APPENDIX 2-A

C&D RECYCLING PERMIT

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 · (217) 782-3397

JB PRITZKER, GOVERNOR JOHN J. KIM, DIRECTOR

217/524-3301

JUL 11 2019

CERTIFIED MAIL
RECIEPT REQUESTED
7015 0640 0002 6944 8110
7015 0640 0002 6944 8127

Owner:
Oscar (IL) LLC
c/o W.P Carey Inc.
Attn: Peter Bates
50 Rockefeller Plaza
New York, NY 10020

Operator:
Lakeshore Recycling System, LLC
Attn: Richard Golf
6132 Oakton Street
Morton Grove, IL 60053

Re: 0430905942 – DuPage County
West DuPage Recycling & Transfer, Inc.
Permit No. 2015-124-OP
Log No. 2019-132-SP
Log 2019-132
Permit Storage/Treatment File
Permit Approval

Dear Mr. Bates and Mr. Golf:

Permit No. 2015-124-OP has been granted to West DuPage Recycling & Transfer, Inc. to operate a solid waste management site, known as West DuPage Recycling & Transfer, Inc., to receive and transfer construction or demolition debris, consisting of 6.11 acres, Section 32, Township 40 North, Range 9 East of the Third Principal Meridian and also described as 1655 Powis Rd. in the city of West Chicago, Illinois, pursuant to 35 Illinois Administrative Code (hereinafter IAC) Part 807 and the Illinois Environmental Protection Act (Act), and in accordance with the application and plans, as modified by the regulations and the Act. Final plans, specifications, application and supporting documents as submitted and approved shall constitute part of this permit and are identified on the records of the Illinois Environmental Protection Agency, Bureau of Land by the permit number(s) and log number(s) designated in the heading above.

Supplemental Permit No. 2019-132-SP is hereby granted to transfer ownership from West DuPage Recycling & Transfer, Inc, to Oscar (IL) LLC in accordance with the application submitted by Elizabeth S. Schwartz, Project Manager of Civil Environmental Consultants, Inc. The application was signed, dated and sealed on April 9, 2019 by John Hock, P.E, of Civil Environmental Consultants, Inc. Final plans, specifications, application and supporting documents as submitted and approved shall constitute part of this permit and are identified on the records of the Illinois Environmental Protection Agency, Bureau of Land, by the permit number and log number designated in the heading above.

The application approved by this permit consists of the following documents:

DOCUMENT	DATE	DATE RECEIVED
Original Application (Log No. 2019-132)	April 12, 2019	April 12, 2019
Addendum (PA1 & 39(i))	July 1, 2019	July 9, 2019

Except as noted below, the special conditions of the permit letter for Permit No. 2019-132 are essentially identical to the special conditions of Permit No. 2017-032. The following changes have been made to the permit conditions:

Condition in Permit No. 2019-132	Condition in Permit No. 2107-032	Changes
44	44	Updated to reflect changes in procedures.

Pursuant to Section 39(a) of the Illinois Environmental Protection Act (Act) and 35 Illinois Administrative Code 807.201, this permit is issued subject to the development, operating, and reporting requirements for non-hazardous waste management facilities in 35 Ill. Adm. Code, Part 807, the standard conditions attached hereto and incorporated herein by reference, and further subject to the following special conditions. In case of conflict between the application and plans submitted and these conditions, both standard and special, the conditions of this permit shall govern:

The site consists a material tipping and sorting area, single line C & D recycling processing system, front end loaders and skid steers, 18-wheel tractor trailers, sweeper, and street sweeper, grinder.

1. This permit approves the operation of a facility to process and treat construction and demolition debris, in accordance with section 22.38 of the Act and the application Log No. 2015-124 as modified by the conditions of this permit.

2. The permitee is authorized to operate the units described below in accordance with the application Log No. 2015-124:
   a. Concrete pad 90' X 160' in size.
   b. Sorting lines
   c. Storage bunkers

3. The facility may only receive general construction and demolition debris as described in Log No. 2015-124.

4. The operator shall limit management activities at the facility to the receipt and transfer of approximately 1250 tons per day of general construction and demolition debris.

5. The development permit does not authorize the development of a pollution control facility, as defined in Section 3.330 of the Illinois Environmental Protection Act.

6. The general construction and demolition debris recycling facility consists of 6.11 acres, in North Half of Section 32, Township 40 North, Range 9 East, in West Chicago, DuPage County, Illinois

7. The facility shall be designed and constructed with roads and traffic flow patterns adequate for the volume, type and weight of traffic using the facility including, but not limited to hauling vehicles, emergency vehicles, and on site equipment. Sufficient area shall be maintained to minimize traffic congestion, provide for safe operation, and allow for queuing waste hauling vehicles.

8. The operator shall provide adequate parking for all vehicles and equipment used at the facility and as necessary for queued hauling vehicles.

9. Roadways and parking areas on the facility premises shall be designed and constructed for use in all weather considering the volume, type and weight of traffic and equipment at the facility.

10. The facility shall be designed and constructed so that site surface drainage will be diverted around or away from the recycling and management areas. Surface drainage shall be designed and controlled so that adjacent property owners encounter no adverse effects during development, operation and after closure of the facility.

11. Run-off from roadways and parking areas shall be controlled using storm sewers or shall be compatible with natural drainage for the site. Best management practices (e.g., design features, operating procedures, maintenance procedures, prohibition of certain practices and treatment) shall be used to ensure that run-off from these areas does not carry wastes, debris or constituents thereof, fuel, oil or other residues to soil, surface water or groundwater.

12. The facility including, but not limited to, all structures, roads, parking and recycling areas, shall be designed and constructed to prevent malodors, noise, vibrations, dust and exhaust from creating a nuisance or health hazard during development, operation and closure of the facility. Facility features (e.g., berms, buffer areas, paving, grade reduction), best available technology (e.g., mufflers, machinery enclosures, sound-absorbent materials, odor neutralizing systems, air filtering systems, misting systems), and building features (e.g., enclosed structures, building orientation) shall be among the measures to be considered to achieve compliance.

13. The facility shall be designed and constructed to prevent litter and other debris from leaving the facility property. Facility features (e.g., windbreaks, fencing, netting, etc) shall be among the measures considered to ensure that the debris does not become wind strewn and that no other provisions of the Act are violated.

14. The permit is issued with the expressed understanding that no air emissions will occur from these facilities, except as authorized by a permit from the Bureau of Air (BOA). This permit is issued with the expressed understanding that no process discharge to Waters of the State or to a sanitary sewer will occur from these facilities, except as authorized by a permit from the Bureau of Water (BOW).

15. The facility shall be designed and constructed with a water supply of adequate volume, pressure, and in locations sufficient for cleaning, firefighting, personal sanitary facilities, and as otherwise necessary to satisfy operating requirements (e.g., dust suppression, wheel washing) and the contingency plan.

16. The facility shall be designed and constructed with exterior and interior lighting for roadways, and waste handling areas adequate to perform safely and effectively all necessary activities.

17. The facility shall be designed and constructed with truck wheel curbs, guard rails, bumpers, posts or equivalents to prevent backing into fuel storage tanks, equipment, and other structures.

18. The facility shall be designed and constructed with adequate shelter, sanitary facilities, and emergency communications for employees.

19. The facility operator shall install fences and gates, as necessary to limit entry. Except during operating hours, the gates shall be securely locked to prevent unauthorized entry.

20. The facility may receive general construction and demolition debris at the site Monday through Saturday, 24 hours a day. When the facility is operated before sunrise or after sunset, adequate lighting shall be provided. If it is required for the facility to be open beyond normal operating hours to respond to emergency situations, a written record of the date, time and reason the facility was open shall be maintained in facility operating records. The Illinois EPA's Regional Office and when applicable the county authority responsible for inspection of this facility, per a delegation agreement with the Illinois EPA, or Emergency Response Center must be notified and must grant approval each day that the operating hours need to be extended.

21. Fire safety equipment (fire extinguishers) shall be maintained in accordance with recommended practice.

22. Non recyclable waste may be left at the site overnight; however, it shall be in a covered container or waste collection vehicle.

23. Piles of general construction or demolition debris shall be covered or wetted to prevent air-borne dust.

24. The facility shall be designed and constructed to prevent unauthorized access to recycling areas, storage areas for unauthorized wastes, salvaged and recycled materials, and staging areas where loaded site equipment or vehicles may be parked. Facility features such as fences and gates shall be provided.

25. Waste handling areas shall be designed and constructed to prevent exposure of wastes and recyclable materials to run-on and flooding.

26. The sorting areas shall be properly graded and compacted to prevent ponding from forming leachate during storms.

27. Records shall be maintained on-site at the facility office for each operating day. The operator shall record operating hours, load ticket information, load inspections, daily processing time, volume processed per day, transfer load out and waste disposition details.

28. The operator shall, within 48 hours of receipt of the general construction or demolition debris at the facility, sort the general construction or demolition debris. The operator shall separate the recyclable general construction or demolition debris from non-recyclable general construction or demolition debris and dispose of the non-recyclable general construction or demolition debris, in accordance with Section 22.38(b)(1) of the Act.

29. The operator must place wood, tires, and other unacceptable materials in covered dumpsters or vehicles adequate to prevent the release of leachate.

30. The operator must separate and place all non-recyclable general construction or demolition debris and unacceptable materials in covered dumpsters, in accordance with Section 22.38(b)(2) of the Act. The operator shall transport all non-recyclable general construction or demolition debris, and unacceptable material offsite for disposal in accordance with all applicable federal, State, and local requirements within 72 hours of its receipt at the facility.

31. For each operating day, the operator shall limit the percentage of incoming non-recyclable general construction/demolition debris to 25% or less of the total incoming general construction/demolition debris, as calculated on a monthly basis, in accordance with Section 22.38(b)(3) of the Act.

32. The operator shall transport all non-putrescible recyclable general construction or demolition debris for recycling or disposal within 6 months of its receipt at the facility, in accordance with Section 22.38(b)(4) of the Act.

33. Within 45 days of its receipt at the facility the operator must separate and place all putrescible or combustible recyclable general construction or demolition debris in covered dumpsters for recycling or disposal, and transport offsite, in accordance with Section 22.38(b)(5) of the Act.

34. In accordance with Section 22.38(b)(6) of the Act, the operator shall employ tagging and record keeping procedures to (i) demonstrate compliance with Section 22.38, and (ii) identify the source and transporter of material accepted by the facility.

35. The operator shall use load tickets to control the site activities and comply with the tagging and record keeping procedures in condition 34 above. These load tickets shall identify the source of the material delivered to the site. The operator shall use these tickets to identify the location in the yard or in the covered dumpsters and the length of time stored at the site to achieve compliance.

36. The operator is prohibited from receiving hazardous and asbestos containing materials.

37. The operator may separate clean concrete and clean soil from the general construction or demolition debris as recyclable materials for use in construction. The operator is permitted to store recyclable concrete and clean soil for a maximum period of 3 months.

38. The operator may store the steel separated from concrete or other construction or demolition debris for a maximum period of 6 months. After six months, the steel must be sent offsite for disposal or recycling.

39. The operator shall notify the Illinois EPA of any changes from the information submitted to the Illinois EPA in its application for a Development and Operating permit for this site. The operator shall notify the Illinois EPA of any changes in the names or addresses of both beneficial and legal titleholders to the herein-permitted site. Such notification shall be made in writing within fifteen (15) days of such change and shall include the name or names of any parties in interest and the address of their place of abode; or, if a corporation, the name and address of its registered agent.

40. The operator shall ensure that site surface drainage, during development, during operation and after the site is closed, shall be such that no adverse effects are encountered by adjacent property owners.

41. The best available technology (mufflers, berms and other sound shielding devices) shall be employed to minimize equipment noise impacts on property adjacent to the site during both development, operation and during any applicable post-closure care period.

42. Management of Unauthorized Waste by the operator

    a. Landscape waste found to be mixed with general construction and demolition debris shall be removed the same day and transported to a facility that is operating in accordance with the Illinois Environmental Protection Act (Act), Title V, Sections 21 and 39 [415 ILCS 5/21 and 39].

    b. Lead-acid batteries mixed with general construction and demolition debris will be removed the same day and transported either to a drop-off center handling such waste, or to a lead-acid battery retailer.

    c. Special wastes including hazardous waste, non-hazardous special waste, and potentially infectious medical waste mixed with general construction and demolition debris shall be containerized separately and removed as soon as possible by a licensed special waste hauler. Special wastes shall be transported to a licensed special waste management facility that has obtained authorization to accept such waste. The operator shall maintain a contract with haulers so that the immediate removal is ensured. The operator shall develop an emergency response/action plan for such occurrences.

    d. Asbestos debris from general construction and demolition debris shall be managed in accordance with the National Emission Standards for Hazardous Air Pollutants (NESHAPS) regulations.

    e. Tires found to be mixed with general construction and demolition debris shall be removed and managed in accordance with Section 55 of the Act [415 ILCS 5/55].

f. White good components mixed with general construction and demolition debris shall be removed and managed in accordance with Section 22.28 of the Act [415 ILCS 5/22.28].

g. No person may knowingly mix liquid used oil with general construction and demolition debris.

h. After the unauthorized waste has been removed from the facility, a thorough cleanup of the affected area will be made according to the type of unauthorized waste managed. Records shall be kept for three years and will be made available to the Illinois EPA-BOL upon request.

43. Special wastes generated at the site for disposal, storage, incineration or further treatment elsewhere shall be transported by the operator to the receiving facility utilizing the Illinois EPA's Special Waste Authorization system and manifest system.

44. The permittee(s) shall submit a 39(i) certification with all permit applications.

45. The closure plan and cost estimates in Application Log No. 2015-124 are hereby approved in accordance with 35 Ill. Adm. Code, Subtitle G, Part 807, subject to the following conditions:

a. The operator shall notify the Illinois EPA within 30 days after receiving the final volume of waste.

b. The operator shall initiate implementation of the closure plan within 30 days after the site receives its final volume of waste.

c. The operator shall not file any application to modify the closure plan less than 180 days prior to receipt of the final volume of waste.

d. Upon completion of closure activities, the operator will notify the Illinois EPA that the site has been closed in accordance with the approved closure plan utilizing the Illinois EPA's "Affidavit for Certification of Completion of Closure of Non-Hazardous Waste Facilities." Financial assurance is not required for transfer facilities in accordance with 35 Ill. Adm. Code, Subtitle G, Part 807, Subpart F. The current cost estimate for closure is $17,625.00.

The original and two (2) copies of all certifications or reports, required to be submitted to the Illinois EPA by the permittee, shall be mailed to the following address:

Illinois EPA
Permit Section, Bureau of Land -- #33
Post Office Box 19276
Springfield, Illinois 62794-9276

The applicant may appeal this final decision to the Illinois Pollution Control Board pursuant to Section 40 of the Act by filing a petition for a hearing within 35 days after the date of issuance of the final decision. However, the 35-day period may be extended for a period of time not to exceed 90 days by written notice from the applicant and the Illinois EPA within the initial 35-day appeal period. If the owner or operator wishes to receive a 90-day extension, a written request that includes a statement of the date the final decision was received, along with a copy of this decision, must be sent to the Illinois EPA as soon as possible.

For information regarding the request for an extension, please contact:

Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276
217/782-5544

For information regarding the filing of an appeal, please contact:

Illinois Pollution Control Board, Clerk
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, IL 60601
312/814-3620

Work required by this permit, your application or the regulations may also be subject to other laws governing professional services, such as the Illinois Professional Land Surveyor Act of 1989, the Professional Engineering Practice Act of 1989, the Professional Geologist Licensing Act, and the Structural Engineering Licensing Act of 1989. This permit does not relieve anyone from compliance with these laws and the regulations adopted pursuant to these laws. All work that falls within the scope and definitions of these laws must be performed in compliance with them. The Illinois EPA may refer any discovered violation of these laws to the appropriate regulating authority.

Sincerely,

Kenneth E. Smith, P.E. Manager
Permit Section
Division of Land Pollution Control
Bureau of Land

KES:SIS: 0430905942-TRANS-2015124OP-2019132-Approval.doc

Attachment: Standard Conditions

cc: Beth Schwartz, Civil Environmental Consultants, Inc. (email)
John Hock, P.E., Civil Environmental Consultants, Inc. (email)

BCC: Bureau File
Des Plaines
Tom Hubbard
Kenn Smith
Sunil Suthar

STANDARD CONDITIONS FOR CONSTRUCTION/DEVELOPMENT PERMITS ISSUED BY THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY BUREAU OF LAND

August 22, 2001

The Illinois Environmental Protection Act (Illinois Revised Statutes, Chapter 111-1/2, Section 1039) grants the Environmental Protection Agency authority to impose conditions on permits which it issues.

These standard conditions shall apply to all permits which the Agency issues for construction or development projects which require permits under the Bureau of Land. Special conditions may also be imposed in addition to these standard conditions.

1. Unless this permit has been extended or it has been voided by a newly issued permit, this permit will expire two years after date of issuance unless construction or development on this project has started on or prior to that date.

2. The construction or development of facilities covered by this permit shall be done in compliance with applicable provisions of Federal laws and regulations, the Illinois Environmental Protection Act, and Rules and Regulations adopted by the Illinois Pollution Control Board.

3. There shall be no deviations from the approved plans and specifications unless a written request for modification of the project, along with plans and specifications as required, shall have been submitted to the Agency and a supplemental written permit issued.

4. The permittee shall allow any agent duly authorized by the Agency upon the presentation of credentials:

    a. to enter at reasonable times the permittee's premises where actual or potential effluent, emissions or noise sources are located or where any activity is to be conducted pursuant to this permit.

    b. to have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit.

    c. to inspect at reasonable times, including during any hours of operation of equipment constructed or operated under this permit, such equipment or monitoring methodology or equipment required to be kept, used, operated, calibrated and maintained under this permit.

    d. to obtain and remove at reasonable times samples of any discharge or emission of pollutants.

e. to enter at reasonable times and utilize any photographic, recording, testing, monitoring or other equipment for the purpose of preserving, testing, monitoring, or recording any activity, discharge, or emission authorized by this permit.

5. The issuance of this permit:

   a. shall not be considered as in any manner affecting the title of the premises upon which the permitted facilities are to be located;

   b. does not release the permittee from any liability for damage to person or property caused by or resulting from the construction, maintenance, or operation of the proposed facilities;

   c. does not release the permittee from compliance with other applicable statutes and regulations of the United States, of the State of Illinois, or with applicable local laws, ordinances and regulations;

   d. does not take into consideration or attest to the structural stability of any units or parts of the project;

   e. in no manner implies or suggests that the Agency (or its officers, agents or employees) assumes any liability, directly or indirectly, for any loss due to damage, installation, maintenance, or operation of the proposed equipment or facility.

6. Unless a joint construction/operation permit has been issued, a permit for operating shall be obtained from the Agency before the facility or equipment covered by this permit is placed into operation.

7. These standard conditions shall prevail unless modified by special conditions.

8. The Agency may file a complaint with the Board for modification, suspension or revocation of a permit:

   a. upon discovery that the permit application contained misrepresentations, misinformation or false statements or that all relevant facts were not disclosed; or

   b. upon finding that any standard or special conditions have been violated; or

   c. upon any violation of the Environmental Protection Act or any Rule or Regulation effective thereunder as a result of the construction or development authorized by this permit.

