees, perennials, annual beds, etc., of a size and in a quantity proportionate to the size and height of the sign.
- (3) No plantings shall cover or obstruct any views or illumination of the sign surface area.

(M) *Site grading.*

- (1) All site grading shall be done to enhance and preserve natural topographic features.
- (2) All changes in slopes shall be gradual and shall provide a smooth and even transition between existing and proposed grades.
- (3) All grading shall provide positive drainage away from all buildings and into swales, ditches, storm sewers, detention areas and retention areas.
- (4) Grading for parking lots shall provide positive drainage away from parked cars and sidewalks into inlets and catch basins.
- (5) Landscaping improvements shall be installed in a manner consistent with an approved mass grading plan.
- (6) Grading shall comply with City Code.

(N) *Preliminary landscape plan.*

- (1) Hardcopy full scale copies of the landscape plan shall be submitted to the City for preliminary review.
- (2) The landscape plans shall be of a scale of 1" = 50'- 0" or larger and on standard size cut sheets (24 x 36 inches).
- (3) Landscape plans shall include a table of Landscape Calculations indicating the requirements as stated within these General Regulations and those proposed for the following:
 - Parkway
 - Parking Areas
 - Front + Exterior Side Yards
 - Rear + Side Yards
 - Detention + Retention Areas (if applicable)
 - Foundation
 - Right-of-Way Medians (if applicable)
 - Ground Signs (if applicable)
- (4) The preliminary landscape plan shall be prepared by a licensed landscape architect, registered within the State of Illinois, and include the following:
 - Name of project and client
 - Title block including the name, phone number, and street address of the landscape architect
 - Name, address, and phone number of civil engineer
 - Date of plan
 - Location map indicating particular area being addressed
 - Drawing scale
 - Drawing orientation (indicated by conventional north arrow)
 - Property lines, easements, and rights-of-way frontages, streets
 - Labels of wetland areas, detention, and retention ponds
 - Labels of buildings and other structures, including parking lots, sidewalks, and other paved areas
 - Location of all proposed areas to be seeded and/or sodded
 - Location of all plant material
 - Lot topography
 - Size, height and type of all plant material
 - Location and labels of all signage
 - Plant key identifying particular key symbols. All plant materials shall be coded using USDA plant codes.
 - Existing plant materials to remain (if any)
 - All preliminary plans shall be denoted as "For Review Only-Do Not Use for Construction"

(O) *Final landscape plan.*

- (1) Hardcopy full scale copies of the landscape plan shall be submitted to the City for final approval.
- (2) The final landscape plan shall be of a scale of 1" = 50'- 0" or larger and on standard size cut sheets (24 x 36 inches).

- (3) Landscape plans shall include a table of Landscape Calculations indicating the requirements as stated within these General Regulations and those proposed for the following:
 - Parkway
 - Parking Areas
 - Front + Exterior Side Yards
 - Rear + Side Yards
 - Detention + Retention Areas (if applicable)
 - Foundation
 - Right-of-Way Medians (if applicable)
 - Ground Signs (if applicable)
- (4) The final landscape plan shall be prepared by a licensed landscape architect, registered within the State of Illinois, and include the following:
 - Name of project and client
 - Title block including the name, phone number, and street address of the landscape architect
 - Name, address, and phone number of civil engineer
 - Date of plan
 - Location map indicating particular area being addressed
 - Drawing scale
 - Drawing orientation (indicated by conventional north arrow)
 - Property lines, easements, and rights-of-way frontages, streets
 - Labels of wetland areas, detention, and retention ponds
 - Labels of buildings and other structures, including parking lots, sidewalks, and other paved areas
 - Location and keyed labels of all proposed plants
 - Location of all proposed areas to be seeded and/or sodded
 - Location and labels of all signage
 - Plant list or schedule to include key symbols, quantity, correct botanical and common names, size and condition of all proposed plants. All plant materials shall be coded using USDA plant codes.
 - General and specific notes and details to indicate or explain the design and construction procedures to be used
 - Elevations, cross-sections, and any other graphic details that will help explain the design more thoroughly
 - Location of all utilities and utility structures
 - Location of all light or flag poles
 - Existing plant materials to remain (if any)

(P) *Mulch.*

- (1) All planting beds shall be mulched with a minimum depth of three (3) inches of double processed (and/or triple processed) shredded hardwood or bark mulch.
- (2) Perennial, groundcover and annual flowerbeds shall be mulched with two (2) inches of mushroom compost.
- (3) All trees, three (3) inches caliper and greater, shall require a five (5) foot mulch ring with a minimum of three (3) inches of mulch depth.

(Q) Mowed Lawn areas (sodded)

- (1) Shall be topsoil sod (versus peat), four bluegrass variety minimum and be grown by a sod farm within the same USDA Plant Hardiness Zone 5a or colder Zone 4b.

(R) No-Mow Lawn areas (short grass prairie and or no-mowed lawn)

- (1) Short grass prairie and no-mowed are permitted as an alternative to mowed lawn area providing it is an acceptable application as determined during the development review process.
- (2) Short grass prairie and or no-mowed areas shall be used in combination with mowed lawn areas and the interface between the materials articulated as meandering and amorphic/non-geometric. No greater than seventy-five (75) percent of all landscaped area (excluding planting beds) shall be non-mowed lawn areas.
- (3) Short grass prairie areas shall be a seed mix providing a diverse assemblage of shorter (four (4) feet or less) prairie grass and wildflower species, blooming from early spring to fall, creating a diverse habitat for birds, butterflies, moths and other pollinators. Seed mix shall be suitable for medium-to-dry sites. The seed mix shall include five (5) of six (6) native permanent grass and sedge species and twenty-nine (29) of thirty-four (34) native forb species, Low-Prairie Seed mix as produced by Cardo Native Plant Nursery or equal. Additionally, this mix shall be supplemented by seed mix including quick-blooming annuals, biennials, and perennials to provide initial color during native prairie establishment. This seed mix shall include eight (8) to eleven (11) native forb species. Annual and Perennial Forbs Seed Mix as produced by Cardo Native Plant Nursery or equal.
- (4) No-Mow Lawn areas seed mix shall have six (6) Fescue and one (1) Annual Rye grasses equal to No Mow Lawn Mix with Annual Rye, produced by Prairie Nursery, Inc. or equal.

(S) Landscape Bed Edging

- (1) The perimeter of Landscape Planting Beds, adjacent to Mowed Lawn and/or No-Mow Lawn areas, shall be 'shovel cut'. No other edging material (i.e. metal, plastic, stone or wood) shall be permitted with the exception of metal edging for perimeter rodent strips at food supply and distribution facilities (see Section (J) (1) Foundation).