APPENDIX 2-B1

2015 ORDINANCE GRANTING PLANNED UNIT DEVELOPMENT

CITY OF WEST CHICAGO

ORDINANCE NO. 15-O-0018

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST CHICAGO – APPENDIX A ARTICLE 11.2 OF THE ZONING CODE

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF WEST CHICAGO
May 18, 2015

Published in pamphlet form by the authority of the City Council of the City of West Chicago, DuPage County, Illinois, on the 19th day of May 2015.

15-16-22

ORDINANCE NO. 15-O-0018

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST CHICAGO – APPENDIX A ARTICLE 11.2 OF THE ZONING CODE

WHEREAS, Ken Hoving of KKLK, L.L.C. (the "APPLICANT") proposes an amendment to Article 11.2 of the Zoning Code, which is Appendix A of the Code of Ordinances of the City of West Chicago to add the construction and demolition debris recycling use and use restrictions to the Manufacturing Zoning District regulations; and,

WHEREAS, Notice of Public Hearing on said application was published in the Daily Herald on or about April 20, 2015, all as required by the ordinances of the City of West Chicago and the statutes of the State of Illinois; and,

WHEREAS, a Public Hearing was conducted by the Plan Commission/Zoning Board of Appeals of the City of West Chicago, commencing on May 5, 2015, pursuant to said Notice; and,

WHEREAS, at the Public Hearing, the APPLICANT provided testimony in support of their application, and all interested parties had an opportunity to be heard; and,

WHEREAS, the corporate authorities of the City of West Chicago have received the recommendation of the Plan Commission/Zoning Board of Appeals which contains specific findings of fact, pursuant to Recommendation No. 15-RC-0006, a copy of which is attached hereto as Exhibit "A" which is, by this reference, made a part hereof.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Chicago, Du Page County, Illinois, in regular session assembled, as follows:

Section 1. That Appendix A, Article 11, Section 11.2-1 of the Code of Ordinances of the City of West Chicago entitled "Use restrictions" is hereby amended by adding the following language:

"(H) Construction and demolition debris recycling.
(1) Shall be located on a lot having a minimum lot area of three (3) acres.
(2) Shall be located in a zoning district having a minimum district area of three (3) acres.
(3) Shall be located on a lot that is contiguous to both a railroad right-of-way and property that is zoned Airport District."

Section 2. That Appendix A, Article 11, Section 11.2-4 of the Code of Ordinances of the City of West Chicago entitled "Special uses" is hereby amended by adding the following the following language:

"(FF) Construction and demolition debris recycling."

Section 3. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

Section 4. That this Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 18th day of May 2015.

Alderman L. Chassee	Aye	Alderman J. Beifuss	May
Alderman D. Earley	Passed	Alderman J. Sheahan	Aye
Alderman L. Grodoski	Absent	Alderman A. Hallett	Aye
Alderman S. Dimas	Aye	Alderman M. Birch	Aye
Alderman J.C. Smith, Jr.	Aye	Alderman K. Meissner	Aye
Alderman M. Edwalds	Absent	Alderman R. Stout	Aye
Alderman J.F. Banas	Aye	Alderman N. Ligino-Kubinski	Aye

APPROVED as to form: _____
City Attorney

APPROVED this 18th day of May 2015.

_____
Mayor, Ruben Pineda

ATTEST:

_____
City Clerk, Nancy M. Smith

PUBLISHED: 5/19/15

EXHIBIT "A"

RECOMMENDATION # 15-RC-0006

TO: The Honorable Mayor and City Council

SUBJECT: PC 15-03
Text Amendment
Construction and Demolition Debris Recycling

DATE: May 5, 2015

DECISION: The motion to approve the request was unanimously approved by a (5-0) vote.

After review of the proposed text amendment as presented, the Plan Commission/Zoning Board of Appeals finds that it does not pose a threat to the health, safety and welfare of the community. It is the Commission's opinion that the proposed construction and demolition debris recycling use as a special use with certain use restrictions in the Manufacturing Zoning District is beneficial to the City because it expands the allowable uses in the District with an industrial type use while regulating such a use in a way that will protect the health, safety and welfare of the community.

Respectfully submitted,

Robert Mireault
Vice Chairman

VOTE:

For	Against	Abstain	Absent
M. Schafer			E. Van-der-Mey
R. Mireault			D. Faught
C. Dettmann			
B. Laimins			
S. Hale			

STATE OF ILLINOIS)
COUNTY OF DU PAGE)

CERTIFICATE

I, Nancy Smith, Certify that I am the duly elected and acting City Clerk of the City of West Chicago, DuPage County, Illinois.

I further certify that on May 18, 2015 the Corporate Authorities of such municipality passed and approved Ordinance No. 15-O-0018 entitled:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST CHICAGO – APPENDIX A ARTICLE 11.2 OF THE ZONING CODE

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 15-O-0018 including the ordinance and a cover sheet hereof was prepared, and a copy of such ordinance posted in the municipal building, commencing on May 19, 2015 continuing for at least ten days thereafter. Copies of such ordinance were also available for public inspection upon request in the Office of the City Clerk.

Dated at West Chicago, Illinois, this 18th of May 2015.

SEAL

Nancy M. Smith

Nancy Smith, City Clerk

CITY OF WEST CHICAGO

ORDINANCE NO. 15-O-0019

AN ORDINANCE APPROVING SPECIAL USE PERMITS FOR A CONSTRUCTION AND DEMOLITION DEBRIS RECYCLYING FACILITY, FUEL SALES AND STORAGE, BUILDING MATERIAL SALES WITH OUTSIDE STORAGE, AND A PRELIMINARY AND FINAL PLANNED UNIT DEVELOPMENT AT 1655 POWIS ROAD

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF WEST CHICAGO
May 18, 2015

Published in pamphlet form by the authority of the City Council of the City of West Chicago, DuPage County, Illinois, on the 19th day of May 2015.

ORDINANCE NO. 15-O-0019

AN ORDINANCE APPROVING SPECIAL USE PERMITS FOR A CONSTRUCTION AND DEMOLITION DEBRIS RECYCLYING FACILITY, FUEL SALES AND STORAGE, BUILDING MATERIAL SALES WITH OUTSIDE STORAGE, AND A PRELIMINARY AND FINAL PLANNED UNIT DEVELOPMENT AT 1655 POWIS ROAD

WHEREAS, on or about February 27, 2015, Ken Hoving of KKLK L.L.C. (the "APPLICANT"), filed a special use application for a construction and demolition debris recycling facility with outside activities, fuel sales and storage, and building material sales with outside storage in addition to filing an application for a preliminary and final planned unit development on the property legally described on Exhibit "A", which is attached hereto and incorporated herein as the "SUBJECT REALTY"; and,

WHEREAS, Notice of Public Hearing on said application was published in the Daily Herald on or about April 20, 2015, all as required by the ordinances of the City of West Chicago and the statutes of the State of Illinois; and,

WHEREAS, a Public Hearing was conducted by the Plan Commission/Zoning Board of Appeals of the City of West Chicago, commencing on May 5, 2015, pursuant to said Notice; and,

WHEREAS, at the Public Hearing, the APPLICANT provided testimony in support of his application, and all interested parties had an opportunity to be heard; and,

WHEREAS, the corporate authorities of the City of West Chicago have received the recommendation of the Plan Commission/Zoning Board of Appeals for a construction and demolition debris recycling facility with outside activities, fuel sales and storage, and building material sales with outside storage in addition to filing an application for a preliminary and final planned unit development, which contains specific findings of fact, pursuant to Recommendation No. 15-RC-0007, a copy of which is attached hereto as Exhibit "B" which is, by this reference, incorporated herein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Chicago, DuPage County, Illinois, in regular session assembled, as follows:

Section 1. A special use permit for a construction and demolition debris recycling facility with outside activities in conformance with Sections 5.5 and 11.2-4(FF) is hereby granted for the SUBJECT REALTY.

Section 2. A special use permit for fuel sales and storage in conformance with Sections 5.5 and 11.2-4(M) is hereby granted for the SUBJECT REALTY.

Section 3. A special use permit for building material sales with outside storage in conformance with Sections 5.5 and 11.2-4(F) is hereby granted for the SUBJECT REALTY.

Section 1. A preliminary and final planned unit development in conformance with Sections 11.2-4(U) and 15 is hereby granted for the SUBJECT REALTY, subject to compliance with the following conditions:

1. The APPLICANT shall apply for a text amendment to delete the construction and demolition debris recycling use from the ORI zoning district regulations within six (6) months of obtaining a temporary or final certificate of occupancy for the SUBJECT REALTY.
2. The SUBJECT REALTY shall be developed in conformance with the Site Plan prepared by Tebrugge Engineering, dated January 20, 2015 with a last revision date of April 15, 2015, attached hereto and incorporated herein as Exhibit "C".
3. The SUBJECT REALTY shall be developed in conformance with the Landscape Plan prepared by Dowden Landscape Design, dated February 27, 2015 with a last revision date of April 3, 2015, attached hereto and incorporated herein as Exhibit "D".
4. The SUBJECT REALTY shall be developed in conformance with the Exterior Building Elevation Plan A3.0 prepared by Architect Steven W. Hansen, dated February 17, 2015, with a final revision date of February 26, 2015, attached hereto and incorporated herein as Exhibit "E".
5. The APPLICANT shall have all gravel surfaces on the SUBJECT REALTY either paved or restored to turf within four (4) years of City Council approval of the preliminary and final planned unit development.
6. All mulch piles on the SUBJECT REALTY shall not exceed twenty-five (25') feet in height and shall be contained within the designated mulch storage area, as depicted on the Site Plan by Trebrugge Engineering, dated January 20, 2015 with a last revision date of April 15, 2015, attached hereto and incorporated herein as Exhibit "C".

Section 5. This Ordinance shall also constitute the approval of the following deviations associated with the preliminary and final planned unit development and special use permits identified in Sections 1, 2, and 3 herein:

1. A deviation from Section 11.2-2(C)(2) of the Zoning Code to reduce the minimum required side yard parking setback from fifteen (15') feet to nine (9') feet along a portion of the north lot line of the SUBJECT REALTY, as depicted on the Site Plan by Trebrugge Engineering, dated January 20, 2015 with a last revision date of April 15, 2015, attached hereto and incorporated herein as Exhibit "C".
2. A deviation from Section 11.2-1(E) to allow the APPLICANT to construct and utilize multiple principal structures on the SUBJECT REALTY in compliance with all applicable building, fire and zoning and codes.

Section 6. That all ordinances and resolutions, or parts thereof, shall, to the extent not expressly modified by the terms and conditions of this Ordinance, remain in full force and effect as therein provided.

Section 7. That this Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 18th day of May 2015.

Alderman L. Chassee	Aye	Alderman J. Beifuss	Nay
Alderman D. Earley	Present	Alderman J. Sheahan	Aye
Alderman L. Grodoski	Absent	Alderman A. Hallett	Aye
Alderman S. Dimas	Aye	Alderman M. Birch	Aye
Alderman J.C. Smith, Jr.	Aye	Alderman K. Meissner	Aye
Alderman M. Edwalds	Absent	Alderman R. Stout	Aye
Alderman J.F. Banas	Aye	Alderman N. Ligino-Kubinski	Aye

APPROVED as to form: Patrick K. Bond
City Attorney

APPROVED this 18th day of May 2015.

Mayor, Ruben Pineda

ATTEST:

Nancy M. Smith
City Clerk, Nancy M. Smith

PUBLISHED: 5/19/15

EXHIBIT "A"

LEGAL DESCRIPTION

THAT PART OF THE NORTH HALF OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS, TO WIT: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 32; THENCE NORTH 88 DEGREES 56 MINUTES 37 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION 32, A DISTANCE OF 1331.65 FEET TO THE NORTH AND SOUTH DIVIDING LINE OF THE NORTHWEST QUARTER OF SAID SECTION 32; THENCE SOUTH 00 DEGREES 36 MINUTES 17 SECONDS EAST ALONG SAID DIVIDING LINE, A DISTANCE OF 500.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO THE DEFENSE PLANT CORPORATION BY DEED RECORDED IN BOOK 390 OF DEEDS ON PAGE 81 IN THE OFFICE OF THE DUPAGE COUNTY RECORDER; THENCE CONTINUING SOUTH 00 DEGREES 36 MINUTES 17 SECONDS WEST ALONG SAID DIVIDING LINE, A DISTANCE OF 685.0 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED RECORDED FEBRUARY 6, 2001 AS DOCUMENT NO. R2001-020758; THENCE NORTH 89 DEGREES 32 MINUTES 15 SECONDS EAST ALONG THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 103.80 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 32 MINUTES 15 SECONDS EAST, ALONG SAID SOUTH LINE (SAID LINE BEING IN PARALLEL WITH THE SOUTH LINE OF SAID DEFENSE PLANT CORPORATION TRACT), A DISTANCE OF 1880.12 FEET TO THE WESTERLY RIGHT-OF-WAY LINE FOR THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 20 DEGREES 30 MINUTES 46 SECONDS WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 729.01 FEET TO THE SOUTHEAST CORNER OF SAID DEFENSE PLANT CORPORATION TRACT; THENCE SOUTH 89 DEGREES 32 MINUTES 15 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1650.66 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF POWIS ROAD PER DOCUMENT NO. R2003-146376, SAID POINT ALSO BEING 81.96 FEET EAST OF THE SOUTHWEST CORNER OF SAID DEFENSE PLANT CORPORATION; THENCE SOUTH 02 DEGREES 29 MINUTES 05 SECONDS WEST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 536.49 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY, ALONG SAID EASTERLY RIGHT-OF-WAY LINE BEING THE ARC OF A CURVE CONCAVE WESTERLY, HAVING A RADUIS OF 739.00 FEET AND WHOSE CHORD HAS A BEARING OF 04 DEGREES 02 MINUTES 22 SECONDS WEST, AN ARC DISTANCE OF 149.66 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS. P.I.N.s: 01-32-100-001 AND 01-32-101-004.

EXHIBIT "B"

RECOMMENDATION NO. 15-RC-0007

TO: The Honorable Mayor and City Council

SUBJECT: PC 15-03
Special uses for a construction and demolition debris recycling facility with outside activities, fuel sales and storage, and building material sales with outside storage in addition to a preliminary and final planned unit development
1655 Powis Road

DATE: May 5, 2015

DECISION: The motions to approve the special uses for a construction and demolition debris recycling facility with outside activities, fuel sales and storage, and building material sales with outside storage in addition to a preliminary and final planned unit development each unanimously passed with a (5-0) vote.

RECOMMENDATION

After review of the requested special uses for a construction and demolition debris recycling facility with outside activities, fuel sales and storage, and building material sales with outside storage in addition to a preliminary and final planned unit development, the Plan Commission/Zoning Board of Appeals (PC/ZBA) recommended approval of the special uses based on the flowing findings of fact and recommended approval of the preliminary and final planned unit development based on the following standards:

Special Use Findings of Fact:

(1) Is necessary for the public convenience at that location or, the case of existing nonconforming uses, a special use permit will make the use more compatible with its surroundings:

(This standard should be interpreted as indicating whether or not the proposed use is good for the public at that particular physical location, and not whether or not the use itself is needed there).

The proposed construction and demolition debris recycling facility with outside activities, fuel sales and storage, and building material sales and storage are uses that are best suited for an industrial area. The subject property is located within the City's primary industrial corridor and is compatible with the existing industrial uses that surround it.

(2) Is so designed, located and proposed to be operated that the public health, safety and welfare will be protected:

The use of the subject property is designed to protect the public health, safety and welfare by using berms, fencing and landscaping as a visual screen along the property's street frontage, stockpiling all of the bulk

materials in the central portion of the property, and enclosing the construction and demolition debris recycling sorting operations within the building.

(3) Will not cause substantial injury to the value of other property in the neighborhood in which it is located:

The proposed use of the subject property should not cause substantial injury to the value of other property in the neighborhood in which it is located because the uses are best suited for an industrial area and the subject property is located within the City's primary industrial corridor and is compatible with the existing industrial uses that surround it.

(4) The proposed special use is designated by this code as a listed special use in the zoning district in which the property in question is located:

The proposed construction and demolition debris recycling use will be listed as a special use per Section 11.2-4 (FF) of the Zoning Code, assuming the City Council approves the text amendment identified within this staff report.

PUD Standards:
Per Section 15.3 of the Zoning Ordinance: "...if the final plan and plat are, in the opinion of the Plan Commission, deemed to be sufficient in compliance with all applicable City ordinances and in substantial conformity with the approved preliminary plan and plat, they shall be approved by the Plan Commission and recommended to the City Council". The proposed final plan shows in detail the use of the subject property, landscaping and building elevations. Said use of the subject property is in compliance with all applicable City ordinances, subject to approval of the deviations requested in conjunction with the preliminary and final planned unit development.

Respectfully submitted,

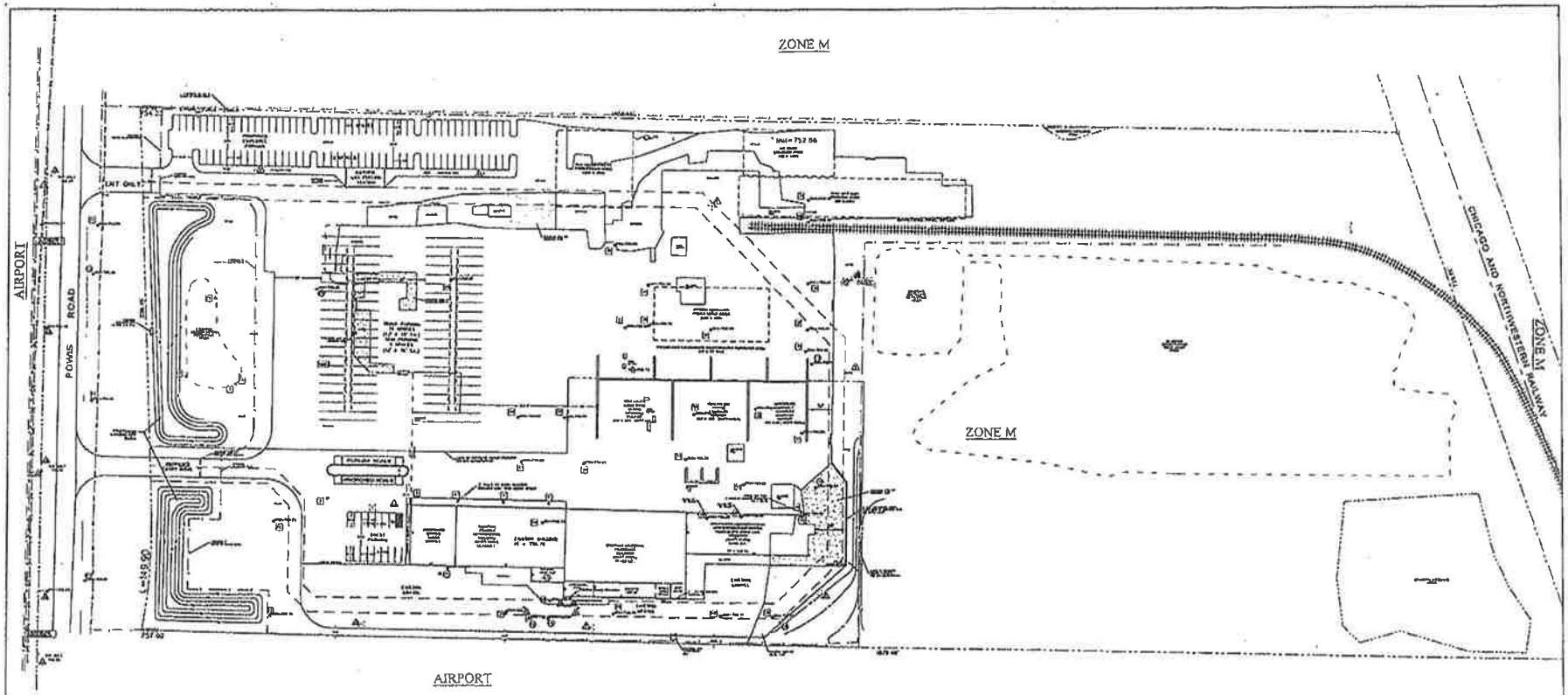
Robert Mireault
Vice Chairman

VOTE:

For	Against	Abstain	Absent
S. Hale			E. Van-der-Mey
B. Laimins			D. Faught
C. Dettmann			
M. Schafer			
R. Mireault			

EXHIBIT "C"

(insert the Site Plan here)



NOTES

1. ALL GRAVEL AREAS WILL BE PAVED WITH ASPHALT OVER A MAXIMUM OF A 4 YEAR PERIOD.

PARKING SPACES		
EMPLOYEE	90 SPACES	
TRUCK	70 TRUCK	4 SEMI
GUEST	14 SPACES	1 HANDICAP

SCALE IN FEET

TEBRUGGE ENGINEERING

NO	DATE	NOTES
1		

PREPARED FOR:
WEST DUPAGE RECYCLING & TRANSFER, INC
2351 POWIS RD, WEST CHICAGO

1655 POWIS ROAD SITE PLAN
FINAL PLAN

PROJECT NO M 323 01
SCALE 1" = 40'
DATE 1-

SHEET NO 1 OF 1 SHEETS

EXHIBIT "D"

(insert the Landscape Plan here)

REVISIONS	BY
04.03.19	

Dowden Landscape Design
P.O.Box 4115 Libertyville, IL 60048
Phone: (847) 362-1253
Email: dowdenlandco@sbcglobal.net

K. HOVING RECYCLING & DISPOSAL, INC.

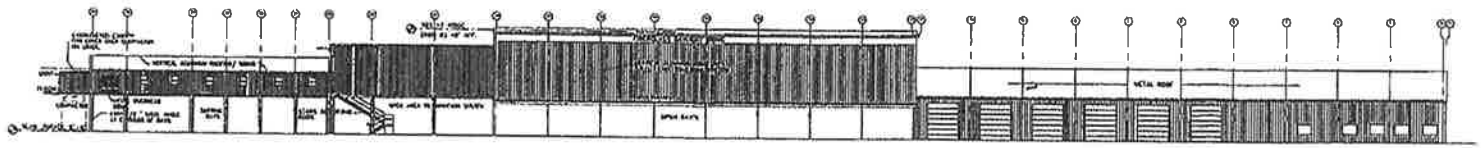
LANDSCAPE PLAN

1825 POWIS ROAD
WEST CHICAGO, ILLINOIS

Date	02.27.19
Scale	1"=20'
Drawn	CJD
Job	
Sheet	
Of	Sheets

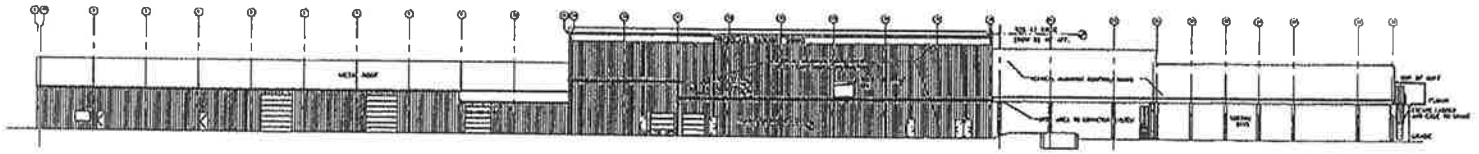
EXHIBIT "E"

(insert the Exterior Building Elevation Plan here)



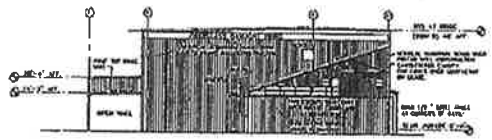
NORTH ELEVATION

SCALE: 1" = 20'-0"



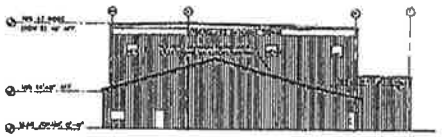
SOUTH ELEVATION

SCALE: 1" = 20'-0"



EAST ELEVATION

SCALE: 1" = 20'-0"



WEST ELEVATION

SCALE: 1" = 20'-0"

SCALE: 1" = 20'-0"

K. HOVING, INC
2352 POWIS RD.
WEST CHICAGO IL

NEW FACILITY FOR:
K. HOVING, INC
2352 POWIS RD.
WEST CHICAGO IL

STEVEN W. HANSEN, ARCHITECT
43W752 US HIGHWAY 30
SUGAR GROVE, IL
630.466.8021 - 60554

REV #	DATE	DESCRIPTION
1	2-11-2013	PRELIMINARY
2	2-21-2013	FINAL ELEVATIONS

PROJECT NO. 2412

A3.0

STATE OF ILLINOIS)
COUNTY OF DU PAGE)

CERTIFICATE

I, Nancy Smith, Certify that I am the duly elected and acting City Clerk of the City of West Chicago, DuPage County, Illinois.

I further certify that on May 18, 2015 the Corporate Authorities of such municipality passed and approved Ordinance No. 15-O-0019 entitled:

AN ORDINANCE APPROVING SPECIAL USE PERMITS FOR A CONSTRUCTION AND DEMOLITION DEBRIS RECYCLYING FACILITY, FUEL SALES AND STORAGE, BUILDING MATERIAL SALES WITH OUTSIDE STORAGE, AND A PRELIMINARY AND FINAL PLANNED UNIT DEVELOPMENT AT 1655 POWIS ROAD

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 15-O-0019 including the ordinance and a cover sheet hereof was prepared, and a copy of such ordinance posted in the municipal building, commencing on May 19, 2015 continuing for at least ten days thereafter. Copies of such ordinance were also available for public inspection upon request in the Office of the City Clerk.

Dated at West Chicago, Illinois, this 18th of May 2015.

SEAL

Nancy M. Smith

Nancy Smith, City Clerk

APPENDIX 2-B2

2020 ORDINANCE GRANTING AMENDED PLANNED UNIT DEVELOPMENT

CITY OF WEST CHICAGO

ORDINANCE NO. 20-O-0002

AN ORDINANCE APPROVING AN AMENDMENT TO THE PRELIMINARY AND FINAL PLANNED UNIT DEVELOPMENT FOR LAKESHORE RECYCLING SYSTEMS, LLC - 1655 POWIS ROAD

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF WEST CHICAGO
June 15, 2020

Published in pamphlet form by the authority of the City Council of the City of West Chicago, DuPage County, Illinois, on the 16th day of June, 2020.

ORDINANCE NO. 20-O-0002

AN ORDINANCE APPROVING AN AMENDMENT TO THE PRELIMINARY AND FINAL PLANNED UNIT DEVELOPMENT FOR LAKESHORE RECYCLING SYSTEMS, LLC - 1655 POWIS ROAD

WHEREAS, on or about June 20, 2019, Lakeshore Recycling Systems, LLC (the "APPLICANT"), filed an application for amendment to the Preliminary and Final Planned Unit Development plan for 1655 Powis Road, with respect to the property legally described on Exhibit "A" attached hereto and incorporated herein (the "SUBJECT PROPERTY"); and

WHEREAS, the corporate authorities of the City of West Chicago (the "CITY") approved the Preliminary and Final Planned Unit Development plan for the SUBJECT PROPERTY on May 18, 2015 according to Ordinance 15-O-0019; and

WHEREAS, Notice of Public Hearing on the proposed amendment to the Preliminary and Final Planned Unit Development of the SUBJECT PROPERTY was published in the Daily Herald on or about February 17, 2020, all as required by the ordinances of the CITY and the statutes of the State of Illinois; and

WHEREAS, a Public Hearing was conducted by the Plan Commission/Zoning Board of Appeals of the CITY, commencing on March 3, 2020, pursuant to said Notice; and

WHEREAS, at the Public Hearing, the APPLICANT provided testimony in support of its application, and all interested parties had an opportunity to be heard; and

WHEREAS, the corporate authorities of the CITY have received the recommendation of the Plan Commission/Zoning Board of appeals which contains specific findings of fact, pursuant to Recommendation No. 2020-RC-0001, a copy of which is attached hereto as Exhibit "B" which is, by this reference, incorporated herein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Chicago, DuPage County, Illinois, in regular session assembled, as follows:

Section 1. That this Ordinance shall constitute approval of the following documents with respect to the SUBJECT REALTY, copies of which are attached hereto as Exhibit "C", which are, by this reference, incorporated herein and consisting of:

A. The Final PUD Plan, consisting of one (1) sheet, prepared by CEC, Inc. dated April 2, 2019 with a final revision date of September 27, 2019.

B. The Site Plan (Sheets C201 and C202) prepared by CEC, Inc. dated April 2, 2019 with a final revision date of September 27, 2019.

C. The Final Landscape Plan (Sheets L1.0, L1.1, and L2.0) prepared by Kimley Horn and Associates dated May 1, 2019.

D. Building Elevations for Transfer Building Expansion, consisting of one (1) sheet, prepared by MJ Root Architects, dated October 4, 2018.

E. Building Elevation for Portable Toilet Building, consisting of one (1) sheet, prepared by MJ Root Architects, dated October 4, 2019.

F. Building Elevation for Fractions Building, consisting of one (1) sheet, prepared by MJ Roots Architects, dated October 4, 2019.

G. Bird Deterrent Wire Exhibit, consisting of one (1) sheet, prepared by CEC, Inc. dated February 27, 2020.

H. Bird Deterrent Wire Typical Section, consisting of one (1) sheet, dated stamped received February 27, 2020.

Section 2. That the documents referenced in Section 1 above shall supersede in all respects the documents approved in Section 4 of Ordinance 15-O-0019.

Section 3. All construction, use, operation, and maintenance of the SUBJECT PROPERTY shall be in substantial conformance with the documents listed above in Section 1 of this Ordinance, in addition to the terms and conditions set forth in Section 6 of this Ordinance.

Section 4. That the following deviations from the requirements of the City's Zoning Code previously approved by Ordinance 15-O-0019 are hereby reaffirmed and approved with respect to the SUBJECT PROPERTY:

A. A deviation from Section 11.2-2(C)(2) of the Zoning Code to reduce the minimum required side yard parking setback from fifteen (15) feet to nine (9) feet along the north lot line of the SUBJECT PROPERTY.

B. A deviation from Section 11.2-1(E) to allow the APPLICANT to construct and utilize multiple principal structures on the SUBJECT PROPERTY in compliance with all applicable building, fire and zoning and codes.

Section 5. That the following new deviations from the requirements of the City's Zoning Code of Ordinances are hereby granted with respect to the SUBJECT PROPERTY:

A. A deviation from Section 11.2-2(C)(6) to allow a transitional yard along the south property line as little as twenty-three (23) feet in lieu of the minimum required sixty (60) feet when adjacent to a business district.

B. A deviation from Section 14.9(A) to omit the two (2) required landscape islands on the east end of the two (2) proposed double parking rows located at the southwest corner of the property.

C. A deviation from Section 14.6(D) to omit the required curbing around the proposed parking area in the southwest corner of the property.

Section 6. That an amendment to the Preliminary and Final Planned Unit Development hereby granted subject to the following conditions, which are approved with respect to the SUBJECT PROPERTY:

A. The Conditions contained in Section 1 of Ordinance 05-O-0019 shall remain in full force and effect.

B. Bird deterrent wire shall be installed on the two detention ponds on the SUBJECT PROPERTY, in accordance with the plans attached hereto as Exhibit "C".

Section 7. That the recommendation and findings of fact of the Plan Commission/Zoning Board of Appeals previously incorporated herein as Exhibit "B" be and the same are hereby adopted as the findings of fact of the City Council.

Section 8. That all ordinances and resolutions, or parts thereof, shall, to the extend not expressly modified by the terms and conditions of this Ordinance, remain in full force and effect as therein provided.

Section 9. That this Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 15th day of June, 2020.

Alderman Beifuss	Nay	Alderman Chassee	Aye
Alderman Sheehan	Aye	Alderman Brown	Aye
Alderman Hallett	Aye	Alderman Ferguson	Aye
Alderman Birch-Ferguson	Aye	Alderman Dimas	Aye
Alderman Swiatek	Aye	Alderman Garling	Nay
Alderman Stout	Aye	Alderman Short	Aye
Alderman Ligino-Kubinksi	Aye	Alderman Jakabcsin	Aye

APPROVED as to form: _____
City Attorney

APPROVED THIS 15th day of June, 2020.

_____
Mayor Ruben Pineda

ATTEST:

Nancy M. Smith
City Clerk Nancy M. Smith

EXHIBIT "A"

THAT PART OF THE NORTH 1/2 OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS, TO WIT.

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 32; THENCE NORTH 88 DEGREES 56 MINUTES 37 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION 32, A DISTANCE OF 1331.65 FEET TO THE NORTH AND SOUTH DIVIDING LINE OF THE NORTHWEST 1/4 OF SAID SECTION 32; THENCE SOUTH 00 DEGREES 36 MINUTES 17 SECONDS WEST ALONG SAID DIVIDING LINE, A DISTANCE OF 500.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO THE DEFENSE PLANT CORPORATION BY DEED RECORDED IN BOOK 390 OF DEEDS ON PAGE 81 IN THE OFFICE OF THE DUPAGE COUNTY RECORDER; THENCE CONTINUING SOUTH 00 DEGREES 36 MINUTES 17 SECONDS WEST ALONG SAID DIVIDING LINE, A DISTANCE OF 685.0 FEET TO THE SOUTHWEST CORNER OF THE TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED RECORDED FEBRUARY 6, 2001 AS DOCUMENT NO. R2001-020758; THENCE NORTH 89 DEGREES 32 MINUTES 15 SECONDS EAST ALONG THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 103.80 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 32 MINUTES 15 SECONDS EAST, ALONG SAID SOUTH LINE (SAID LINE BEING PARALLEL WITH THE SOUTH LINE OF SAID DEFENSE PLANT CORPORATION TRACT), A DISTANCE OF 1880.12 FEET TO THE WESTERLY RIGHT OF WAY LINE FOR THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 20 DEGREES 30 MINUTES 46 SECONDS WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 729.01 FEET TO THE SOUTHEAST CORNER OF SAID DEFENSE PLANT CORPORATION TRACT, THENCE SOUTH 89 DEGREES 32 MINUTES 15 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1650.66 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF POWIS ROAD PER DOCUMENT NO. R2003-146376, SAID POINT ALSO BEING 81.96 FEET EAST OF THE SOUTHWEST CORNER OF SAID DEFENSE PLANT CORPORATION; THENCE SOUTH 2 DEGREES 29 MINUTES 05 SECONDS WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 536.49 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY, ALONG SAID EASTERLY RIGHT OF WAY LINE BEING THE ARC OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 739.00 FEET AND WHOSE CHORD HAS A BEARING OF SOUTH 3 DEGREES 47 MINUTES 33 SECONDS WEST, AN ARC DISTANCE OF 149.66 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

Tax ID Numbers: 01-32-101-004 and 01-32-200-001

EXHIBIT "B"

RECOMMENDATION NO. 2020-RC-0001

TO: Honorable Mayor and City Council

SUBJECT: PC 19-16
Amendment to the Preliminary and Final Planned Unit Development Plan of 1655 Powis Road for Lakeshore Recycling Systems, LLC

DATE: March 3, 2020

DECISION: The Plan Commission/Zoning Board of Appeals (4-0 vote) recommended approval of the request.

RECOMMENDATION:

After holding a public hearing and after review of the requested amendment to the preliminary and final PUD of 1655 Powis Road, the Plan Commission/Zoning Board of Appeals (PC/ZBA) recommended approval, subject to the following conditions:

1. The site shall be developed in substantial compliance with the following plans:
   A. The Final PUD Plan, consisting of one (1) sheet, prepared by CEC, Inc. dated April 2, 2019 with a final revision date of September 27, 2019.
   B. The Site Plan (Sheets C201 and C202) prepared by CEC, Inc. dated April 2, 2019 with a final revision date of September 27, 2019.
   C. The Final Landscape Plan (Sheets L1.0, L1.1, and L2.0) prepared by Kimely Horn and Associates dated May 1, 2019.
   D. Building Elevations for Transfer Building Expansion, consisting of one (1) sheet, prepared by MJ Root Architects, dated October 4, 2018.
   E. Building Elevation for Portable Toilet Building, consisting of one (1) sheet, prepared by MJ Root Architects, dated October 4, 2019.
   F. Building Elevation for Fractions Building, consisting of one (1) sheet, prepared by MJ Roots Architects, dated October 4, 2019.
   G. Bird Deterrent Wire Exhibit, consisting of one (1) sheet, prepared by CEC, Inc. dated February 27, 2020.
   H. Bird Deterrent Wire Typical Section, consisting of one (1) sheet, dated stamped received February 27, 2020.
2. The Conditions contained in Section 1 of Ordinance 05-O-0019 shall remain in full force and effect.
3. Bird deterrent wire shall be installed on the detention ponds in substantial compliance with the Bird Deterrent Wire Section Profile Plan.

The recommendation is based on the following findings of fact:

1. *In what respects the proposed plan is consistent with the comprehensive plan and the stated purpose and intent of the PUD regulations:*

   The proposed plan is designed to be compatible with the City's Comprehensive Plan which contemplates Industrial for this area. The amendment to the PUD for the construction of a additional structure, as well as additions to existing structure, is in keeping with the intent of the PUD to use the facility as a CCDD with outside storage.

2. *The extent to which the proposed plan meets the requirements and standards of the PUD regulations:*

   The petitioner has provided documentation indicating the proposed plan meets all of the necessary requirements and standards of the PUD regulations as defined in Section 15 of the West Chicago Zoning Ordinance. City staff has reviewed the plans and documents for the proposal and determined that it adequately addresses the standards.

3. *The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property including, but not limited to, the density, dimension, area, bulk and use and the reasons why such departures are deemed to be in the public interest:*

   A limited number of zoning deviations are being sought and have little impact on the surrounding area. The deviations related to the parking lot islands and curbing around the parking area will not have a detrimental effect on either the subject property or the surrounding properties and are consistent with the previously approved plan from 2015. The reduction in the required transitional yard along the south property line will have little impact on the adjacent property. The property to the south is owned by the DuPage Airport Authority and is a decommissioned landfill with minimal potential uses.