(T) *Installation.*

- (1) All landscaping materials shall be installed in accordance with the current planting procedures established by the American Association of Nurserymen.
- (2) Landscape plant materials shall be properly guyed and staked (until established and maintained as true and plumb) in accordance with current industry standards.
- (3) Install mowed lawn sod in rolls, versus cut pieces, in all areas in excess of twenty-five (25) contiguous square feet.
- (4) Low-Prairie Seed mix applied at 38.67 PLS pounds per acre.
- (5) Annual and Perennial Forbs Seed Mix applied at 4.56 PLS pounds per acre.
- (6) No Mow Seed Mix applied at 5.0 PLS pounds per acre.
- (7) All seed mix shall be installed prior to May 1st (providing no late frost dates occur after that date) and after September 1st (providing no late frost dates occur after that date).

(U) *Irrigation System.*

- (1) All landscaped areas are required to have temporary irrigation until such time all plant material and lawn areas are established. Temporary systems can consist of:
 - A subsurface irrigation system remaining for the life of the project.
 - An on grade or below grade system installed and maintained until the establishment of plant materials and lawn areas. On grade systems shall be removed after plant material establishment.
 - Temporary watering from water tank supply truck.
- (2) Permanent irrigation systems are not required; however, during drought periods plant materials must be watered as required to maintain them in a healthy, thriving condition.
- (3) Irrigation systems must be designed so as not to spray water on any paved surface.
- (4) Water sources, other than potable water are encouraged.
- (5) Spray or drip systems are permitted provided both are inspected on a regular basis and maintained in full operation,

(V) *Landscape Maintenance.*

- (1) All required landscaping shall be the responsibility of the property owner and shall be maintained by the lot owner.
- (2) Any damaged or dead trees, shrubs or groundcover shall be promptly replaced.
- (3) Maintenance of landscaped areas includes, but is not limited to, weeding, mowing, trimming, pruning, edging, cultivation, seeding, fertilization, watering, pest control and anything else necessary to ensure healthy, vigorous plant growth.
- (4) Landscape plant material overhanging sidewalks, pedestrian paths and seating areas shall be pruned to a minimum of eight (8) feet in height.
- (5) Landscape plant material overhanging streets and vehicular traffic areas shall be pruned to a minimum of fifteen (15) feet in height.
- (6) If the developments and buildings are not maintained in accordance with the approved landscape plan, the occupant of the property shall be notified by the City.
- (7) If the required maintenance is not improved within thirty (30) days from date of notice, the City may perform the required maintenance and charge the occupant of the property all related costs or issue citations in violation of this section.
- (8) All parkway trees replacement and pruning, within a dedicated right-of-way, shall be the responsibility of the City upon acceptance.
- (9) All plant materials shall be maintained in a plumb and upright condition; trees shall be staked as required until established (maintain a true and upright position without staking assistance).
- (10) All mowed lawn areas shall be mowed as required so that grass height does not exceed three (3) inches.
- (11) Weed control in lawn areas shall be eco-friendly and comply with applicable codes for application. Control program shall be as required so that no less than ninety-five (95) percent of the total lawn area is grass varieties.
- (12) Short grass prairie shall be 'burned', annually, between February 15th and April 15th, weather permitting in accordance with industry standards, unless prohibited by local ordinance. Mowing once annually in October to height of six (6) inches shall be an

alternate if burning is prohibited by the Authority or the City. Mowed material shall be properly disposed of off-site.

- (13) All short grass prairie, adjacent to curb, and paved areas shall be mowed from the curb and paved areas a distance of three (3) feet to a height of six (6) inches. Mowing of the short grass prairie shall occur simultaneously with the mowing of the mowed lawn area.
- (14) Short grass prairie shall be maintained during the establishment period and afterward by industry standards. Seeding shall occur, weather permitting, prior to May 15th and after September 15th but prior the October 15th.

(W) *Irrigation System Maintenance.*

- (1) All required maintenance shall be the responsibility of the property owner and shall be maintained by the lot owner.
- (2) Temporary and/or permanent irrigation systems will be professionally maintained to a fully operational system. Repairs to any leaking/damaged lines or heads shall occur within the next system cycle or twenty-four (24) hours, whichever occurs first. The zone in which the leakage and/or damage occurs shall be immediately shut down upon discovery.

10.5-6. - Accessory structures and uses.

(A) *Authorization.* Subject to the limitations of this Section 10.5-6, accessory structures and accessory uses are permitted in connection with any principal use lawfully existing within such District.

(B) *Definition.* An accessory structure or an accessory use is a structure or use that:

- (1) Is subordinate in extent and purpose to, and serves, a principal structure or use; and
- (2) Is customarily found as an incidental use to such principal structure or use; and
- (3) Contributes to the comfort, convenience or necessity of those occupying, working at or being served by such principal structure or use; and
- (4) Is, except as otherwise expressly authorized by the provision of this Airport Zoning District Ordinance, located on the same zoning lot as such principal structure or use; and
- (5) Is under the same ownership and control as the principal structure or use.

(C) *Special regulations applicable to particular accessory structures and uses.*

- (1) *Storage.* Except as otherwise expressly permitted by this Code, outdoor storage shall not be allowed as an accessory use.
- (2) *Storage structures.* Accessory storage structures, other than garages and permitted outside storage, shall not exceed ten (10) percent of either the floor area or the volume, whichever is less of the principal structure, if accessory to any other type of principal structure.
- (3) *Storage of inoperable vehicles.* No vehicle, other than a vehicle waiting timely repair at an motor vehicle repair shop, motor vehicle service station or new or used motor vehicle dealer, incapable of being driven or used for the purpose or use for which it was designed shall be stored in any parking lot or parking area. Vehicles awaiting timely repair shall not be stored for longer than two (2) business days.

- (4) Antenna with surface areas of ten (10) square feet or less. Antenna and antenna support structures having no single dimension exceeding twelve (12) feet shall be permitted as an accessory use.
- (5) Antenna, other than amateur radio facilities with a single dimension exceeding twelve (12) feet shall comply with the regulations set forth in Article VII.
- (6) *Accessory day care centers.* Day care centers shall be considered permitted accessory uses in accordance with Section 10.5-3(C)(2) subject to the following limitations:
 - (a) The accessory day care center shall be for the exclusive use of employees of the principal use. Day care operations serving those not employed on the premises shall be deemed a separate principal use, and so regulated in accordance with this Airport Zoning District Ordinance;
 - (b) All requisite state and local licenses and permits regarding day care facilities shall be required for such operations;
 - (c) All regular day care activities, including any outdoor play areas, shall be located within the building setbacks for the district in which the principal use is located; and
 - (d) The persons or organization operating the accessory day care center need not be employed by the operators of the principal use.

(D) *Special bulk, yard and space regulations.*

- (1) *General rule.* Except as otherwise provided, all accessory structures and uses shall comply with, and be included in calculating compliance with, all bulk, yard and space requirements applicable in this Airport Zoning District.
- (2) *Distance from principal structures.* No detached accessory structure, except an air conditioning unit, antenna or antenna support structure, or exterior trash enclosures, shall be located within ten (10) feet of any principal structure unless such accessory structure is protected by a fire separation wall in compliance with the City's applicable building code.
- (3) Any accessory structure must compliment the architecture of the principal structure.

10.5-7. - Off-street parking.