4. *The method by which the proposed plan makes adequate provision for public services, provides adequate control over vehicular traffic, provides for and protects designated common open space and furthers amenities of light and air, recreation and visual enjoyment:*

   The proposed plan adequately addresses existing and proposed vehicular use areas and will not affect the existing access on Powis Road. The petitioner has taken steps to ensure the existing wetlands on the east portion of the property will not be impacted by the proposed changes. Required modifications will be made to the stormwater management area to accommodate the increase in the amount of hard surfaces on the property.

5. *The relationship and compatibility of the proposed plan to the adjacent properties and neighborhood:*

   The proposed plan is consistent with other uses and properties in the area. The Powis Road corridor is entirely industrial with manufacturing uses on the east side of the roadway and the DuPage Airport on the west side.

6. *The desirability of the proposed plan as regards physical development, tax base and economic well-being of the City:*

The proposed plan is designed to enhance the existing operation. This type of use is logical for a former brownfield site located on a roadway corridor consisting of industrial uses.

Respectfully submitted,

Steve Hale
Acting Chairperson

VOTE:

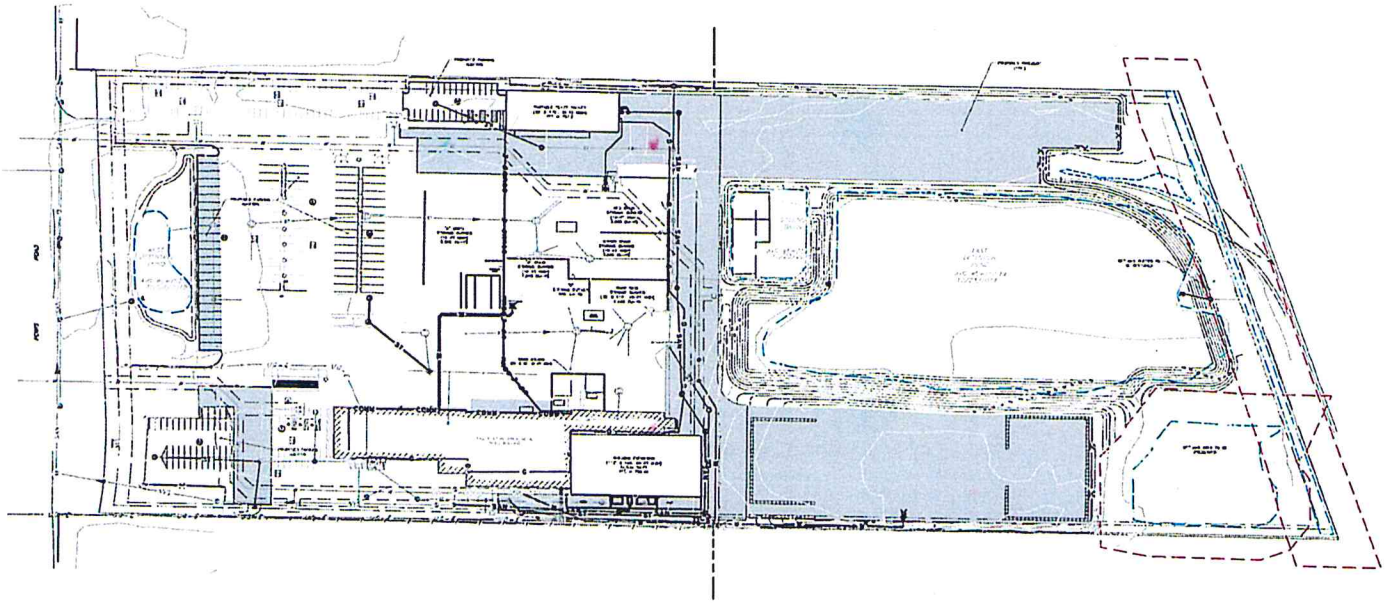
For	**Against**	**Abstain**	**Absent**
Hale			Devitt
Kasprak			Faught
Henkin			Laimins
Dettman			

EXHIBIT "C"

Final PUD Plan, Site Plan, Final Landscape Plan, Building Elevations, Bird Deterrent Wire Exhibit, Bird Deterrent Wire Typical Section

EXHIBIT "C"
1 of 11

NORTH



NOTES

SCALE IN FEET
0 60 120

REVISION RECORD

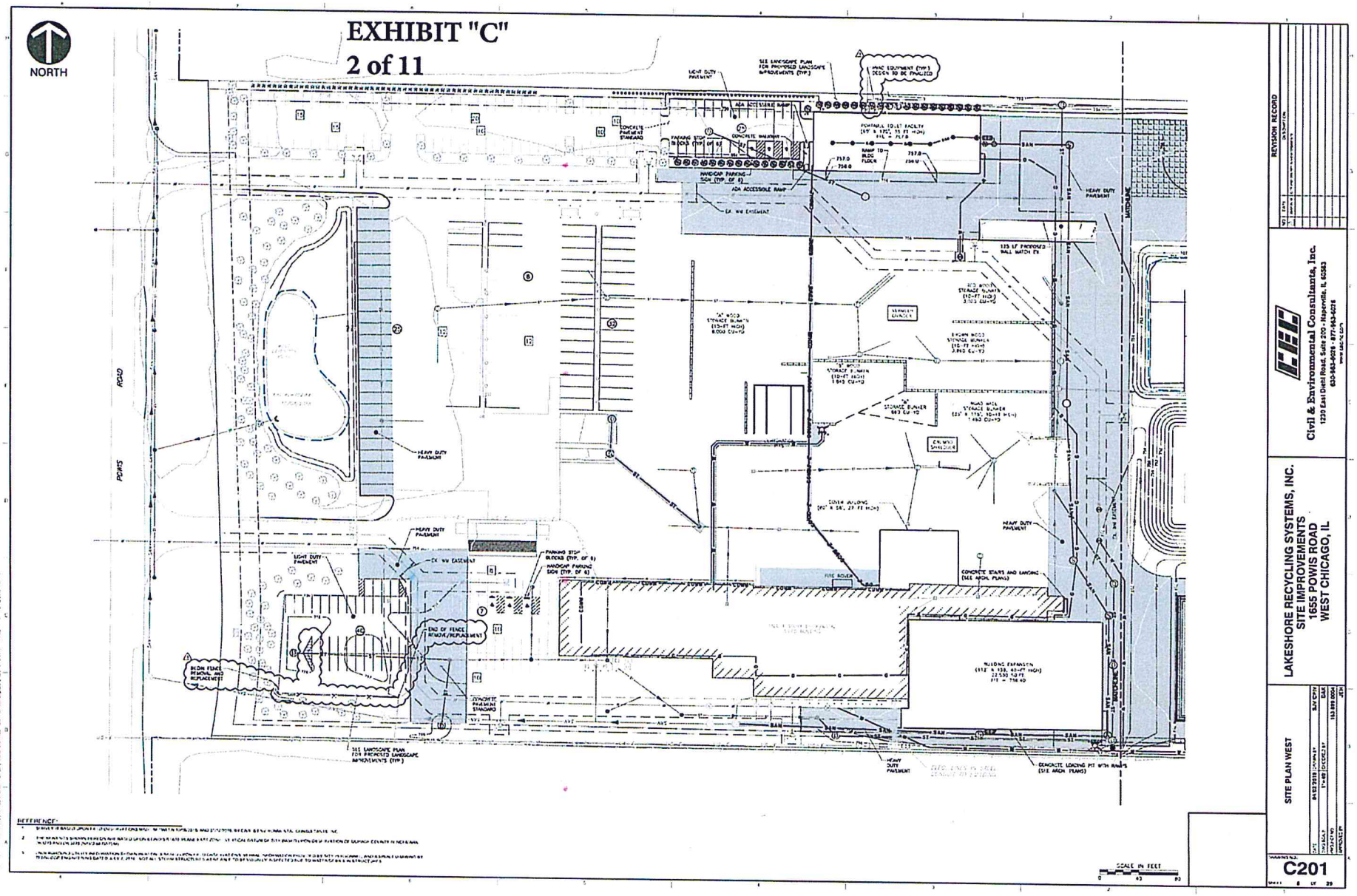
Civil & Environmental Consultants, Inc.
535 Butterfield Road, Suite 200 - Lombard, IL 60148
630-963-6026 • 877-963-4278

LAKESHORE RECYCLING SYSTEMS, INC.
SITE IMPROVEMENTS
1655 POWIS ROAD
WEST CHICAGO, IL

FINAL SITE PLAN

DRAWING NO.
1

EXHIBIT "C"
2 of 11



REFERENCE:

1. SURVEY BASED UPON A SURVEY BY [illegible] AND STAMPED BY GARY R. WEBER AND ASSOCIATES, INC.
2. FOR MORE DETAILED INFORMATION ON THE SITE PLAN, SEE SHEET C101.
3. [illegible]

REVISION RECORD

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		

CEC

Civil & Environmental Consultants, Inc.
1230 East Diehl Road, Suite 200 - Naperville, IL 60563
630-963-6026 - 877-963-4274
www.cecinc.com

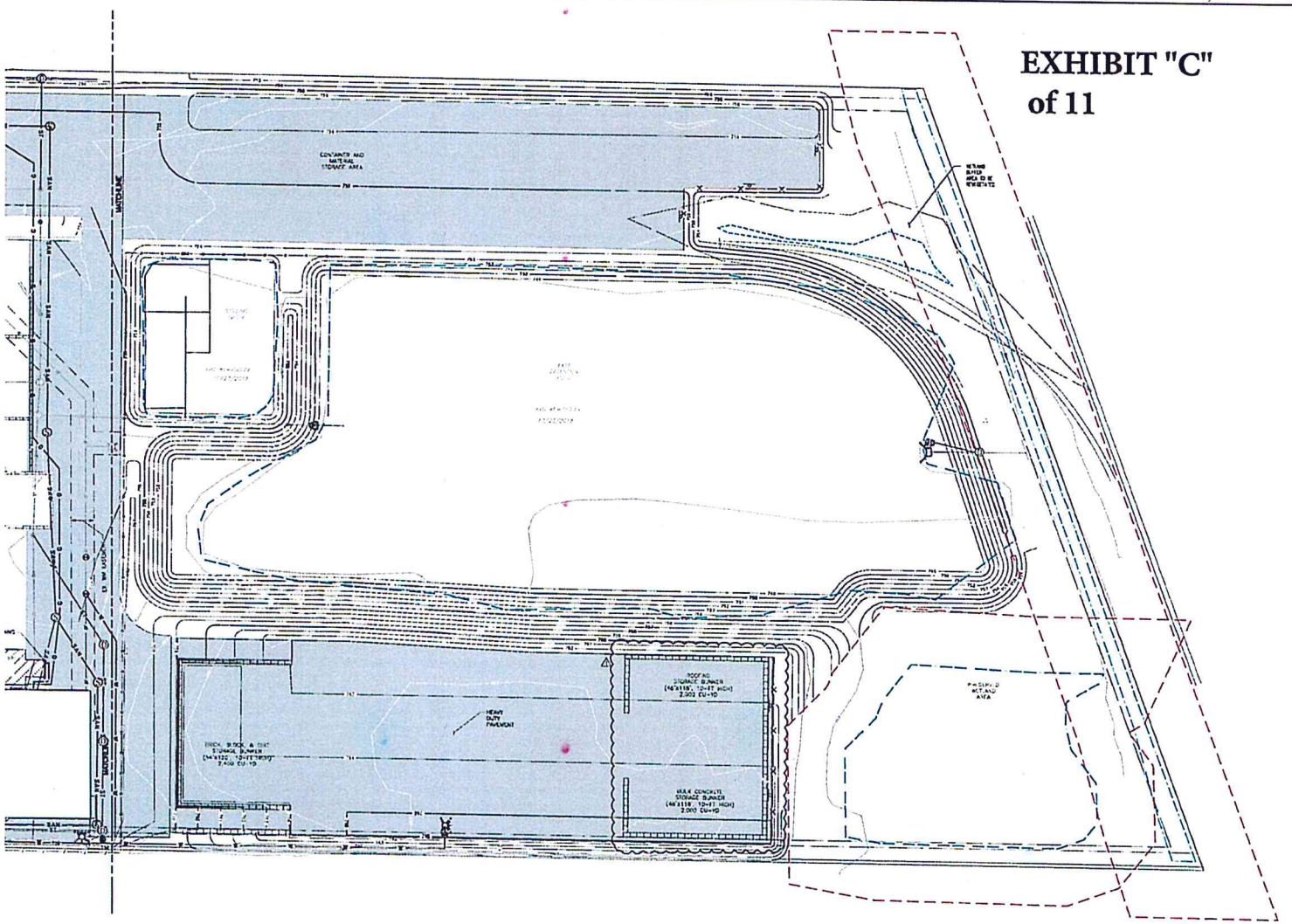
LAKESHORE RECYCLING SYSTEMS, INC.
SITE IMPROVEMENTS
1655 POWIS ROAD
WEST CHICAGO, IL

SITE PLAN WEST

DATE	DRAWN BY
04/02/2018	BJP/DPH
5/14/2018	BJP
PROJECT NO.	183 899 0004
APPROVED BY	JSH

SHEET NO.
C201

EXHIBIT "C"
of 11



REFERENCE:

1. SURVEY BASED UPON FIELD WORK PERFORMED BY WHITE SURVEYING AND UTILITIES BY CEMCON, LTD. AND CIVIL & ENVIRONMENTAL CONSULTANTS, INC.
2. THE WATER SHOWN HEREON ARE BASED UPON STATE PLANE EAST ZONE - VERTICAL DATUM OF SITE WAS TAKEN FROM DESIGNATION OF BENCH MARKS IN ATTENTION WITH PROJECTION.
3. INFORMATION UTILITIES INFORMATION SHOWN ON THIS SURVEY IS BASED UPON FIELD SURVEY, SOME INFORMATION PROVIDED BY SITE REVIEW ... AND AS-BUILT DRAWINGS OF THE EXISTING BUILDINGS DATED JULY 7, 2010. NOT ALL STORM STRUCTURES MAY ARE NOT TO BE VISUALLY INSPECTED DUE TO RAINFALL & INTENSITY LIMITS.

REVISION RECORD

NO	DATE	DESCRIPTION
1		

CEC
Civil & Environmental Consultants, Inc.
1230 East Diehl Road, Suite 200 - Naperville, IL 60563
630-963-4028 - 877-963-4028
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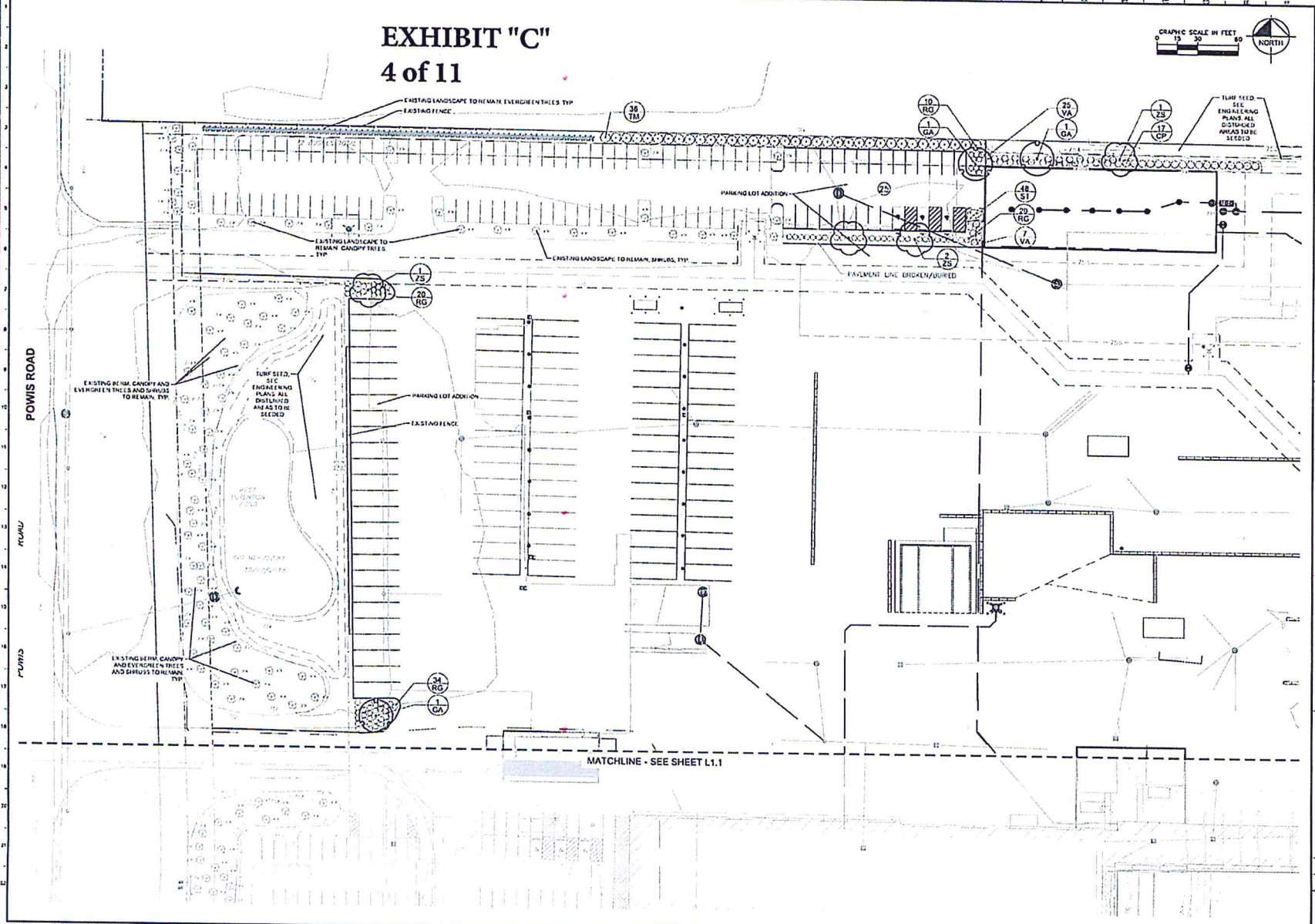
LAKESHORE RECYCLING SYSTEMS, INC.
SITE IMPROVEMENTS
1655 POWIS ROAD
WEST CHICAGO, IL

SITE PLAN EAST

DATE:	04/02/2010
DRAWN BY:	SJY CHK
CHECKED:	BJK
SCALE:	1" = 60'
PROJECT NO:	163.009.0004
APPROVED BY:	JEH

DRAWING NO.
C202
SHEET 8 OF 29

EXHIBIT "C"
4 of 11



Kimley»Horn

FEC Civil & Environmental Consultants, Inc.

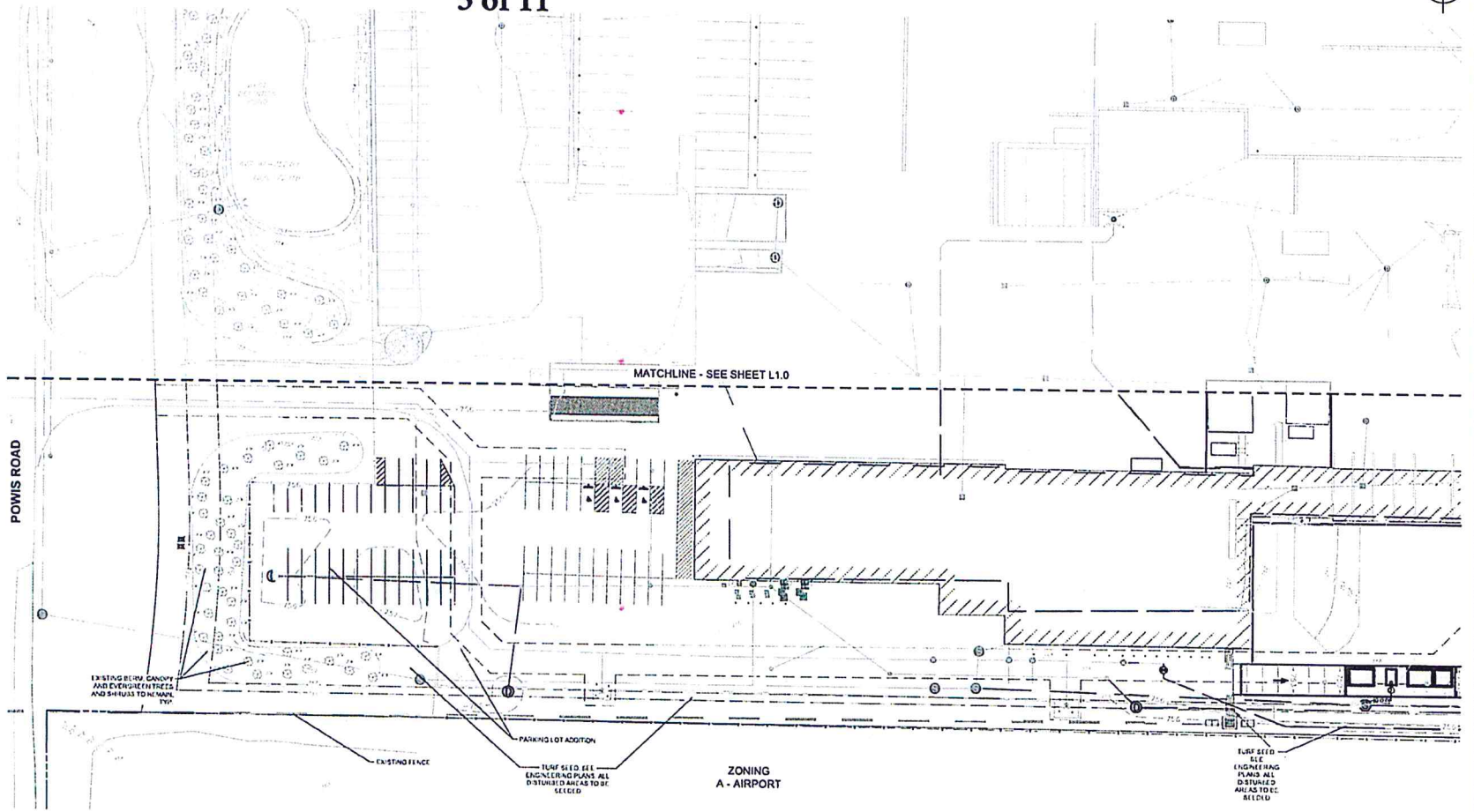
FINAL LANDSCAPE PLAN

LAKESHORE RECYCLING SYSTEMS, INC.
SITE IMPROVEMENTS
1555 POWIS ROAD WEST OF CASS, IL

ORIGINAL ISSUE: 03/01/2019
KHA PROJECT NO. 168791000

SHEET NUMBER
L1.0

EXHIBIT "C"
5 of 11



Kimley»Horn

FINAL LANDSCAPE PLAN

LAKESHORE RECYCLING SYSTEMS, INC.
SITE IMPROVEMENTS
1555 POWIS ROAD WEST CHICAGO, IL

ORIGINAL ISSUE: 03/01/2019
KHA PROJECT NO. 168795008

SHEET NUMBER
L1.1

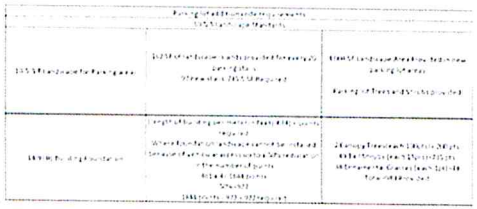
EXHIBIT "C"
6 of 11

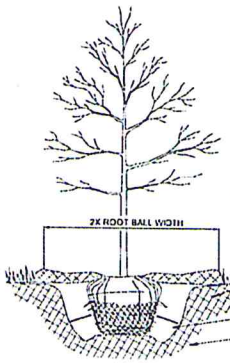
PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	SIZE
	GA	3	GINKGO BILOBA 'AUTUMN GOLD' TM	MAIDENHAIR TREE	B & B	3" CAL MIN	
	ZS	4	ZELKOVA SERRATA	SAWLEAF ZELKOVA	B & B	3" CAL MIN	
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPACING	SIZE
	RG	93	RHUS AROMATICA 'GRO LOW'	GRO LOW FRAGRANT SUMAC	-	SEE PLAN	18" HT MIN
	VA	32	VIBURNUM DENTATUM 'CHRISTOM'	BLUE MOLDEN VIBURNUM	-	SEE PLAN	36" HT MIN
EVERGREEN	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPACING	SIZE
	CP	17	CHAMAECYPARIS PISIFERA 'BOULEVARD'	DWARF BLUE CYPRESS	-	SEE PLAN	60" HT MIN
	TM	36	THUJA OCCIDENTALIS 'MISSON'	MISSION ARBORVITAE	B & B	SEE PLAN	6' HT MIN
GRASSES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SPACING		
	ST	48	SPOROBOLUS HETEROLEPIS 'TARA'	PRAIRIE DROPSEED	18" o.c.		

LANDSCAPE NOTES

1. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLING MATERIALS AND PLANTS SHOWN ON THE LANDSCAPE PLAN. THE CONTRACTOR IS RESPONSIBLE FOR THE COST TO REPAIR UTILITIES, ADJACENT LANDSCAPE, PUBLIC AND PRIVATE PROPERTY THAT IS DAMAGED BY THE CONTRACTOR OR THEIR SUBCONTRACTOR'S OPERATIONS DURING INSTALLATION OR DURING THE SPECIFIED MAINTENANCE PERIOD. CALL FOR UTILITY LOCATIONS PRIOR TO ANY EXCAVATION.
2. THE CONTRACTOR SHALL REPORT ANY DISCREPANCY IN PLAN VS. FIELD CONDITIONS IMMEDIATELY TO THE LANDSCAPE ARCHITECT, PRIOR TO CONTINUING WITH THAT PORTION OF WORK.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR OF ANY OF THEIR TRENCHES OR EXCAVATIONS THAT SETTLE.
4. ALL NURSERY STOCK SHALL BE WELL BRANCHED, HEALTHY, FULL, PRE-INOCULATED AND FERTILIZED. DECIDUOUS TREES SHALL BE FREE OF FRESH SCARS. TRUNKS WILL BE WRAPPED IF NECESSARY TO PREVENT SUN SCALD AND INSECT DAMAGE. THE LANDSCAPE CONTRACTOR SHALL REMOVE THE WRAP AT THE PROPER TIME AS A PART OF THIS CONTRACT.
5. ALL NURSERY STOCK SHALL BE GUARANTEED, BY THE CONTRACTOR, FOR ONE YEAR FROM DATE OF FINAL INSPECTION.
6. AMENDED SOIL SHALL BE PROVIDED AND GRADED BY THE GENERAL CONTRACTOR UP TO 6 INCHES BELOW FINISHED GRADE IN TURF AREAS AND 18 INCHES IN PLANTING AREAS.
7. PLANTING AREA SOIL SHALL BE AMENDED WITH 25% SPHANGUM PEAT MOSS, 5% HUMUS AND 65% PULVERIZED SOIL FOR ALL SHRUB, ORNAMENTAL GRASS, PERENNIAL AND ANNUAL BEDS. AMENDED TURF AREA SOIL SHALL BE STANDARD TOPSOIL.
8. SEED/SOD LIMIT LINES ARE APPROXIMATE. CONTRACTOR SHALL SEED/SOD ALL AREAS WHICH ARE DISTURBED BY GRADING WITH THE SPECIFIED SEED/SOD MIXES.
9. CONTRACTOR SHALL INSTALL SHREDDED HARDWOOD MULCH AT A 3" DEPTH TO ALL TREES, SHRUB, PERENNIAL, AND GROUNDCOVER AREAS. TREES PLACED IN AREA COVERED BY TURF SHALL RECEIVE A 4 FT WIDE MAXIMUM TREE RING WITH 3" DEPTH SHREDDED HARDWOOD MULCH. A SPADED BED EDGE SHALL SEPARATE MULCH BEDS FROM TURF OR SEEDED AREAS. A SPADED EDGE IS NOT REQUIRED ALONG CURBED EDGES.
10. WEED FABRIC SHALL ONLY BE APPLIED UNDER DECORATIVE STONE APPLICATIONS.
11. INSTALLATION OF TREES WITHIN PARKWAYS SHALL BE COORDINATED IN THE FIELD WITH LOCATIONS OF UNDERGROUND UTILITIES. TREES SHALL NOT BE LOCATED CLOSER THAN 5' FROM UNDERGROUND UTILITY LINES AND NO CLOSER THAN 15' FROM UTILITY STRUCTURES. SHRUBS SHALL NOT BE LOCATED CLOSER THAN 10 FEET FROM UTILITY STRUCTURE. PERENNIALS SHALL NOT BE LOCATED CLOSER THAN 5 FEET FROM UTILITY STRUCTURE.
12. DO NOT DISTURB THE EXISTING PAVING, LIGHTING, OR LANDSCAPING THAT EXISTS ADJACENT TO THE SITE UNLESS OTHERWISE NOTED ON PLAN.
13. PLANT QUANTITIES SHOWN ARE FOR THE CONVENIENCE OF THE OWNER AND JURISDICTIONAL REVIEW AGENCIES. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL PLANT QUANTITIES AS DRAWN.
14. THE OWNER'S REPRESENTATIVE MAY REJECT ANY PLANT MATERIALS THAT ARE DISEASED, DEFORMED, OR OTHERWISE NOT EXHIBITING SUPERIOR QUALITY.
15. THE CONTINUED MAINTENANCE OF ALL REQUIRED LANDSCAPING SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE PROPERTY ON WHICH SAID MATERIALS ARE REQUIRED. ALL PLANT MATERIALS REQUIRED BY THIS SECTION SHALL BE MAINTAINED AS LIVING VEGETATION AND SHALL BE PROMPTLY REPLACED IF THE PLANT MATERIAL HAS DIED PRIOR TO FINAL ACCEPTANCE. PLANTING AREAS SHALL BE KEPT FREE OF TRASH, LITTER, AND WEEDS AT ALL TIMES.
16. PLANTING INSTALLATION DETAILS AND ALL PLANT SIZES AND CONDITIONS SHALL CONFORM TO THE AMERICAN STANDARDS FOR NURSERY STOCK LATEST EDITION.

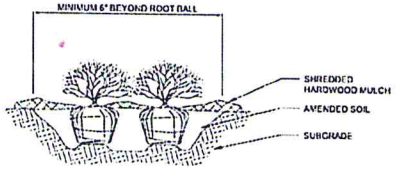




NOTES:

1. INSPECT TREE FOR DAMAGED BRANCHES, APPLY CORRECTIVE PRUNING.
2. SET ROOT BALL ON UNEXCAVATED OR TAMPED SOIL. TOP OF ROOTBALL SHALL BE TWO INCHES ABOVE SURROUNDING GRADE WITH BURLAP AND WIRE BASKET INTACT.
3. REMOVE WIRE BASKET AND BURLAP DOWN FOUR TO SIX INCHES BELOW TOP OF ROOT BALL. REMOVE ALL TWINE AND (IF USED), SYNTHETIC MATERIAL. REMOVE OR CORRECT GIRDLING ROOTS.
4. TAMP EXCAVATED SOIL AROUND BASE OF ROOTBALL.
5. BACKFILL REMAINDER EXCAVATED SOIL TAMPED LIGHTLY. HIGH CLAY OR POOR SOIL SHALL RECEIVE SOIL AMENDMENT PER LANDSCAPE NOTES.
6. WATER THOROUGHLY WITHIN TWO HOURS USING 10 TO 15 GALLONS OF WATER.
7. APPLY MULCH IN EVEN LAYER, KEEPING AWAY FROM ROOT FLARE.
8. FINAL LOCATION OF TREE TO BE APPROVED BY OWNER.

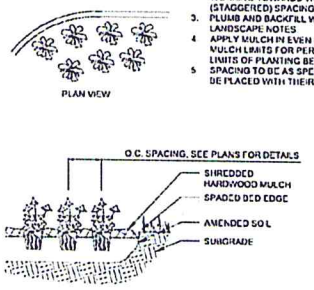
① TREE PLANTING — NTS



NOTES:

1. APPLY CORRECTIVE PRUNING.
2. SET ROOT BALL OR CONTAINER ON UNEXCAVATED OR TAMPED SOIL. TOP OF ROOTBALL (CONTAINER) SHALL BE ONE INCH ABOVE SURROUNDING GRADE. FOR LARGER SHRUBS WITHIN PLANTING BED DIG A DEEPER PIT ONLY FOR THOSE SHRUBS.
3. REMOVE BURLAP FROM TOP HALF THE LENGTH OF ROOTBALL. TWINE AND (IF USED) SYNTHETIC MATERIAL SHALL BE REMOVED FROM PLANTING BED. FOR CONTAINER GROWN SHRUBS, REMOVE CONTAINER AND LOOSEN ROOTS PRIOR TO INSTALLATION.
4. REMOVE OR CORRECT GIRDLING ROOTS.
5. PLUMB AND BACKFILL WITH AMENDED SOIL PER LANDSCAPE NOTES. WATER THOROUGHLY WITHIN TWO HOURS.
6. APPLY MULCH IN EVEN LAYER, KEEPING AWAY FROM ROOT FLARE. MULCH LIMITS FOR SHRUBS EXTEND TO ALL LIMITS OF PLANTING BED, SEE PLANS FOR BED LAYOUTS.

② SHRUB PLANTING — NTS



NOTES

1. EXCAVATE PLANTING BED.
2. BED HEIGHT IS TO BE 2" ABOVE FINISH GRADE AND WELL DRAINED.
3. REMOVE CONTAINER, SCORE SOIL MASS TO REDIRECT AND PREVENT CIRCLING ROOTS. CORRECT CIRCLING ROOTS.
2. PLANT MATERIAL SHALL BE LAID OUT BY FOLLOWING THE BED EDGE, WORKING TOWARDS THE CENTER OF THE BED USING TRIANGULAR (STAGGERED) SPACING AS PLAUSIBLE.
3. PLUMB AND BACKFILL WITH PLANTING MIX AS SPECIFIED IN LANDSCAPE NOTES.
4. APPLY MULCH IN EVEN LAYER, KEEPING AWAY FROM ROOT FLARE. MULCH LIMITS FOR PERENNIALS/GROUNDCOVER EXTEND TO ALL LIMITS OF PLANTING BED, SEE PLANS FOR BED LAYOUTS.
5. SPACING TO BE AS SPECIFIED IN THE PLANT LIST. PERENNIALS SHALL BE PLACED WITH THEIR CENTER 24" FROM EDGE OF BED.

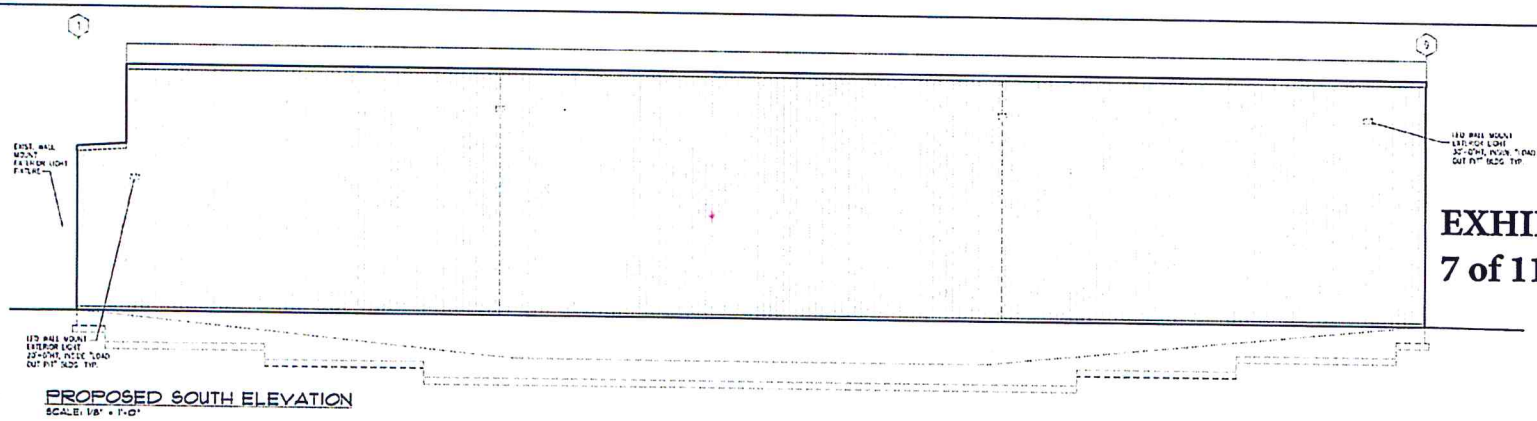
③ PERENNIAL PLANTING — NTS

Kimley»Horn

LANDSCAPE NOTES AND DETAILS

LAKESHORE RECYCLING SYSTEMS, INC.
SITE IMPROVEMENTS
1555 PEOTA ROAD WEST OF CASCO, IL

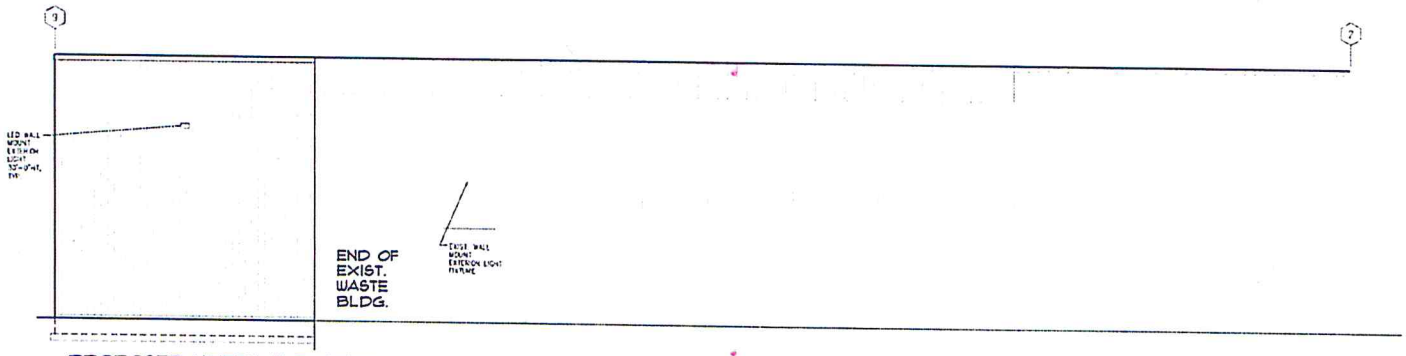
ORIGINAL ISSUE: 03/01/2019
KHA PROJECT NO. 168765000
SHEET NUMBER
L2.0