- (A) *Authorization.* Subject to the limitations of Section 10.5-6, off-street parking is permitted as an accessory use in all districts. Nothing herein shall be construed to limit the right of any person to provide off-street parking in excess of the requirements herein established but all such parking shall comply with the standards of this section.

(B) *General requirements.*

- (1) *Applicability to existing, new and expanded uses.*
 - (a) *General applicability.* Except as provided otherwise in this Section 10.5-7, the provisions of this Section shall apply to all new uses.
 - (b) *Change in existing use.* Whenever a use lawfully existing on the effective date of the Airport Zoning District Ordinance is changed thereafter to a new use, parking facilities shall be provided as required herein for such new use; provided, however, that when any such new use is required to have no more than the same number of parking spaces required of such existing lawful use, then such new use may be established with a deficiency in required parking spaces equal in number to not

more than the number of spaces such existing lawful use was deficient on the effective date of the Airport Zoning District Ordinance.

- (c) *Increase in use intensity.* Whenever the intensity of use of any structure or use is increased through the lawful addition of units, floor area, seating capacity or other units of measurement specified herein for required parking spaces, parking spaces as required herein shall be provided for such increase in intensity of use.
- (d) *Exception for non-conforming locations and design.* Nothing in this Section 10.5-7 shall be construed to prohibit the continued utilization of any parking space as an accessory use to any structure or use for parking a vehicle that may lawfully be parked in such space solely because such space does not satisfy the location or design requirements of this Airport Zoning District Ordinance, or any amendment to it, if such space was legally in use as an accessory use to such structure or use on the effective date of the Airport Zoning District Ordinance or such amendment.

(2) *Location of required parking spaces.*

- (a) *General rule.* Parking spaces required by this Section 10.5-7 shall be located on the same lot as the use to which they are accessory.

(C) *Design and maintenance.* Every parking lot and garage shall be designed, constructed and maintained in accordance with the standards and requirements herein set forth:

- (1) *Location on lot.* Off-street parking facilities shall be located on the same zoning lot as the principal use and may be provided on surface lots, underground, building or in parking structures, but shall comply with the yard requirements applicable in the district in which they are located.
- (2) *Screening and landscaping.* All parking lots and garages shall comply with the screening and landscaping requirements set forth in Section 10.5-5.
- (3) *Design.*
 - (a) *Access to street.* All parking lots, areas and garages shall be so located and designed as to provide access to adjacent streets with least interference with through traffic movements.
 - (b) *Turnaround area.* Every parking lot or garage shall be provided with a turnaround area or other means to permit cars to exit the parking lot or garage without backing onto any street or sidewalk. No street shall be used as a turnaround.
 - (c) *Lighting.* Fixed lighting shall be provided for all parking lots and garages accommodating more than ten (10) vehicles. All lighting shall comply with Section 10.5-4(f) and shall be reduced to security levels at all times of non-use.
 - (d) *Landscaping islands.* All islands shall be bordered by a B-6-12 type concrete barrier curb and shall be located and constructed in accordance with City Code.
 - (e) *Curbs.* Every parking lot and garage shall be bordered by a six (6) inch high concrete curb and shall be provided with curbs, barrier fences, or other suitable devices designed and located to protect required screening devices, landscaping and structures from damage by vehicles using such lot or garage.
 - (f) *Circulation aisles.* Each parking space shall be accessed by a circulation aisle of a width, in feet, as specified below:

Parking Angle	One-Way Aisle Width	Two-Way Aisle Width
---------------	---------------------	---------------------

Parallel	14	24
45°	14	24
60°	16	24
75°	20	24
90°	24	24

- (g) *Back-up area.* Each parking space shall be provided with a sufficient back-up area to permit egress in one (1) maneuver, consisting of one (1) backward and one (1) forward movement.
- (h) *Space dimensions.* Each off-street parking space, excluding its associated circulation aisle, shall have the following minimum dimensions, in feet:

Parking Angle	Stall Width	Stall Length	Stall Height
Parallel	9.0	23	8
30°	8.5	18	8
45°	8.5	18	8
60°	8.5	18	8
90°	9.0	18	8

The above-stated stall width dimensions shall be increased to sixteen (16) feet or to the width required by State law, whichever is greater, for handicapped parking spaces.

Ninety (90) degree parking stalls that abut a landscape area a minimum of twenty (20) feet in width may be reduced to seventeen (17) feet in length, with a one (1) foot overhang.

- (i) *Landbanking to reduce long term parking dimensions.* Except for parallel parking spaces, the above-stated dimensions may be reduced in order to increase the amount of landscaped open space to seventeen and one-half (17½) feet in length and eight and one-half (8½) feet in width in parking lots and structures in accordance with the procedures of Section 10.5-7 (E).
 - (j) *Maintenance.* All tree planting areas, landscaped islands, parking lots, garages and areas shall be properly maintained at all times so as to be free of weeds, pot holes, broken curbs and other damaged or neglected features.
- (D) *Off-street parking use.* No off-street parking lot or area shall be used for any purpose other than parking of fleet vehicles, and temporary storage of other motor vehicles related to the premises.
- (E) *Landbanking of required parking.*
- (1) *Landbanking authorized.* Notwithstanding any other provision of this Section, the total number of off-street parking spaces required to be paved pursuant to Section 10.5-7(F)

may be reduced subject to acceptance by the owner or its successors or assignees of the conditions set forth in the following three (3) subparagraphs.

- (2) *Termination of landbanking.* The City, upon consultation with the owner of the property, shall have the right to require the occupant of the property to increase the stall length and width to the dimensions required by Section 10.5-7(C) or to increase the number of parking spaces provided to serve said zoning lot up to the maximum required by Section 10.5-7(F) for the property in question if the required parking becomes necessary to serve the development.
- (3) *Alternate plans required.* Every application to allow landbanking of required parking spaces shall be accomplished by alternate detailed parking plans. One (1) plan shall show the full stall length and width required and the full number of parking spaces required pursuant to this section; the other plan shall show the reduced stall length and width or the reduced number of parking spaces, or both, as the case may be, proposed to be provided pursuant to the special permit being sought and shall also show the landscaping treatment of areas proposed to be reserved for future parking requirements. Both such plans shall show the location on the lot of all parking areas, the exact number of parking spaces to be provided and complete details for:
 - (a) Markings,
 - (b) Curbing,
 - (c) Surfacing,
 - (d) Screening and landscaping,
 - (e) Lighting,
 - (f) Grading,
 - (g) Stormwater calculations demonstrating compliance with City Code,
 - (h) Signage, and
 - (i) Access.

The design plans for such parking areas shall be subject to the approval of the Authority and the City.

- (4) *Open space covenant.* The applicant shall file with the City an unconditional agreement and covenant in form and substance satisfactory to the City that areas reserved for future parking shall be maintained as landscaped open space until and unless required to be used for off-street parking.
- (F) *Required spaces (Commercial Parcels Zone).* Within the Commercial Parcels Zone, all of the off-street parking regulations of Article XIII of the City Zoning Code, shall be applicable.

10.5-8. - Off-street loading.