PROPOSED SOUTH ELEVATION

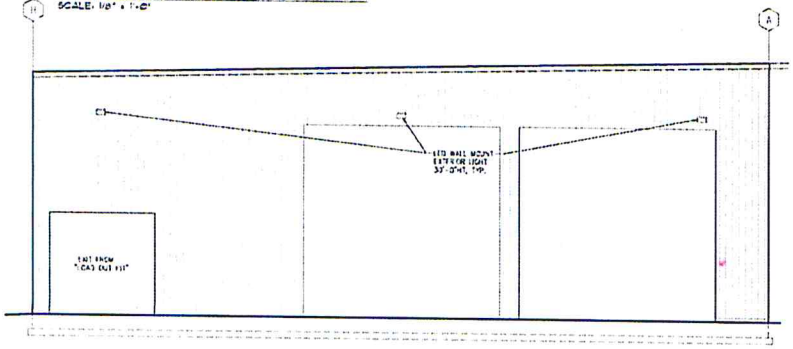
SCALE: 1/8" = 1'-0"

EXHIBIT "C"
7 of 11



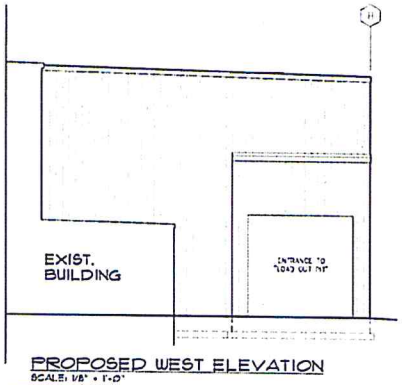
PROPOSED NORTH ELEVATION

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



PROPOSED EAST ELEVATION

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



PROPOSED WEST ELEVATION

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

10/4/19

11/30/20

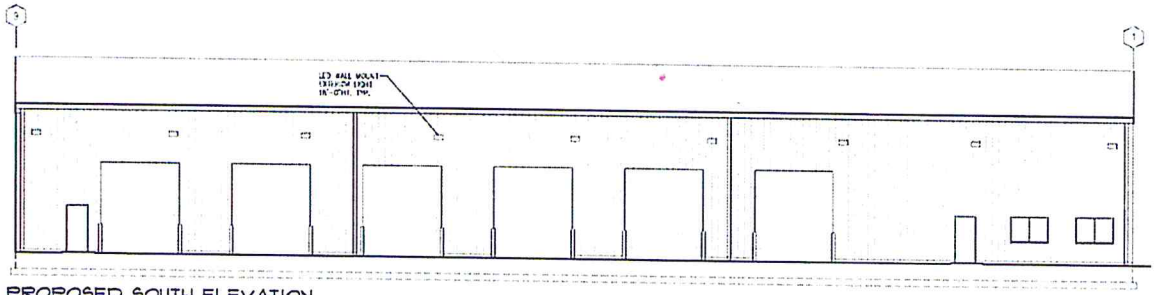
Lakeshore Recycling Systems
TRANSFER EXPANSION BUILDING
1615 POAYS RD. WEST CHICAGO, IL 60185

m.j.root • architect

DATE: OCT. 4, 2019

DRAWING 3

EXHIBIT "C"
8 of 11



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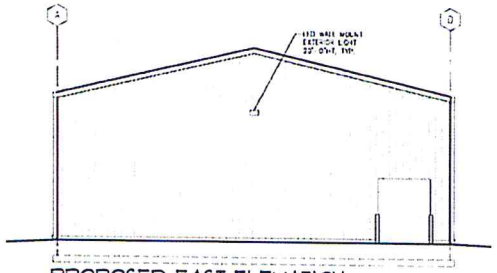
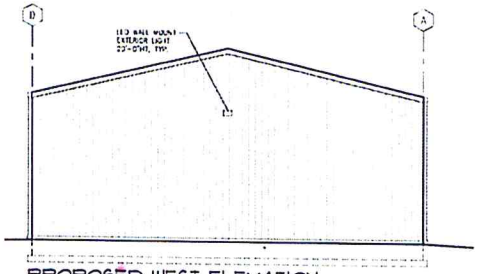
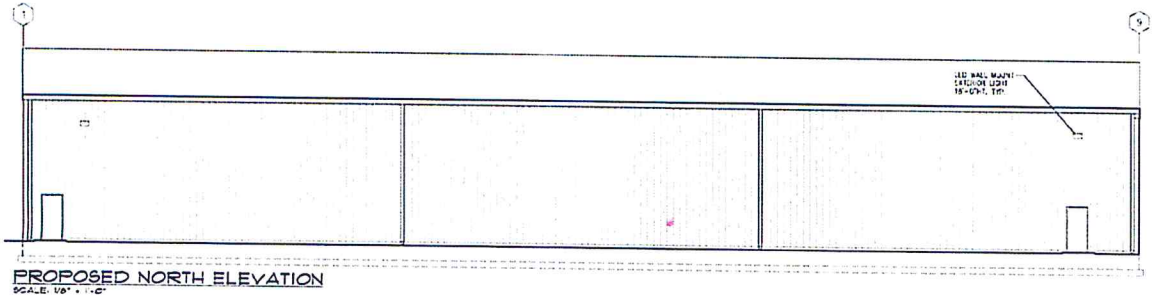


PROPOSED EAST ELEVATION
SCALE: 1/8" = 1'-0"



PROPOSED WEST ELEVATION
SCALE: 1/8" = 1'-0"



PROPOSED NORTH ELEVATION
SCALE: 1/8" = 1'-0"

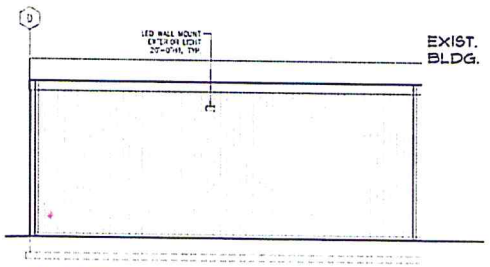
10/4/19
11/30/20

Lakeshore Recycling Systems
PORTABLE TOILET BUILDING
1435 POWIS RD. WEST CHICAGO, IL 60185

m.j.root • architect
321 center rd. Frankfort, Illinois 60423 815-464-0777

Date: OCT. 4, 2019
Revised
Drawing 3

EXHIBIT "C"
9 of 11



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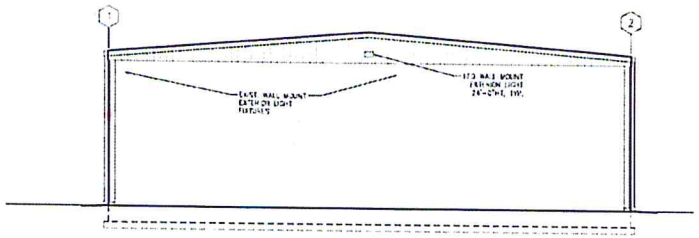
SCALE: 1/8" = 1'-0"



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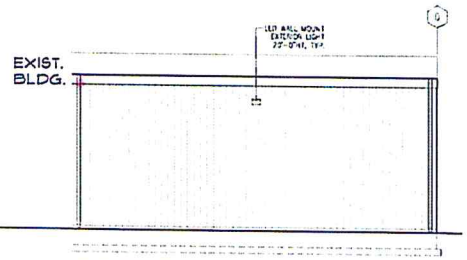
SCALE: 1/8" = 1'-0"

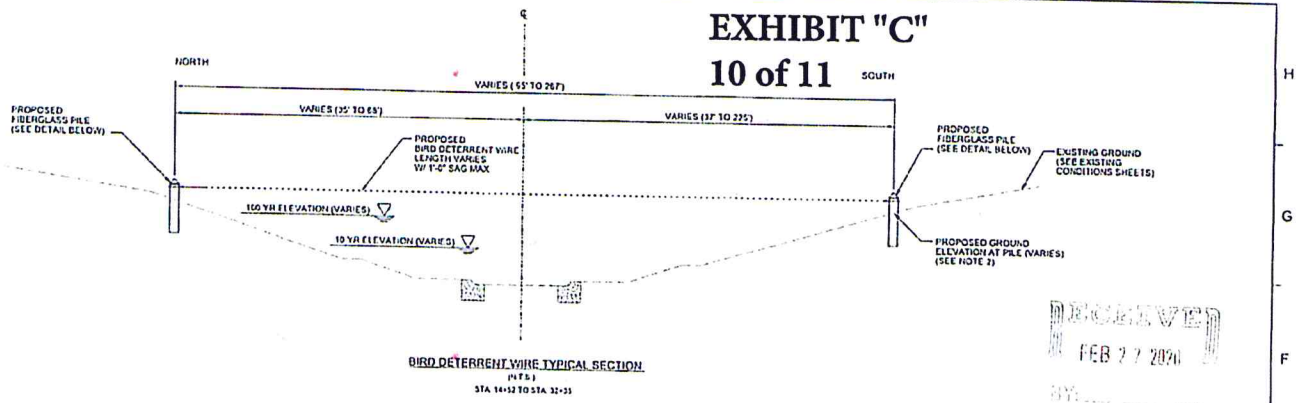


PROPOSED EAST ELEVATION
SCALE: 1/8" = 1'-0"

10/4/19
11/30/20

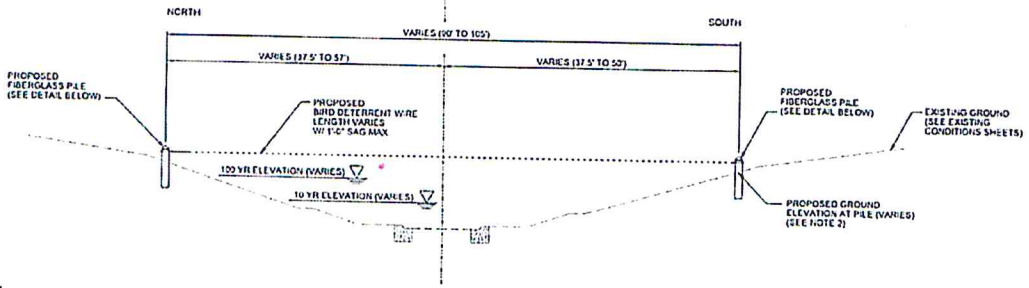
Lakeshore Recycling Systems
FRACTIONS BUILDING
m.j.root • architect
OCT. 4, 2019
3

EXHIBIT "C"
10 of 11

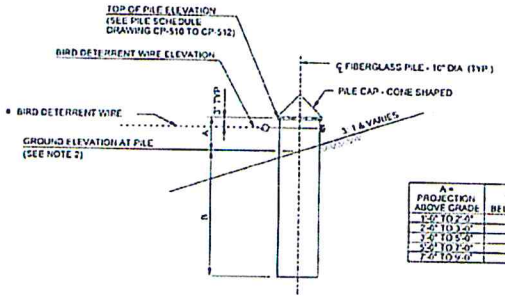


BIRD DETERRENT WIRE TYPICAL SECTION
(NTS)
STA 14+52 TO STA 32+35

RECEIVED
FEB 27 2020
BY:



BIRD DETERRENT WIRE TYPICAL SECTION
(NTS)
STA 77+12 TO STA 93+19



FIBERGLASS PILE DETAIL
(NTS)

A* PROJECTION ABOVE GRADE	B* DEPTH BELOW GRADE
1'-0" TO 2'-0"	4'-0"
2'-0" TO 3'-0"	5'-0"
3'-0" TO 5'-0"	7'-0"
5'-0" TO 7'-0"	9'-0"
7'-0" TO 9'-0"	11'-0"

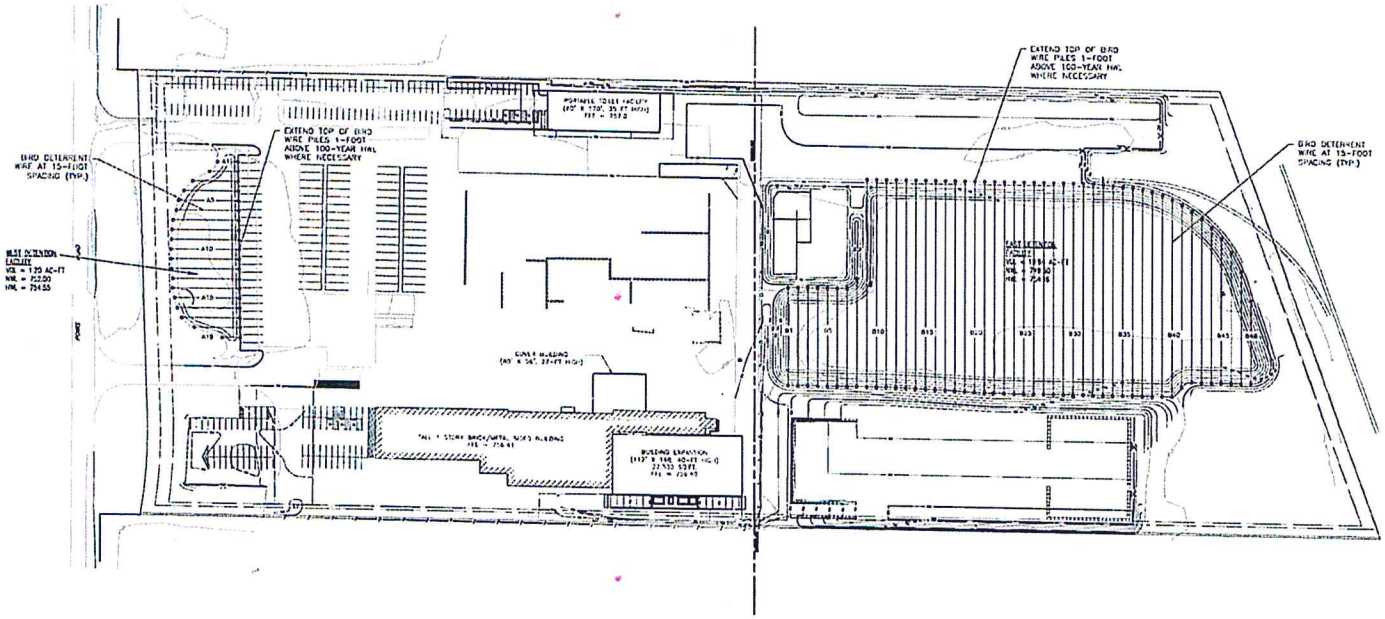
NOTES:

1. FOR THE BIRD DETERRENT WIRES LAYOUT AND PILE PLACEMENT SEE SHEETS CP-503 TO CP-507
2. FOR PROPOSED GROUND ELEVATION AT PILE, SEE SHEETS CP-510 TO CP-512
3. CONTRACTOR MUST SUBMIT SHOP DRAWINGS AND DESIGN OF BIRD DETERRENT WIRE CONNECTIONS TO THE PROPOSED 16" DIA FIBERGLASS PILE FOR REVIEW AND APPROVAL BY THE DIRECTOR
4. TERMINATE AND ANCHOR BIRD DETERRENT WIRE ON EACH PILE USING TERMINATION HARDWARE AND PROCEDURES AS RECOMMENDED BY THE PILE AND BIRD DETERRENT WIRE MANUFACTURER

* PART NUMBER PS29-1x7x 1003 PHILLYSTRAN
JACKETED DIAMETER = 0.16 IN
INSTALLATION LINE TENSION = 140 LBS WITH 1'-0" SAG MAX

EXHIBIT "C"
11 of 11

NORTH



REFERENCE

NOTE

SCALE IN FEET
0 80 160

REVISION RECORD

NO	DATE	DESCRIPTION

Civil & Environmental Consultants, Inc.
1230 East Diehl Road, Suite 200 • Naperville, IL 60563
630-963-6026 • 877-963-6026
www.cecinc.com

LAKESHORE RECYCLING SYSTEMS, INC.
SITE IMPROVEMENTS
1655 POWIS ROAD
WEST CHICAGO, IL

BIRD DETERRENT WIRE EXHIBIT

DATE	07/27/2020	MWK
CHECKED		MWK
PROJECT NO		153-099.0001
DRAWING		EX01

SHEET 1 OF 1

STATE OF ILLINOIS)
COUNTY OF DU PAGE)

CERTIFICATE

I, Nancy Smith, Certify that I am the duly elected and acting City Clerk of the City of West Chicago, DuPage County, Illinois.

I further certify that on June 15, 2020 the Corporate Authorities of such municipality passed and approved Ordinance No. 20-O-0002 entitled:

AN ORDINANCE APPROVING AN AMENDMENT TO THE PRELIMINARY AND FINAL PLANNED UNIT DEVELOPMENT FOR LAKESHORE RECYCLING SYSTEMS, LLC – 1655 POWIS ROAD

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 20-O-0002 including the ordinance and a cover sheet hereof was prepared, and a copy of such ordinance posted in the municipal building, commencing on June 16, 2020 continuing for at least ten days thereafter. Copies of such ordinance were also available for public inspection upon request in the Office of the City Clerk.

Dated at West Chicago, Illinois, this 15th of June, 2020.

SEAL

Nancy M. Smith

Nancy Smith, City Clerk

APPENDIX 2-C1

CERTIFICATE OF GOOD STANDING

File Number 0408708-9

STATE OF ILLINOIS

OFFICE OF THE SECRETARY OF STATE

To all to whom these Presents Shall Come, Greeting:

I, Jesse White, Secretary of State of the State of Illinois, do hereby certify that I am the keeper of the records of the Department of Business Services. I certify that

LAKESHORE RECYCLING SYSTEMS, LLC, A DELAWARE LIMITED LIABILITY COMPANY HAVING OBTAINED ADMISSION TO TRANSACT BUSINESS IN ILLINOIS ON NOVEMBER 05, 2012, APPEARS TO HAVE COMPLIED WITH ALL PROVISIONS OF THE LIMITED LIABILITY COMPANY ACT OF THIS STATE, AND AS OF THIS DATE IS IN GOOD STANDING AS A FOREIGN LIMITED LIABILITY COMPANY ADMITTED TO TRANSACT BUSINESS IN THE STATE OF ILLINOIS.

In Testimony Whereof, *I hereto set my hand and cause to be affixed the Great Seal of the State of Illinois, this* 16TH *day of* MARCH *A.D.* 2022 .