- (A) *Authorization.* Subject to the limitations of section 10.5-8 and section 10.5-4, off-street loading shall be permitted as an accessory use. Nothing herein shall be construed to limit the right of any person to provide off-street loading in excess of the requirements herein established.
- (B) *General requirements.*
 - (1) *Applicability to existing, new and expanded uses.*

- (a) *General applicability.* Except as provided in this Section 10.5-8(B), off-street loading spaces sufficient to satisfy the requirements of this section shall be provided for all existing and new uses.
 - (b) *Change in existing use.* Whenever a use lawfully existing on the effective date of this Airport Zoning District Ordinance is changed thereafter to a new use, loading facilities shall be provided as required herein for such new use; provided, however, that when any such new use is required to have no more than the same number of loading spaces required of such existing lawful use, then such new use may be established with a deficiency in required loading spaces equal in number to not more than the number of spaces such existing use was deficient on the date of this Airport Zoning District Ordinance.
 - (c) *Increase in use intensity.* Whenever the intensity of use of any structure or use is increased through the lawful addition of floor area, seating capacity or other units of measurement specified herein for required loading spaces, loading spaces as required herein shall be provided for such increase in intensity of use.
 - (d) *Exception.* Notwithstanding the foregoing provisions of this Section 10.5-8(B), no building or use lawfully existing on the effective date of this Airport Zoning District Ordinance, or any amendment to it establishing loading requirements with respect to such structure or use, shall be required to provide any additional loading spaces pursuant to this Section 10.5-8(B) unless and until the aggregate increase in units of measurement shall equal the full number of units for which one (1) additional loading space would be required pursuant to Section 10.5-8(D), in which event loading spaces as required herein shall be provided for the total aggregate increase.
- (2) *Location of required loading spaces.* All areas utilized for loading shall be located on the same lot as the use they serve. Loading docks shall be an integral part of the building.
- (C) *Design and maintenance.* All areas utilized for loading shall be designed, constructed and maintained in accordance with Section 10.5-4(B):
- (1) *Location on lot.* There shall be no loading in the required minimum yards. No loading space shall be located closer to any public right-of-way than the facade of the building facing such right-of-way. All loading spaces shall be located and arranged to provide logical and convenient access thereto from the use they serve.
 - (2) *Loading-screening.* All areas utilized for loading shall comply with the screening requirements set forth in Section 10.5-4.(B)
 - (3) *Design.*
 - (a) *Access to a street.* All areas utilized for loading shall be designed and arranged to provide access to a street or alley in a manner that will create the least possible interference with through traffic movements. No curb cut across public property shall exceed thirty (30) feet in width without the written approval of the City.
 - (b) *Maneuvering space.* All areas utilized for loading shall be provided with sufficient maneuvering space on the zoning lot where it is located to allow vehicles to access and exit the space without having to make any backing movement on or into any public or private street.

- (c) *Surface, drainage and markings.* All areas utilized for loading shall be paved in accordance with City Code.
- (d) *Space dimensions.* Each loading space, excluding required maneuvering areas, shall have the following minimum dimensions, in feet:

Standard	10W x 25L x 14H
Tractor-trailer	12W x 50L x 15H

(D) *Required spaces.*

- (1) *General requirements.* All areas utilized for loading or receiving areas shall be provided in sufficient number, of sufficient size and so located that no loading and unloading operations infringe upon any street or sidewalk.
- (2) *Minimum requirements.* For the following uses, the following minimum number of loading spaces shall be provided:
Required loading spaces by land use:

Use	Required spaces
(a) Hotels	1 for 10,000 to 150,000 square feet of gross floor area PLUS 1 for each additional 200,000 square feet of floor area or fraction thereof.
(b) Other uses	1 for the first 150,000 square feet of gross floor area or fraction thereof PLUS 1 for each additional 200,000 square feet of gross floor area or fraction thereof.

The first space required for any building having in excess of ten thousand (10,000) square feet shall be sized to accommodate a tractor-trailer, and all other spaces may be standard sized.

10.5-9. - Signs.

All signs shall comply with Article XIII of the City’s Zoning Code.

10.5-10. - Variance procedure.

- (A) *Zoning Board of Appeals (ZBA).* The membership, appointment, compensation, term of office, meetings, quorum and voting for the ZBA is set forth in Section 5.3 of the City’s Zoning Code.
- (B) *Authority.* A variance may be recommended only in those specific instances enumerated in Section 10.5-10(F), and then only when the ZBA has made findings of fact, based upon the standards set out in Section 10.5-10(G), that owing to special conditions a literal enforcement of the provisions of this Airport Zoning District Ordinance in an individual case, results in practical difficulties or particular hardship for the owner, lessee or occupant of land or a structure.
- (C) *Application for a variance.* An application for a variance shall be filed with the City. The application shall contain the following information as well as such additional information as may be prescribed by rule of the ZBA:

- (1) The particular requirements of this district which prevent the proposed use or construction.
 - (2) The characteristics of the subject property which prevent compliance with said requirements of this district.
 - (3) The reduction of the minimum requirements of this district which would be necessary to permit the proposed use or construction.
 - (4) The practical difficulty or particular hardship which would result if said particular requirements of this district were applied to the subject property.
- (D) *Public hearing notice.* The ZBA shall hold a public hearing on each variance request within forty-five (45) days after the variance application is submitted to the City. At the hearing any interested party may appear and testify, either in person or by authorized agent. Notice indicating the location of property, the time, date and place of the hearing and the nature of the proposed variance shall be given not more than thirty (30) days nor less than fifteen (15) days before the hearing:
- (1) By certified mail return receipt requested of all persons residing within two hundred fifty (250) feet of property; and a certified mailing sent to all persons at the addresses appearing on a roll prepared by the County Clerks of DuPage and Kane Counties, listing to whom the tax bills are sent concerning parcel(s) of property which are within two hundred fifty (250) feet of the subject property will satisfy this requirement.
 - (2) By publication in a newspaper of general circulation within the municipality.
- (E) *Jurisdiction.* The ZBA is hereby vested with the following jurisdiction and authority and it shall be its duty:
- (1) To hear and make recommendation on all applications for variances from the regulations and restrictions imposed by this district.
 - (2) To hear and report to the mayor and city council on such matters as may be referred to it by the mayor and city council subject to the provisions of this district.
 - (3) To hear and decide all other matters upon which it is authorized or required to pass under this district or applicable Illinois statutes.
- (F) *Limitations on variations.* Variations from the regulations of this district shall be considered by the ZBA only in accordance with the standards set forth in this section and may be considered in the following instances and no others:
- (1) To permit any yard of less dimension than required by the applicable regulations.
 - (2) To permit any building or structure to exceed the floor area ratio, height, yard and bulk limitations imposed by this district.
 - (3) To reduce the applicable off-street parking or loading facilities required by not more than twenty (20) percent of the required number.
 - (4) To permit the same off-street parking facilities to qualify as a required facility for two (2) or more uses, provided the substantial use of such facility by each user does not take place at approximately the same hours of the same days of the week.
 - (5) To permit any fence, wall or hedge of less or greater dimension than required by the applicable regulations.
 - (6) To permit any signage to exceed height and area limitations by not more than twenty (20) percent.

(7) Variations in flood prone areas.

(G) *Standards for variances.* The ZBA shall not recommend and the City Council shall not grant variances from the regulations of this District unless affirmative findings of fact shall be made as to all of the standards hereinafter set forth, which findings of fact shall be based upon evidence adduced upon the hearing held thereon that:

- (1) The physical condition of the premises is unique and does not apply to neighboring premises in the same district.
- (2) The aforesaid unique conditions are not the result of actions taken after the adoption of the City's Zoning Code or relevant amendment thereof by any person personally having an interest in the property.
- (3) Strict application of the regulations of the Airport Zoning District would deprive the owner of the reasonable use of his premises equivalent to the use of neighboring premises within the District.
- (4) Granting of the variance will be in harmony with the intent of the City's Zoning Code and will not be detrimental to any neighboring premises.

(H) *Decisions on variations.* The concurring vote of four (4) members of the ZBA shall be necessary to recommend the grant of a variation to the City Council. Any recommendation that a variation be granted shall be accompanied by a conclusion or statement of the relief to be granted, supported by findings of fact, which statement and findings shall be transmitted to the City Council. The City Council shall make a final determination as to whether or not any variation requested shall be granted. The decision of the City Council shall occur by ordinance supported by a statement containing specific findings of fact, which findings shall specify the reason or reasons for making the variation and shall refer to any exhibits containing plans and specifications for the proposed variation which have been made part of the application or which were introduced at the public hearing as evidence. Such exhibits shall remain part of the permanent record of the ZBA. The terms of relief granted shall be specifically set forth from the findings of fact. All variations granted pursuant to this authority shall be granted in conformance with the Statutes of the State of Illinois.

CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Easement Encroachment Agreement
Wojnarowski Residence
2660 Sandpiper Trail

Resolution No. 2018-R-0071

AGENDA ITEM NUMBER: 4. C.**FILE NUMBER:** _____**COMMITTEE AGENDA DATE:** Aug. 13, 2018**COUNCIL AGENDA DATE:** _____**STAFF REVIEW:** Tom Dabareiner, AICP**SIGNATURE**  _____**APPROVED BY CITY ADMINISTRATOR:** Michael Guttman**SIGNATURE** _____**ITEM SUMMARY:**

The homeowners of the single family residence located at 2660 Sandpiper Trail in Meadowwood Subdivision are requesting approval of an Easement Encroachment Agreement for the installation of a shed in an existing public utility and drainage easement controlled by the City. The existing easement is 25 feet wide, runs parallel with the rear property line and was established in 1992 when the subdivision was platted. The encroachment is being requested to maximize the usable area of the backyard. Compliance with placing the shed outside of the easement and in conformance with the remainder of the City's regulations would result in the shed being centrally located on the backyard, which is not ideal for the homeowners. There are no utilities located within the easement where the shed is proposed and the proposed shed will not alter the established drainage.

The proposed Agreement establishes who is responsible for the relocation or removal (or cost of removal) of the shed in the unlikely event that the easement must be accessed by the City or any authorized public utility companies. Per the attached Agreement the property owner is assuming the relocation/removal responsibilities.

ACTIONS PROPOSED:

Consideration of an Easement Encroachment Agreement for a shed associated with the existing single family residence at 2660 Sandpiper Trail.

COMMITTEE RECOMMENDATION:

RESOLUTION NO. 2018-R-0071

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CERTAIN
EASEMENT ENCROACHMENT AGREEMENT – 2660 SANDPIPER TRIAL**

BE IT RESOLVED by the City Council of the City of West Chicago, in regular session assembled, that the Mayor is hereby authorized to execute an Easement Encroachment Agreement between the City of West Chicago and mark and Dana Wojnarowski for the installation of a shed over a Public Utility and Drainage Easement, a copy of which is attached hereto and incorporated herein as Exhibit “A”.

APPROVED this _____ day of _____ 2018.

AYES: _____

NAYES: _____

ABSTAIN: _____

ABSENT: _____

Mayor Ruben Pineda

ATTEST:

City Clerk Nancy M. Smith

Submitted by/
Prepared by/Return to:
City of West Chicago
475 Main Street
West Chicago, IL 60185

P.I.N.: 01-27-101-017

Legal Description: Lot 41 IN MEADOWWOOD
SUBDIVISION UNIT ONE, BEING A
SUBDIVISION OF PART OF THE NORTH HALF
OF THE SECTION 27, TOWNSHIP 40 NORTH,
RANGE 9 EAST OF THE THIRD PRINCIPAL
MERIDIAN, ACCORDING TO THE PLAT
THEREOF RECORDED DECEMBER 23, 1991,
AS DOCUMENT NUMBER R91-172127,
IN DUPAGE COUNTY, ILLINOIS.

For Official Use

**AN EASEMENT ENCROACHMENT AGREEMENT FOR THE
CONSTRUCTION OF A SHED OVER A PORTION OF A MUNICIPAL
DRAINAGE AND PUBLIC UTILITY EASEMENT AT 2660 SANDPIPER TRAIL**

THIS EASEMENT ENCROACHMENT AGREEMENT is made and entered into by and between the CITY OF WEST CHICAGO, a body politic and corporate, (hereinafter the "City") and Mark and Dana Wojnarowski, (hereinafter the "Property Owners"), the current owners of record of the property located at 2660 Sandpiper Trail, in the City of West Chicago, State of Illinois, designated by P.I.N. 01-27-101-017 (hereinafter the "Property").

WITNESSETH:

WHEREAS, Commonwealth Edison Company, Ameritech Illinois (A.K.A. Illinois Bell Company), Northern Illinois Gas Company, and the City of West Chicago are the record holders of a twenty-five (25') foot wide drainage and public utility easement over the Property created on the Meadowwood Subdivision Unit One Plat of Subdivision recorded December 23, 1991 as Document No. R91-172127; and

WHEREAS, the Property Owners have requested authorization to construct a shed which will encroach into said drainage and public utility easement, and

WHEREAS, the City and authorized public utility companies have no objection to the grant of authorization to allow the Property Owners to encroach onto the drainage and public utility easement, however, the grant shall be approved in express accordance with the terms and conditions set forth herein, which shall be binding on all other heirs, assigns, and owners of the Property so long as the shed encroachment exists.

NOW, THEREFORE, in consideration of the promises, terms and conditions set forth herein, the parties agree as follows:

1. The recitals set forth above are incorporated herein and made a part of this Agreement hereof.

2. The issuance of a City permit for the installation of a shed (hereinafter referred to as "Structure") over a portion of the drainage and public utility easement at the Property, under any circumstances, does not nullify or abrogate the City's, or its designee's, rights and interest in and to the easement for the purposes for which the easement was granted.

3. In the event the City of West Chicago or one of its designees serves notice upon the Property Owners of the Property, that the City, or its designee, requires access to the easement area for any reason related to the purpose of the easement, then the Property Owners agree to remove, at their sole expense, the Structure located within the easement within seven (7) days after receipt of said notice from the City.