Jesse White

SECRETARY OF STATE

Authentication #: 2207502132 verifiable until 03/16/2023

Authenticate at: http://www.ilsos.gov

APPENDIX 2-C2

SOLID WASTE MANAGEMENT EXPERIENCE

Lakeshore Recycling Systems, LLC and Related Entities
Solid Waste Management Operating Experience

Property	Facility Type	Alleged Violations
Heartland Recycling, 6201 West Canal Bank Road, Forest View, Illinois 60402	MSW Transfer Station; C&D Recycling and Transfer Facility	None.
C&D Recycling, 2300 Carlson Drive, Northbrook, Illinois 60062	C&D Recycling and Transfer Facility	None.
Exchange Recycling and Transfer, 1300 South Exchange Avenue, Chicago, Illinois 60609	C&D Recycling and Transfer Facility	None.
West DuPage Recycling and Transfer, 1655 Powis Road, West Chicago, Illinois 60185	C&D Recycling and Transfer Facility	None.
41st Street Recycling Facility, 4055 South Packers Avenue, Chicago, Illinois 60609	Class V Recycling Facility (non-operational)	None.
34th Street Transfer Station/Material Recovery and Recycling Facility, 34th Street, Chicago, Illinois	MSW Transfer Station	None.
Eco Hill, 137 Commercial Drive, Atkinson, Illinois 61235	MSW Landfill	Ecology Solutions LLC is party to a consent order that requires various activities to be completed at Eco Hill in Atkinson, Illinois. The consent order was the result of alleged violations from the previous owner/operator. Ecology Solutions LLC agreed to the stipulations of the consent order as part of its acquisition of the landfill.
Royal Recycling Service, 4197 Reardon Road De Forest, Dane County, Wisconsin 53532	C&D Recycling and Transfer Facility	An August 16, 2019 notice of non-compliance was received from the Wisconsin DNR indicating that construction and demolition (C&D) fines have been disposed of in the Norway Grove Park quarry pit, and that the disposal at that location should cease [NR 502.08(6)(n), Wis. Admin. Code]. The previous owner/operator had been using this dipsosal location. Royal Recycling Service responded that the C&D fines are no longer disposed at the Norway Grove Park quarry pit. As of June 26, 2019, the C&D fines are now being taken to the Orchard Hills Landfill in Davis Junction, Illinois. No fines were issued.
Lakeshore Recycling Systems, 3152 South California Avenue, Chicago 60623	MSW Transfer Station; C&D Recycling and Transfer Facility	None.
Mayflower 43 White City Road, Mayflower, Arkansas 72106	C&D Landfill	None.
DC Recycling 1N138 Linlar Drive, Elburn, Illinois 60119	MSW Transfer Station	None.
Maywood 1301 Greenwood Avenue, Maywood, Illinois 60153	MSW Transfer Station	None.
Monmouth 836 186th Avenue, Monmouth, Illinois 61462	MSW Transfer Station	None.
Northbrook 2750 Shermer Road, Northbrook, Illinois 60062	MSW Transfer Station	None.
River Bend 1258 East 138th Avenue, Chicago, Illinois 60827	MSW Transfer Station	None.
Rolling Meadows 3851 Berdnick Street, Rolling Meadows, Illinois 60008	MSW Transfer Station	None.
Broadway Resource Recovery 111 22nd Avenue N, Minneapolis, Minnesota 55411	C&D Recycling and Transfer Facility	None.
Rolling Hills Landfill 175 County Road 37 NE, Buffalo, Minnesota 55313	Closed MSW Landfill and open Industrial Landfill with limited capacity	None.
Rochester 4245 Highway 14 East, Rochester, Minnesota 55904	Recyclables Materials Transfer Facility	None.
Dane County 7102 US Highway 12 and 18, Madison, Wisconsin 53718	MSW Transfer Station	None.
Milwaukee 2431 North 30th Street, Milwaukee, Wisconsin 53210	MSW Transfer Station	None.
Junoll 1020 Webster Street, South Bend, Indiana 46619	MSW Transfer Station	None.
Sunshine 943 2nd Avenue Southwest, Stewartville, Minnesota 55976	MSW Transfer Station	None.

APPENDIX 2-C3

DEED FOR OSCAR IL LLC

8 0 0 0 8 2 4 7
Tx:40004625

FRED BUCHOLZ, RECORDER
DUPAGE COUNTY ILLINOIS
12/20/2018 01:53 PM
RHSP
COUNTY TAX STAMP FEE 3,828.75
STATE TAX STAMP FEE 7,657.50

DOCUMENT # R2018-116700

This document was prepared by:

Harold S. Dembo, Esq.
Much Shelist, P.C.
191 North Wacker Drive, Suite 1800
Chicago, Illinois 60606

~~After recording mail to:~~

OSCAR (IL) LLC
c/o W. P. Carey Inc.
50 Rockefeller Plaza, 2nd Floor
New York, NY 10020
Attention: Legal Transactions Department

Return to:
Stewart Title NTS- Chicago
10 S. Riverside Plaza, Suite 1450
Chicago, IL 60606
PH: 312-849-4400
File NO: 18000/50813 A
3 of 4

SPECIAL WARRANTY DEED

THIS INDENTURE is made as of the 14th day of December, 2018 between KKLK LLC, a Colorado limited liability company ("**Grantor**"), and OSCAR (IL) LLC, a Delaware limited liability company ("**Grantee**"). For and in consideration of the sum of Ten and No/100 Dollars, and other good and valuable consideration in hand paid by Grantee, the receipt of which is hereby acknowledged, Grantor REMISES, RELEASES, ALIENS AND CONVEYS to Grantee and to its successors and assigns, FOREVER, all of the following described real estate (the "**Property**"), situated in DuPage County in the State of Illinois, known and described as follows:

See attached **Exhibit A** for legal description

PINS: 01-32-200-001; 01-32-101-004

Common Address: 1655 Powis Road, West Chicago, Illinois 60185

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of the Grantor, either in law or equity, of, in and to the Property with the hereditaments and appurtenances; TO HAVE AND TO HOLD the Property as above described, with the appurtenances, unto the Grantee and its successors and assigns forever.

And the Grantor, for itself, and its successors, does covenant, promise and agree, to and with the Grantee, its successors and assigns, that it has not done or suffered to be done, anything whereby the Property hereby granted is, or may be, in any manner encumbered or charged, except as herein recited; and that the said Grantor will warrant and defend the Property against all persons lawfully claiming, or to claim the same, by, through or under it, subject to those exceptions set forth on the attached **Exhibit B** and **Exhibit C**.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK; SIGNATURE PAGE TO FOLLOW.]

IN WITNESS WHEREOF, Grantor has caused its name to be signed to this Special Warranty Deed the day and year first above written.

KKLK LLC,
a Colorado limited liability company

By: _____
Name: Kenneth A. Hovnanian
Its: Manager

STATE OF Illinois)
) SS
COUNTY OF DuPage)

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that Kenneth A. Hovnanian as Manager of KKLK LLC, a Colorado limited liability company, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that s/he signed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary act of said company, for the uses and purposes set forth.

Given under my hand and notarial seal this 7th day of December, 2018.

SEAL

_____
Notary Public

MICHAEL J DEBOER
Official Seal
Notary Public – State of Illinois
My Commission Expires Feb 11, 2021

Send subsequent tax bills to:

Lakeshore Recycling Systems, LLC
6132 Oakton Street
Morton Grove, Illinois 60053

CITY OF WEST CHICAGO
DEED CERTIFICATION

Date 12-6-18
Initials yms
$ -0-
Cert. No. 15379

9381322

EXHIBIT A

LEGAL DESCRIPTION

THAT PART OF THE NORTH 1/2 OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 32; THENCE NORTH 88 DEGREES 56 MINUTES 37 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION 32, A DISTANCE OF 1331.65 FEET TO THE NORTH AND SOUTH DIVIDING LINE OF THE NORTHWEST 1/4 OF SAID SECTION 32; THENCE SOUTH 00 DEGREES 36 MINUTES 17 SECONDS WEST ALONG SAID DIVIDING LINE, A DISTANCE OF 500.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO THE DEFENSE PLANT CORPORATION BY DEED RECORDED IN BOOK 390 OF DEEDS ON PAGE 81 IN THE OFFICE OF THE DUPAGE COUNTY RECORDER; THENCE CONTINUING SOUTH 00 DEGREES 36 MINUTES 17 SECONDS WEST ALONG SAID DIVIDING LINE, A DISTANCE OF 685.0 FEET TO THE SOUTHWEST CORNER OF THE TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED RECORDED FEBRUARY 6, 2001 AS DOCUMENT NO. R2001-020758; THENCE NORTH 89 DEGREES 32 MINUTES 15 SECONDS EAST ALONG THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 103.80 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 32 MINUTES 15 SECONDS EAST, ALONG SAID SOUTH LINE (SAID LINE BEING PARALLEL WITH THE SOUTH LINE OF SAID DEFENSE PLANT CORPORATION TRACT), A DISTANCE OF 1880.12 FEET TO THE WESTERLY RIGHT OF WAY LINE FOR THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 20 DEGREES 30 MINUTES 46 SECONDS WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 729.01 FEET TO THE SOUTHEAST CORNER OF SAID DEFENSE PLANT CORPORATION TRACT; THENCE SOUTH 89 DEGREES 32 MINUTES 15 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1650.66 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF POWIS ROAD PER DOCUMENT NO. R2003-146376, SAID POINT ALSO BEING 81.96 FEET EAST OF THE SOUTHWEST CORNER OF SAID DEFENSE PLANT CORPORATION; THENCE SOUTH 2 DEGREES 29 MINUTES 05 SECONDS WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 536.49 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY, ALONG SAID EASTERLY RIGHT OF WAY LINE BEING THE ARC OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 739.00 FEET AND WHOSE CHORD HAS A BEARING OF SOUTH 3 DEGREES 47 MINUTES 33 SECONDS WEST, AN ARC DISTANCE OF 149.66 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

EXHIBIT B

SUBJECT TO THE FOLLOWING EXCEPTIONS:

1. GENERAL REAL ESTATE TAXES AND SPECIAL ASSESSMENTS FOR THE YEAR 2018 AND SUBSEQUENT YEARS, NOT YET DUE AND PAYABLE;

2. ACTS OF TENANT AND THOSE PARTIES ACTING BY, THROUGH OR FOR TENANT; AND

3. ALL MATTERS CURRENTLY ENCUMBERING TITLE TO THE PREMISES WHICH ARE LISTED ON **EXHIBIT C**, OTHER THAN MATTERS PERTAINING TO LIENS OR ENCUMBRANCES OF A DEFINITE OR ASCERTAINABLE AMOUNT CAUSED SOLELY BY LANDLORD WHICH MAY BE REMOVED BY THE PAYMENT OF MONEY.

EXHIBIT C

PERMITTED EXCEPTIONS

1. CLEAR ZONE AVIGATION EASEMENT RECORDED MARCH 24,1959 AS DOCUMENT 916606 MADE BY KAWNEER CO, A CORP OF DELAWARE, OWNER OF THE LAND, WHICH TRACT OF LAND IS IDENTIFIED AS CLEAR ZONE AREA, TRACT G ON PLAT DATED FEBRUARY 2, 1959. THE COUNTY OF DUPAGE IS THE OWNER AND OPERATOR OF THE DU PAGE COUNTY AIRPORT, SITUATED IN THE COUNTY OF DU PAGE, STATE OF ILLINOIS IN CLOSE PROXIMITY TO THE LAND, AND WHEREAS IT IS DEEMED NECESSARY THAT SAID LAND, IDENTIFIED AS CLEAR ZONE AREA, TRACT G, BE AND REMAIN FREE AND CLEAR OF ANY STRUCTURE, TREE OR OTHER OBJECT WHICH IS OR WOULD CONSTITUTE AN OBSTRUCTION OR HAZARD TO THE FLIGHT OF AIRCRAFT IN THE LANDING AND TAKING OFF AT DU PAGE COUNTY AIRPORT. NOW THEREFORE, THE GRANTOR, FOR ITSELF, ITS SUCCESSORS AND OR ASSIGNS, DOES THEREBY COVENANT AND AGREE WITH THE GRANTEE, THAT, FOR THE BENEFIT OF THE PUBLIC IN ITS USE OF THE AIRPORT, IT WILL NOT THEREAFTER ERECT OR PERMIT THE ERECTION OR GROWTH OF ANY STRUCTURE, TREE OR OTHER OBJECT WITHIN SAID CLEAR ZONE APPROACH AREA, (TRACT G) (WHICH AREA IS IDENTIFIED ON THE SAID PLAT ATTACHED THERETO) TO A HEIGHT ABOVE THE CLEAR ZONE APPROACH SURFACE FOR THE APPROACH AREA AS AN INCLINED PLANS WITH A SLOPE OF 50.1 (ONE FOOT OF ELEVATION FOR EACH FIFTY FEET OF HORIZONTAL DISTRICT) LOCATED DIRECTLY ABOVE THE CLEAR ZONE APPROACH AREA. GRANTOR, FOR ITSELF, ITS SUCCESSORS AND OR ASSIGNS, DOES HEREBY GRANT AND CONVEY TO THE GRANTEE, ITS AGENTS, SERVANTS AND EMPLOYEES, A CONTINUING RIGHT AND EASEMENT, AT THE GRANTEE'S SOLD EXPENSE, TO TAKE ANY ACTION NECESSARY TO PREVENT THE ERECTION OR GROWTH OF ANY STRUCTURE, TREE OR OTHER OBJECTS INTO THE AIR SPACE ABOVE THAT PART OF SAID APPROACH SURFACE WHICH IS DIRECTLY OVER SAID APPROACH AREA, TRACT G, EXCEPTING THE PRESENTLY EXISTING STRUCTURES AS SHOWN ON THE PLAT ATTACHED THERETO, AND AT GRANTEE'S SOLD EXPENSE, TO REMOVE FROM SUCH AIR SPACE OR MARK AND LIGHT AS OBSTRUCTIONS TO AIR NAVIGATION, ANY AND ALL STRUCTURES AND OTHER OBJECT THAT MAY AT ANY TIME PROJECT OR EXTEND ABOVE SAID APPROACH SURFACE.

2. TERMS, PROVISIONS AND CONDITIONS CONTAINED IN ORDINANCE RECORDED MARCH 10, 1993 AS DOCUMENT R93-046010, RELATING TO THE RECAPTURE OF COSTS FOR THE CONSTRUCTION OF WATER MAIN AND SANITARY SEWER LINES ALONG POWIS ROAD AND NORTH AVENUE.

   NOTE: THERE ARE NO ASSESSMENTS, USER FEES OR RECAPTURE COSTS DUE OR DELINQUENT AT THE DATE OF THE POLICY.

3. RESTRICTIONS CONTAINED IN SPECIAL WARRANTY DEEDS RECORDED FEBRUARY 6, 2001 AS DOCUMENT R2001-020758, AND RECORDED MAY 15, 2002 AS DOCUMENT R2002-130084 WHEREIN BUYER WILL NOT DISTURB THAT PORTION OF THE PROPERTY IN QUESTION DESIGNATED "SLUDGE IMPOUNDMENT AREA" DESCRIBED IN THE SURVEY ATTACHED AS EXHIBIT A, AND BUYER WILL KEEP THE PROPERTY IN QUESTION ZONED AS INDUSTRIAL PROPERTY, FORMER SLUDGE IMPOUNDMENT AREA, AND AS SHOWN ON THE PLAT OF SURVEY PREPARED BY JLH LAND SURVEYING, INC. FOR THE EDGE GROUP LLC DATED DECEMBER 4, 2018, LAST REVISED DECEMBER 5, 2018 AS ORDER NUMBER 20180191-5.

4. TERMS, CONDITIONS AND LIMITATIONS CONTAINED IN THE NO FURTHER REMEDIATION LETTER ISSUED BY THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY AND RECORDED SEPTEMBER 23, 2004 AS DOCUMENT NUMBER R2004-249272.

5. TERMS, CONDITIONS AND LIMITATIONS CONTAINED IN THE NO FURTHER REMEDIATION LETTER ISSUED BY THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY AND RECORDED JUNE 25, 2007 AS DOCUMENT R2007-117131.

6. EASEMENT FOR WATERMAIN AND DRAINAGE/DETENTION AND NATURAL AREA, AND THE EASEMENT PROVISIONS AND GRANTEES AS SET FORTH ON THE PLAT PREPARED BY AND DATED NOVEMBER 23, 2016, AND LAST DATED DECEMBER 8, 2016, MADE BY WENDLER ENGINEERING SERVICES, INC., #2160284 AFFECTING THE LAND UNDER PLAT OF EASEMENT RECORDED DECEMBER 29, 2016 AS DOCUMENT NUMBER R2016-144354, AND AS SHOWN ON THE PLAT OF SURVEY PREPARED BY JLH LAND SURVEYING, INC. FOR THE EDGE GROUP LLC DATED DECEMBER 4, 2018, LAST REVISED DECEMBER 5, 2018 AS ORDER NUMBER 20180191-5.

7. RIGHTS OF WAY FOR RAILROADS, SWITCH TRACKS OR SPUR TRACKS, IF ANY, AND RIGHT OF THE RAILROAD COMPANY TO THE USE, OPERATION, MAINTENANCE AND REPAIR OF SAME, AND AS SHOWN ON THE PLAT OF SURVEY PREPARED BY JLH LAND SURVEYING, INC. FOR THE EDGE GROUP LLC DATED DECEMBER 4, 2018, LAST REVISED DECEMBER 5, 2018 AS ORDER NUMBER 20180191-5.

8. RIGHTS OF WAY FOR DRAINAGE DITCHES, TILES, FEEDERS AND LATERALS, AND OTHER DRAINAGE EASEMENTS, IF ANY.

9. RIGHTS OF THE OWNERS OF LAND BORDERING ON THE KRESS CREEK TO THE UNINTERRUPTED FLOW OF THE WATERS THEREOF, AND AS SHOWN ON THE PLAT OF SURVEY PREPARED BY JLH LAND SURVEYING, INC. FOR THE EDGE GROUP LLC DATED DECEMBER 4, 2018, LAST REVISED DECEMBER 5, 2018 AS ORDER NUMBER 20180191-5.

10. MATTERS AS DISCLOSED BY THE PLAT OF SURVEY PREPARED BY JLH LAND SURVEYING, INC. FOR THE EDGE GROUP LLC DATED DECEMBER 4, 2018, LAST REVISED DECEMBER 5, 2018 AS ORDER NUMBER 20180191-5, AS FOLLOWS:

    A) ENCROACHMENT OF STOCKADE FENCE OVER THE SOUTH LINE OF THE LAND AND ONTO THE PROPERTY SOUTH BY A DISTANCE UP TO 2.50 FEET.

    B) ENCROACHMENT OF STOCKADE FENCE OVER THE NORTH LINE OF THE LAND AND ONTO THE PROPERTY NORTH BY A DISTANCE UP TO 1.62 FEET.

    C) ENCROACHMENT OF CHAIN LINK FENCE LOCATED ON THE PROPERTY TO THE NORTH AND ONTO THE LAND BY A DISTANCE UP TO 1.61 FEET.

stewart title

Stewart Title Guaranty Co.
Commercial Services
10 S. Riverside Plaza, Suite 1450
Chicago, IL 60606
Phone: 800-261-9800
Fax: 312-849-4410

PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF Illinois)
) SS
COUNTY OF DuPage)

Kenneth A. Hoving, Manager of KKLK LLC, a Colorado limited liability company, being duly sworn on oath, states that affiant resides at 363 Trinity Lane, Oak Brook, Illinois 60523.

And further states that: (please check the appropriate box)

A. [X] That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being a part of a larger tract of land; or

B. [ ] That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: (please circle the appropriate number)

1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into no more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. This conveyance is of land described in the same manner as title was taken by grantor(s).