4. The Property Owners shall be responsible for any damages to existing drainage improvements and/or utilities within the easement area resulting from the construction of the Structure and the Property Owners shall be responsible for all costs associated with the removal or relocation of said Structure. For this purpose, the Property Owners shall be responsible regardless of whether the Property Owners had knowledge of an easement attached to the premises.

5. In the event the Property Owners fail to identify drainage improvements and/or utilities on the Property within the drawing the Property Owners submit with the building permit application for the Structure, and it becomes necessary to relocate or remove a portion of the Structure, then the Property Owners shall be responsible for all associated costs, including but not limited to, any resulting damages to existing drainage improvements or utilities situated within the easement, and for any damages suffered by the Property Owners in removal or replacement of the Structure.

6. In the event the Property Owners fail to remove the Structure located within the easement within the described time period, the City shall have the right to remove the Structure and the Property Owners shall reimburse the City for any and all costs incurred by the City in this regard. In the event the Property Owners do not reimburse the City within seven (7) days of request for said reimbursement, the City shall have all rights under law to secure said payment, and shall be reimbursed its costs and all reasonable attorneys fees related to securing said payment.

7. In the event of an emergency related to any of the purposes for which the easement was granted, the City may take any action, including, but not limited to removing the Structure in the easement, necessary to gain access to the easement without first giving notice to the Property Owners. In the event of said emergency removal, the City will not be liable in any way for replacing or repairing said Structure or any part thereof, which is damaged or removed in order for the City to gain access to the easement area.

8. The Property Owners shall hold harmless, indemnify and defend the City from and against any and all liability, claims, demands, and causes of action arising out of or related to any loss, injury, or loss or damage to the Property resulting from the Property Owner's installation or use of said Structure.

9. The Property Owners shall comply with the Plat of Survey prepared by Associated Surveying Group LLC having a fieldwork date of March 16, 2017, depicting the location of the Structure within the easement. A copy of said Plat of Survey is attached hereto and incorporated herein as Exhibit "A" of this Agreement.

10. The easement encroachment granted by this Agreement herein shall be limited to only the Structure, as identified on the Plat of Survey attached to this Agreement hereto as Exhibit "A".

11. This Agreement and the terms set forth herein shall be binding on all future property owners for the duration that the Structure encroaches into said easement.

12. The Property Owners shall be responsible for all document recording costs associated with recording this document against the Property with the DuPage County Recorder's Office.

13. Any notice required or permitted to be given under this Agreement will be in writing and will be deemed to have been given when sent by telefacsimile to the telefacsimile number provided below for the intended recipient of such notice, or when delivered personally or on the date deposited in the United States mail, registered or certified mail, postage pre-paid, return receipt requested, and addressed as follows:

If to Property Owner: Mark & Dana Wojnarowski
2660 Sandpiper Trail
West Chicago, IL 60185

If to City: City of West Chicago
475 Main Street
West Chicago, IL 60185
Attn: City Administrator

With copy to: Patrick K. Bond,
Bond, Dickson & Associates, P.C.
Corporation Counsel to the City of West Chicago
203 E. Liberty Drive
Wheaton, Illinois, 60187

or to such other address as a party may from time to time specify in writing to the other parties in accordance with the terms hereof.

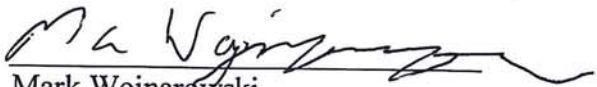
For purposes of notice as set forth herein, notice shall be deemed granted when sent.

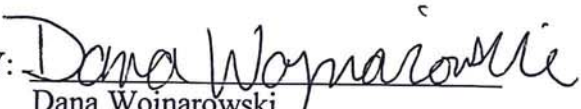
24 IN WITNESS WHEREOF, the parties have entered into this Agreement as of the
day of July, 2018.

CITY OF WEST CHICAGO

PROPERTY OWNERS

BY: _____
Mayor Ruben Pineda

BY: 
Mark Wojnarowski

BY: 
Dana Wojnarowski

ATTEST: _____
City Clerk


BY: 

EXHIBIT "A"

(insert Plat of Survey here)

Associated Surveying Group, LLC

Illinois Prof. Design Firm No. 184-004973

P.O. Box 810

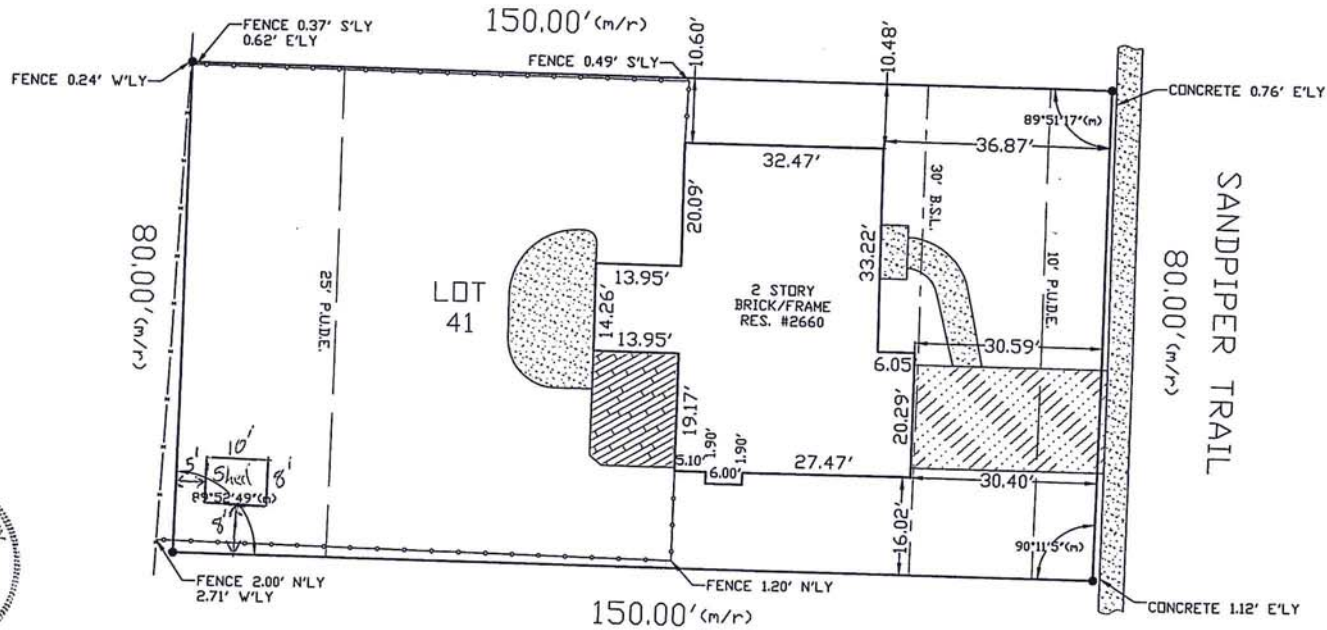
Bolingbrook, IL 60440

PH: 630-759-0205

FAX: 630-759-9291

PLAT OF SURVEY

LOT 41 IN MEADOWWOOD SUBDIVISION UNIT ONE, BEING A SUBDIVISION OF PART OF THE NORTH 1/2 OF SECTION 27, TOWNSHIP 40 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 23, 1991, AS DOCUMENT R91-172127 AND CORRECTED BY CERTIFICATE RECORDED MAY 20, 1992 AS DOCUMENT R92-095233, IN DUPAGE COUNTY, ILLINOIS.



State of Illinois }
County of Will } SS

I, Michael G. Herwy, an Illinois Professional Land Surveyor, do hereby certify that "This professional service conforms to the current Illinois minimum standards for a boundary survey", and that the Plat hereon drawn is a correct representation of said survey.

Dated, this 20TH day of MARCH, A.D., 2017 at Bolingbrook, IL.

FIELDWORK DATE: MARCH 16, 2017

Michael G. Herwy
Illinois Professional Land Surveyor No. 35-002900
License Expires: November 30, 2018

CLIENT: DUNAVAN

JOB NO.: 78371-17

LEGEND:

	ASPHALT		WALL		CONCRETE
	WOOD/PVC		BRICK		ENCLOSED/COVERED

SET	● IRON PIPE	+ CROSS
○ IRON PIPE	■ REBAR/ROD	- NOTCH
○ PK NAILS AS NOTCH	○ CHAIN LINK FENCE	
○ WOOD FENCE	○ ALL OTHER FENCE TYPES	

ABBREVIATIONS:

A = ARC LENGTH	NLY = NORTHERLY
R = RADIUS	SLY = SOUTHERLY
CH = CHORD LENGTH	Ely = EASTERLY
(r) = RECORD VALUE	Wly = WESTERLY
(m) = MEASURED VALUE	TYP = TYPICAL
B.S.L. = BUILDING SETBACK LINE	
P.U.E. = PUBLIC UTILITY EASEMENT	
P.U.D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT	

SCALE 1" = 20'

NOTES:
1. COMPARE THE LEGAL DESCRIPTION ON THIS PLAT WITH YOUR DEED, ABSTRACT, OR CERTIFICATE OF TITLE; ALSO, COMPARE ALL FIELD MEASURED LOT CORNERS & BUILDING TIES WITH THIS PLAT BEFORE CONSTRUCTION AND REPORT ANY DIFFERENCE AT ONCE. 2. NO IMPROVEMENTS SHOULD BE CONSTRUCTED ON THE BASIS OF THIS PLAT ALONE. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF CONSTRUCTION. 3. BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO DEPICTED ON THE RECORDED SUBDIVISION PLAT. REFER TO YOUR DEED, ABSTRACT, OR CERTIFICATE OF TITLE FOR ADDITIONAL ENCUMBRANCES. 4. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF. MEASURED LOT DIMENSIONS ARE SHOWN ONLY WHEN THEY DIFFER FROM RECORD DIMENSIONS BY 0.15 FEET OR MORE. 5. CURVED LINES DENOTED WITH ARC LENGTHS UNLESS OTHERWISE NOTED. ALSO, ALL ARCS ARE TANGENT UNLESS OTHERWISE NOTED. 6. AREA IS BASED ON MEASURED DISTANCES AT TIME OF SURVEY.

CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Downtown Façade Grant Program Agreement
129 Fremont Street
Anona West Inc.

Resolution No. 18-R-0074

AGENDA ITEM NUMBER:

4. D.

FILE NUMBER:**COMMITTEE AGENDA DATE:** August 13, 2018**COUNCIL AGENDA DATE:****STAFF REVIEW:** Tom Dabareiner, AICP**SIGNATURE** **CITY ADMINISTRATOR REVIEW:** Michael Guttman**SIGNATURE** _____**ITEM SUMMARY:**

Anona West, Inc. has requested Façade Grant Program funding to replace the roof on the building at 129 Fremont Street. The proposed roof replacement is an eligible improvement under the Program's guidelines and complies with the City's Building and Zoning Code regulations.

Anona West, Inc. submitted three estimates for the roof replacement, as required: 1) Advanced Roofing for \$18,800.00; 2) Nations Roofing for \$23,845.00; and 3) D-Wing, Inc. for \$24,942.00. The City's contribution is typically 50% of the lowest estimated cost, which in this case is \$9,400.00. A copy of the Agreement is attached as Exhibit A of the attached Resolution.

The funding for the Program comes from the downtown T.I.F. district, if sufficient funding is available for the Program. City staff determined that there are sufficient funds available to reimburse up to \$9,400.00 to Anona West, Inc. for the successful replacement of the roof per the Program's guidelines.

ACTIONS PROPOSED:

Consideration of a Resolution authorizing the Mayor to execute a certain Downtown Façade Grant Program Agreement in the amount not to exceed \$9,400.00 to Anona West, Inc. for the replacement of the roof at 129 Fremont Street.

COMMITTEE RECOMMENDATION:



**CITY OF WEST CHICAGO
APPLICATION FOR FACADE IMPROVEMENT PROGRAM**

COA# _____

DATE RECEIVED _____

BUILDING PERMIT# _____

APPLICANT AND PROPERTY OWNER INFORMATION

APPLICANT'S NAME	ANONA WEST, INC.	
APPLICANT'S ADDRESS	129 FREMONT ST. WEST CHICAGO	
APPLICANT'S TELEPHONE NUMBER	Tom Cherrington 630-234-0005	
ARE YOU THE PROPERTY OWNER?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
IF SO, OWNERSHIP STATUS	<input checked="" type="checkbox"/> SOLE OWNER <input checked="" type="checkbox"/> CORPORATION	<input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> TRUST
ARE YOU THE TENANT?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
IF SO, YEARS REMAINING ON LEASE?	_____	
IF YOU ARE NOT THE PROPERTY OWNER, PLEASE PROVIDE:		
OWNER'S NAME	ANONA WEST, INC.	
OWNER'S ADDRESS	P.O. BOX 35, WINFIELD, IL. 60190	
OWNER'S TELEPHONE NUMBER	Tom Cherrington @ 630-234-0005 tomcherrington@gmail.com	