AFFIANT further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of DuPage County, Illinois, to accept the attached deed for recording.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK; SIGNATURE PAGE TO FOLLOW.]

stewart title®

Stewart Title Guaranty Co.
Commercial Services
10 S. Riverside Plaza, Suite 1450
Chicago, IL 60606
Phone: 800-261-9800
Fax: 312-849-4410

KKLK LLC,
a Colorado limited liability company

By: _____
Name: Kenneth A. Hoving
Its: Manager

SUBSCRIBED AND SWORN TO BEFORE ME
this 7th day of December, 2018.

_____
Signature of Notary Public

MICHAEL J DEBOER
Official Seal
Notary Public – State of Illinois
My Commission Expires Feb 11, 2021

APPENDIX 2-D1

RAILROAD PROPERTY PHOTO LOG

Photograph Number: 1

Description:

Canadian National Railway looking northwest.

Photograph Number: 2

Description:

Canadian National Railway looking southeast.

Civil & Environmental Consultants, Inc.
Naperville, Illinois
Ph: 630-963-6026 Toll Free: 877-963-6026

West DuPage Recycling and Transfer Station
1655 Powis Road, West Chicago, Illinois

Client Name:	Lakeshore Recycling Systems, LLC
CEC Project:	163-899
Author:	Scott Dawson
Photographs Taken On:	August 31, 2022

Photograph Number: 3

Description:

Union Pacific Railroad looking northwest.

Photograph Number: 4

Description:

Union Pacific Railroad looking southeast.

Civil & Environmental Consultants, Inc.
Naperville, Illinois
Ph: 630-963-6026 Toll Free: 877-963-6026

West DuPage Recycling and Transfer Station
1655 Powis Road, West Chicago, Illinois

Client Name:	Lakeshore Recycling Systems, LLC
CEC Project:	163-899
Author:	Scott Dawson
Photographs Taken On:	August 31, 2022

APPENDIX 2-D2

LETTER FROM WEST CHICAGO

CITY OF
WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

August 24, 2022

RE: Residential-zoned property located east of 1655 Powis Road, West Chicago, Illinois

To Whom It May Concern:

Both the Union Pacific Railroad and the Canadian National Railroad operate parallel tracks on land running northwest to southeast, east of and adjacent to the subject property. The right-of-way for these rail lines carries a remnant zoning classification of Estate Residential, which is the classification assigned upon annexation. No effort was made to reclassify the property.

As an active rail corridor, there can be no residential development. Furthermore, there is insufficient room to construct homes on one-acre minimum lots and no convenient way to access what would be a narrow string of properties. Residential development on this property is physically impossible.

As such, the City concludes that the 1,000-foot setback requirement in 415 ILCS 5/22.14(a) is not applicable.

Please contact me if you have any questions.

Sincerely,

Tom Dabareiner AICP
Community Development Director and Zoning Administrator

475 Main Street
West Chicago, Illinois
60185

T (630) 293-2200
F (630) 293-3028
www.westchicago.org

Ruben Pineda
MAYOR

Nancy M. Smith
CITY CLERK

Michael L. Guttman
CITY ADMINISTRATOR

APPENDIX 2-E1

REQUEST FOR STATE HISTORIC PRESERVATION OFFICE REVIEW

September 8, 2020

Illinois Department of Natural Resources
Illinois State Historic Preservation Office
1 Natural Resources Way
Springfield, Illinois 62702
Attn: Review and Compliance/Old State Capitol

Subject: **Request for Illinois State Historic Preservation Office Review**
1655 Powis Road, West Chicago, Illinois
CEC Project 163-899

Dear Sir/Madam:

Civil & Environmental Consultants, Inc. (CEC) is hereby requesting a review by the Illinois State Historic Preservation Office (SHPO) of the property located at 1655 Powis Road, West Chicago, Illinois. We are preparing a local siting application for this property, and a SHPO review is requested to be included in the application. The property is currently operated by Lakeshore Recycling Systems, LLC as a construction or demolition debris recycling facility including ancillary operations. The previous SHPO review (SHPO Log #008082718) for the property dated September 21, 2018 is attached as reference, and indicates the clearance will remain in effect until September 21, 2020. We are requesting an additional review since the local siting application will not be submitted until after the expiration. There are three permanent buildings on-site that house the recycling operation tipping floor, recycling equipment, and equipment maintenance garage. A site location map is attached as Figure 1, and the current layout of the buildings on the property is shown on the site diagram in Figure 2. The current owner plans to make some upgrades to the property, such as paved roads, parking spaces, and additional buildings. Historically, the property was formally the location for Alumax Extrusions, Inc., ALCOA Extrusions Inc., K Hoving Recycling & Disposal, and West DuPage Recycling and Transfer facility. Adjacent properties to the north and east historically have been zoned for manufacturing use, the closed DuPage County Landfill #2 is located to the south, and the DuPage Airport Authority is located west of the property.

Please feel free to contact us at (630) 963-6026 if you have any questions regarding this review. We appreciate your assistance on this project.

Sincerely,

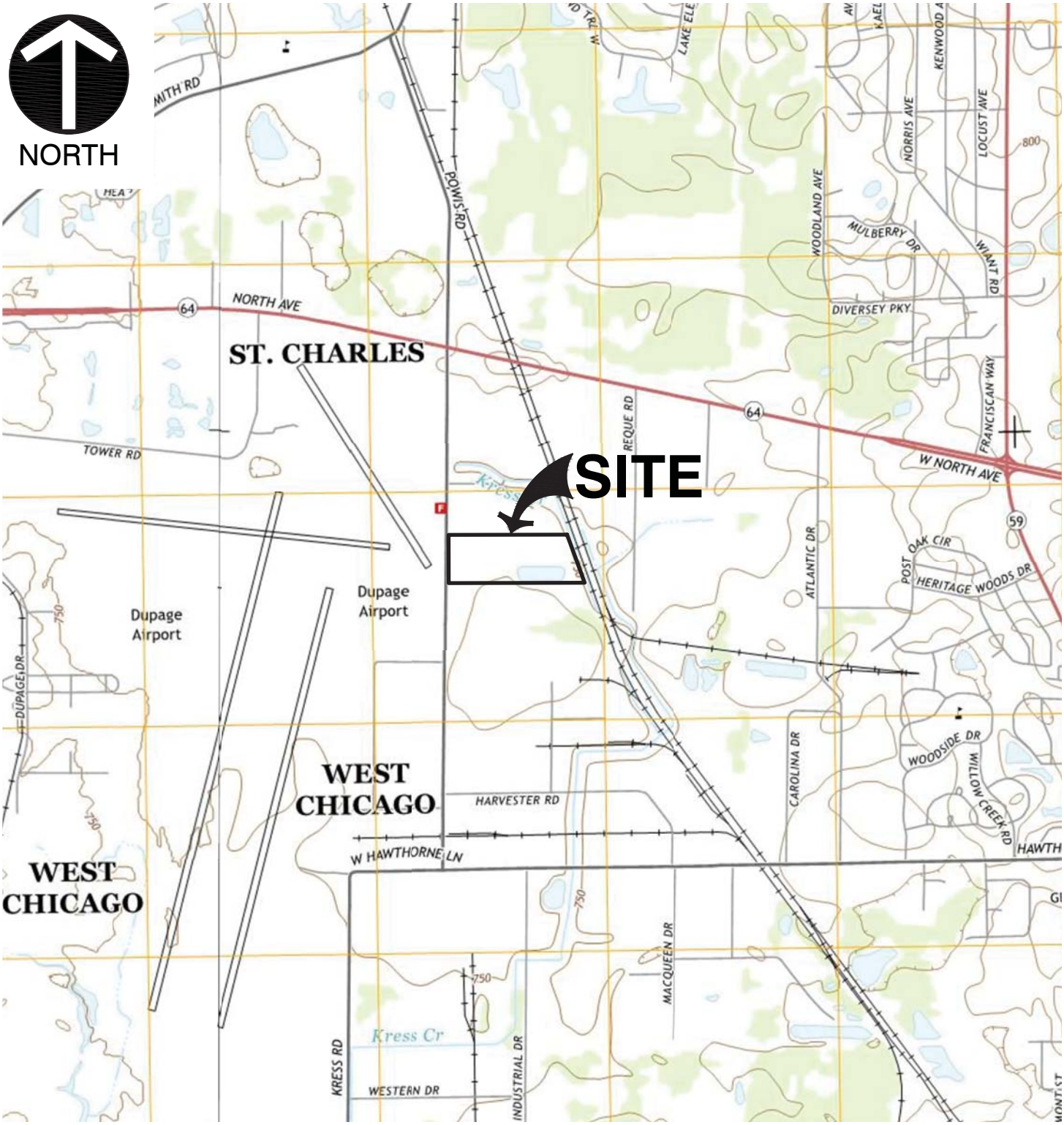
CIVIL & ENVIRONMENTAL CONSULTANTS, INC.

Chastity Montalvo Lee, P.E.
Project Manager

John Hock, P.E.
Vice President

Enclosures: Figure 1 - Site Location Map
Figure 2 - Site Layout
Attachment 1 - 2018 SHPO Review

FIGURES



REFERENCE

1. U.S.G.S. 7.5' TOPOGRAPHIC MAP, WEST CHICAGO QUADRANGLE, ILLINOIS DATED: 2015.

*HAND SIGNATURE ON FILE

SCALE IN FEET

0 2000 4000

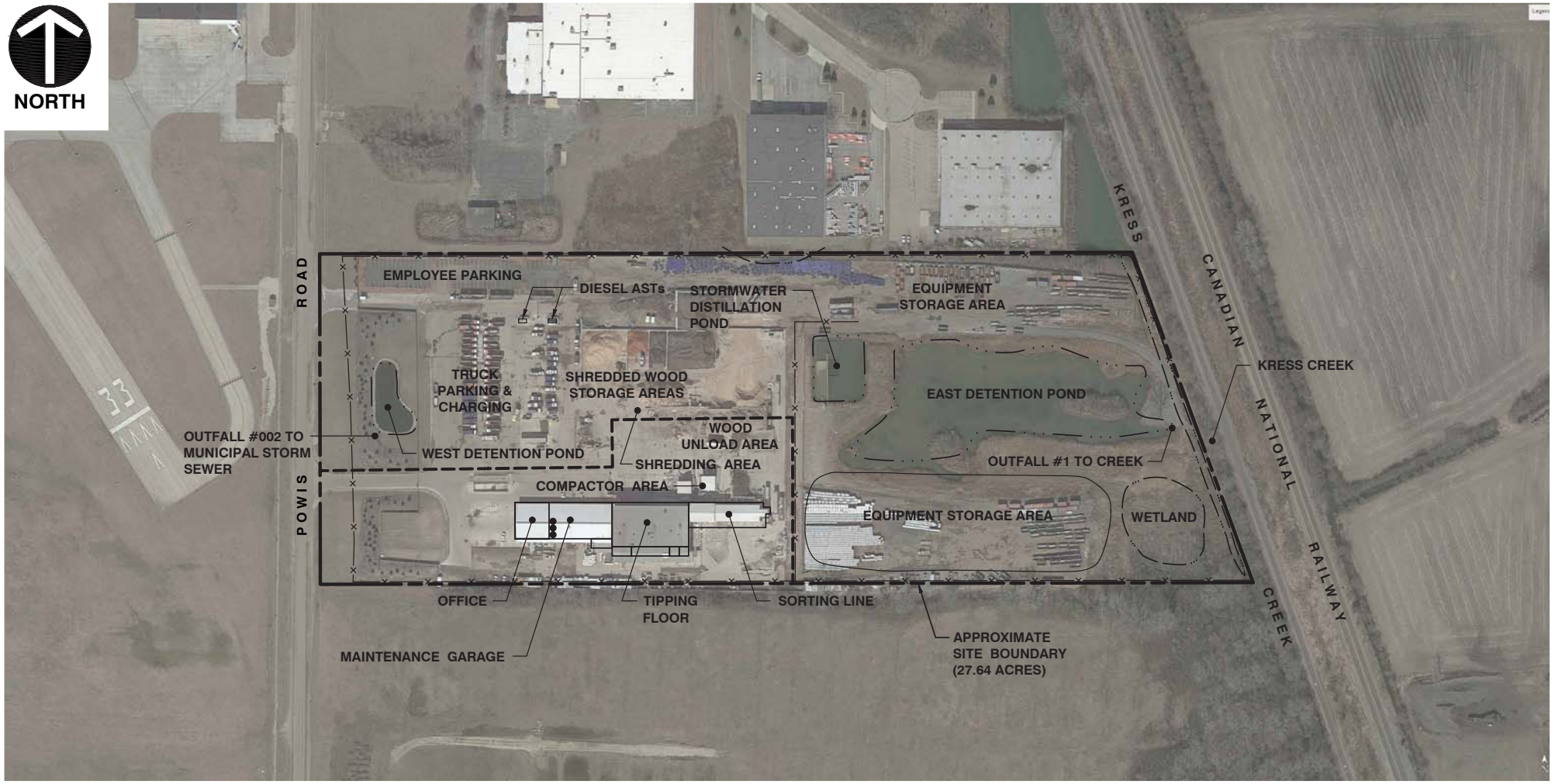
Civil & Environmental Consultants, Inc.
1230 East Diehl Road, Suite 200 - Naperville, IL 60563
630-963-6026 · 877-963-6026
www.cecinc.com

WEST DUPAGE RECYCLING AND TRANSFER FACILITY
1655 POWIS ROAD
WEST CHICAGO, ILLINOIS

SITE LOCATION MAP

DRAWN BY:	MSK	CHECKED BY:	CML	APPROVED BY:	JEH*	FIGURE NO.:	1
DATE:	09/08/2020	DWG SCALE:	1"=2000'	PROJECT NO:	163-899.0005		

P:\2016\163-899\-CADD\Dwg\CV06-Siting Application\163899-SW05-S101-Site Location Map.dwg{LAYOUT1} LS:(9/8/2020 - mkarpf) - LP: 9/8/2020 6:46 AM



LEGEND

- WETLAND AREAS
- LIMIT OF PERMITTED C&D FACILITY
- FENCE LINE

REFERENCE

1. IMAGE PROVIDED BY GOOGLE EARTH. DATE OF IMAGE: MARCH 17, 2018.

*HAND SIGNATURE ON FILE

SCALE IN FEET

0 200 400

Civil & Environmental Consultants, Inc.
1230 East Diehl Road, Suite 200 - Naperville, IL 60563
630-963-6026 · 877-963-6026
www.cecinc.com

WEST DUPAGE RECYCLING AND TRANSFER FACILITY
1655 POWIS ROAD
WEST CHICAGO, ILLINOIS

SITE LAYOUT

DRAWN BY:	MSK	CHECKED BY:	CML	APPROVED BY:	JEH*	FIGURE NO.:
DATE:	09/08/2020	DWG SCALE:	1"=200'	PROJECT NO:	163-899.0005	2

P:\2016\163-899\-CADD\Dwg\CV06-Siting Application\163899-SW05-S102-Site Layout.dwg[LAYOUT1] LS:(9/8/2020 - mkarpf) - LP: 9/8/2020 6:46 AM

ATTACHMENT 1

ILLINOIS
DEPARTMENT OF NATURAL RESOURCES

Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
www.dnr.illinois.gov

Bruce Rauner, Governor
Wayne A. Rosenthal, Director

DuPage County PLEASE REFER TO: SHPO LOG #008082718
West Chicago
1655 Powis Road - dba: West DuPage Recycling & Transfer, Inc.
CECI-163-899, IEPA
General Permit to discharge storm water - PERMIT ONLY - Lakeshore Recycling Systems, LLC

September 21, 2018

Elizabeth S. Schwartz
Civil & Environmental Consultants, Inc.
555 Butterfield Road, Suite 300
Lombard, IL 60148

Dear Ms. Schwartz:

The Illinois State Historic Preservation Office is required by the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420, as amended, 17 IAC 4180) to review all state funded, permitted or licensed undertakings for their effect on cultural resources. Pursuant to this, we have received information regarding the referenced project for our comment.

Our staff has reviewed the specifications under the state law and assessed the impact of the project as submitted by your office. We have determined, based on the available information, that no significant historic, architectural or archaeological resources are located within the proposed project area.

According to the information you have provided concerning your proposed project, apparently there is no federal involvement in your project. However, please note that the state law is less restrictive than the federal cultural resource laws concerning archaeology. If your project will use federal loans or grants, need federal agency permits, use federal property, or involve assistance from a federal agency, then your project must be reviewed under the National Historic Preservation Act of 1966, as amended. Please notify us immediately if such is the case.

This clearance remains in effect for two (2) years from date of issuance. It does not pertain to any discovery during construction, nor is it a clearance for purposes of the IL Human Skeletal Remains Protection Act (20 ILCS 3440).

Please retain this letter in your files as evidence of compliance with the Illinois State Agency Historic Resources Preservation Act.

If further assistance is needed please contact Jeff Kruchten, Chief Archaeologist at 217/785-1279 or Jeffery.kruchten@illinois.gov.

Sincerely,

Robert F. Appleman
Deputy State Historic
Preservation Officer

APPENDIX 2-E2

RESPONSE FROM STATE HISTORIC PRESERVATION OFFICE

ILLINOIS
DEPARTMENT OF
NATURAL
RESOURCES

Illinois Department of
Natural Resources

JB Pritzker, Governor
Colleen Callahan, Director

www.dnr.illinois.gov

Mailing address: State Historic Preservation Office, 1 Old State Capitol Plaza, Springfield, IL 62701

DuPage County
West Chicago
1655 Powis Road
IEPA
New construction, additional buildings, parking, roadways - Lakeshore Recycling Systems

PLEASE REFER TO: SHPO LOG #009090920

September 30, 2020

Chastity Montalvo Lee
Civil & Environmental Consultants, Inc.
1230 East Diehl Road, Suite 200
Naperville, IL 60563

Dear Ms. Lee:

The Illinois State Historic Preservation Office is required by the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420, as amended, 17 IAC 4180) to review all state funded, permitted or licensed undertakings for their effect on cultural resources. Pursuant to this, we have received information regarding the referenced project for our comment.

Our staff has reviewed the specifications under the state law and assessed the impact of the project as submitted by your office. We have determined, based on the available information, that no significant historic, architectural or archaeological resources are located within the proposed project area.

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Please retain this letter in your files as evidence of compliance with the Illinois State Agency Historic Resources Preservation Act.

If further assistance is needed please contact Jeff Kruchten, Chief Archaeologist at 217/785-1279 or Jeffery.kruchten@illinois.gov.

Sincerely,

Robert F. Appleman
Deputy State Historic
Preservation Officer

APPENDIX 2-E3

ECOCAT INFORMATION

EcoCAT
Ecological Compliance Assessment Tool

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

Applicant: Civil & Environmental Consultants, Inc
Contact: Chastity Montalvo Lee
Address: 1230 East Diehl Road
Suite 200
Naperville, IL 60563

IDNR Project Number: 2106248
Date: 10/01/2020
Alternate Number: 1907683

Project: West DuPage Recycling & Transfer Station
Address: 1655 Powis Road, West Chicago

Description: Development of a recycling and waste transfer facility

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.

Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: DuPage

Township, Range, Section:
40N, 9E, 32

IL Department of Natural Resources Contact
Brian Willard
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
IL Environmental Protection Agency
Kenn Smith
1021 North Grand Ave East
Springfield, Illinois 62794 -9276

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

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Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.