PROPERTY INFORMATION

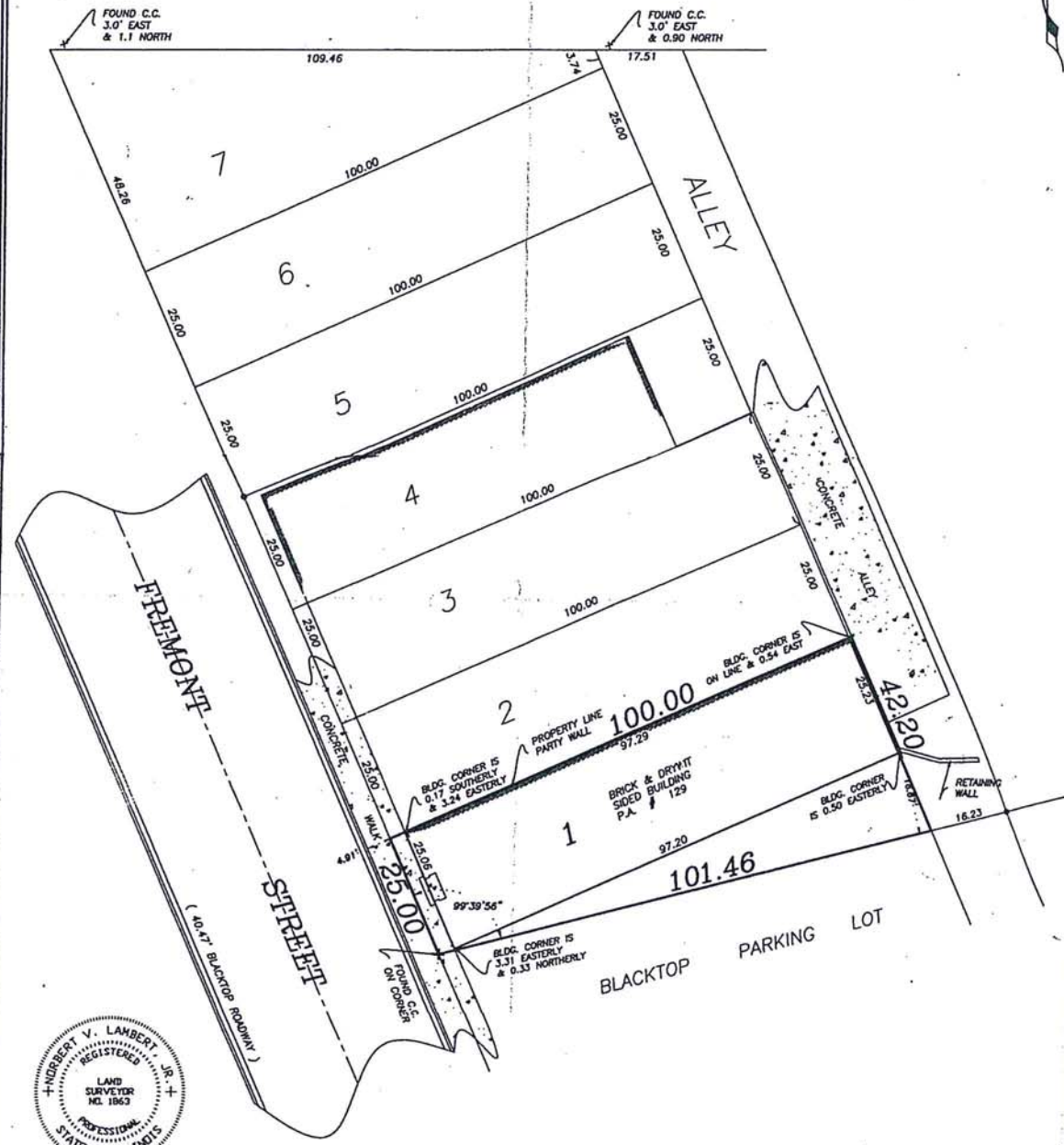
PROPERTY ADDRESS OF PROJECT	129 FREMONT STREET, WEST CHICAGO, IL. 60185
LEGAL DESCRIPTION	Please see legal description on plot of Survey attached.
BUSINESS NAME	ANONA WEST, INC.
HISTORIC BUILDING NAME	?

RECEIVED
JUL 26 2018

BY: _____

PLAT OF SURVEY

LOT 1 IN ISHERWOOD'S RESUBDIVISION OF PART OF BLOCK 16 OF MCCONNELL'S TOWN OF TURNER, BEING A RESUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3 AND PART OF SECTIONS 4, 9, 10, TOWNSHIP 39 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID ISHERWOOD'S RESUBDIVISION RECORDED JUNE 23, 1928 AS DOCUMENT NO. 260502, IN DUPAGE COUNTY, ILLINOIS.



STATE OF ILLINOIS)
 COUNTY OF DU PAGE) S.S.
 THIS IS TO CERTIFY THAT I, AN ILLINOIS LAND SURVEYOR, HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY.
 GIVEN UNDER MY HAND AND SEAL AT WHEATON, ILLINOIS, THIS 29TH DAY OF MARCH, A.D., 2001.

Robert V. Lambert, Jr.
 ILLINOIS LAND SURVEYOR NO. 1863

REFER TO DEED OR GUARANTEE POLICY FOR RESTRICTIONS NOT SHOWN ON SURVEY.
 ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
 COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY APPARENT DISCREPANCIES TO THE SURVEYOR.

ORDERED BY: TREUDT, BILL ORDER NO. 01 G 053 FILE NO. 010155

LAMBERT & ASSOCIATES
 LAND SURVEYORS
 320 SOUTH REBER ST. WHEATON, ILL. 60187
 PHONE: (630) 653-6331 FAX: (630) 653-6396

- = FOUND IRON STAKE
- = SET IRON STAKE

FUNDING

AMOUNT OF GRANT REQUEST	\$ 9,400.00
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ITEMIZATION OF THE WORK TO BE PERFORMED TO MAKE THE NECESSARY REPAIRS

DESCRIPTION	ESTIMATED COST
ARCHITECT	\$
AWNINGS	\$
CHIMNEY	\$
CORNICE	\$
DOORS	\$
FASCIA	\$
FLASHING	\$
GUTTERS	\$
LANDSCAPING	\$
LIGHTING	\$
PAINTING	\$
PORCHES/RAILINGS	\$
ROOF / FLAT ROOF REMOVAL AND REPLACEMENT (2800 SF.)	\$ 18,800.00
SIGNS	\$
SOFFIT	\$
STAIRS	\$
WALLS	\$
WINDOWS	\$
OTHER	\$
TOTAL	\$ 18,800.00

RESOLUTION NO. 18-R-0072

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
A CERTAIN DOWNTOWN FAÇADE GRANT PROGRAM AGREEMENT -
WEST CHICAGO COMMUNITY CENTER - 151 WEST WASHINGTON
STREET**

BE IT RESOLVED by the City Council of the City of West Chicago, in regular session assembled, that the Mayor is hereby authorized to execute a certain Downtown Façade Grant Program Agreement by and between the West Chicago Community Center and the City of West Chicago, a copy of which is attached hereto and incorporated herein as Exhibit "A".

APPROVED this 20th day of August, 2018.

AYES: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

Mayor Ruben Pineda

ATTEST:

City Clerk Nancy M. Smith

RESOLUTION NO. 18-R-0074

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
A CERTAIN DOWNTOWN FAÇADE GRANT PROGRAM AGREEMENT -
ANONA WEST, INC. – 129 FREMONT STREET**

BE IT RESOLVED by the City Council of the City of West Chicago, in regular session assembled, that the Mayor is hereby authorized to execute a certain Downtown Façade Grant Program Agreement by and between Anona West, Inc. and the City of West Chicago, a copy of which is attached hereto and incorporated herein as Exhibit “A”.

APPROVED this 20th day of August, 2018.

AYES: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

Mayor Ruben Pineda

ATTEST:

City Clerk Nancy M. Smith