

VILLAGE OF DOWNERS GROVE
Report for the Village
11/21/2017

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| SUBJECT: | SUBMITTED BY: |
| 2125 Ogden Avenue - Special use for a Fueling Station, Special Use with a variation for a drive through restaurant, Vacation of an unimproved alley and a Final Plat of Subdivision with an exception | Stan Popovich, AICP Director of Community Development |

SYNOPSIS

The petitioner is requesting approval of the following items to allow a comprehensive redevelopment of the Powermart property at 2125 Ogden Avenue:

1. Two Special Uses for a restaurant drive-through facility and a fueling station;
2. Variation for the drive-through setback;
3. Vacation of the 20-foot-wide unimproved alley at the south side of the property; and
4. A Final Plat of Subdivision with an exception.

STRATEGIC PLAN ALIGNMENT

The goals for 2017-2019 include *Strong and Diverse Local Economy*.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval on the December 5, 2017 active agenda per the Plan Commission's 5-0 positive recommendation. The Plan Commission found that the proposal is an appropriate use in the district, compatible with the Comprehensive Plan and meets all standards for approval of a Final Plat of Subdivision with an exception per Section 20.301 and Section 20.602, the Special Use standards per Section 28.12.050, and Variation standards for a drive-through per Section 28.12.090.G, and the alley vacation complies with applicable state law and Resolution 2003-58.

BACKGROUNDProperty Information & Zoning Request

The subject property is located at the southeast corner of Ogden Avenue and Belmont Road and consists of five lots of record. The property is zoned B-3, General Services and Business Highway District. The property is a former gas station with a one-story vacant commercial building, a vacant car wash facility and a surface parking lot. The site contains four curb cuts, two on both Ogden Avenue and Belmont Road. The unimproved alley runs along the south side of the property. The petitioner is proposing to demolish all existing structures on the subject site and subdivide the property into two lots to construct a gas station with a five island gas pad/canopy with a convenience store and a restaurant building with a drive-through. Based on the redevelopment plan, the

petitioner is applying for Special Use approval for the gas station and drive-through, a Variation is requested to allow a reduction in the proposed setback for the drive-through and Final Plat of Subdivision with one exception to subdivide the property into two lots to allow each use on its separate lot. The vacation of a 20-foot-wide alley to the south has also been requested to facilitate the redevelopment of this site.

Development Plan

The proposal is to redesign, expand and improve the property by demolishing the existing buildings and vacating the alley at the south side of the property. A Plat of Subdivision is proposed to subdivide the parcel into two lots to allow two separate businesses to develop on their own lot. The proposal for the western lot includes a fueling station with a 2,100-square-foot convenience store. The plans for the eastern lot consist of a 1,760-square-foot restaurant with a drive-through. The proposed development:

- Removes two curb cuts and improves access onto both Ogden Avenue and Belmont Road
- Improves site connectivity by installing pedestrian access from Ogden Avenue and Belmont Road to the two buildings and maintains vehicular cross-access through an easement
- Consolidates and subdivides five lots into two lots and increases depth for a functional site plan
- Provides enhanced landscaping and screening in order to provide a buffer to the residential areas to the south and a more attractive image at a community gateway intersection
- Replaces existing vacant buildings with two new buildings

Compliance with the Comprehensive Plan

The Comprehensive Plan identifies the subject site as a part of a catalyst site “D5” in the *Ogden Avenue-Key Focus Areas*. The Comprehensive Plan notes this area should be redeveloped with attention to pedestrian circulation, reducing the number of curb cuts, providing cross-access between lots, and improving the overall appearance reflective of the larger Downers Grove community. The proposed development meets the goals.

The property is included within the corridor commercial area in the Comprehensive Plan. The Plan recommends the corridor commercial area include a blend of neighborhood-oriented commercial retail, offices, smaller regional retail and service uses. The proposed development meets the goals of the Comprehensive Plan.

Compliance with the Zoning Ordinance

The proposed development is compliant with the vast majority of the bulk regulations in the B-3 zoning district; however, the drive-through setbacks on the east (non-residential) and south (residential) side do not comply with the minimum requirements of the Zoning Ordinance. The drive-through lane for the restaurant is seven feet from the east property line where 25 feet is required and 15 feet from the south where 50 feet is required. A variation is requested to allow reduction in the required setbacks. The applicant will install landscaping and a fence along the south property line to provide screening for the adjacent multi-family residence. The plan meets the bulk parking, stacking, landscaping and photometric requirements of the zoning ordinance.

Compliance with the Subdivision Ordinance

The subject property is made up of five lots of record and an unimproved alley. The petitioner is proposing to subdivide these five lots into two lots of record. The two commercial lots will meet the minimum requirements outlined in Section 20.301 of the Village’s Subdivision Ordinance except for the width of Lot 1. The proposed width for Lot 1 is 66.73 feet where a minimum 100 feet is required. The exception allows Lot 2 to contain all gas station related underground facilities on the same lot as the proposed gas station.

The petitioner is providing a 20-foot wide public utility and drainage easement across the vacated alley and will provide five-foot easements along all side lot lines as a condition of approval. An ingress/egress easement is provided on the subdivision plat, guaranteeing shared access across both lots to both properties.

Alley Vacation

The proposed alley vacation is consistent with the Village Council policy. Although the petitioner has been unable to secure the consent of a second property owner, the vacation is consistent with the applicable state law. No utility agencies objected to the vacation as a blanket easement will be provided over the entire alley. Additionally, the petitioner will compensate the Village for the alley.

Engineering\Public Improvements

Based on the existing and proposed impervious area on the site, the existing underground stormwater detention is required to be maintained and if additional storage is required at time of permit, it will be provided on-site. Post Construction Best Management Practices will be required for this property. The project will meet all provisions of the Stormwater and Floodplain Ordinance.

Additional public improvements include the reduction of curb cuts onto Ogden Avenue and reconfiguration of two curb cuts to one on Belmont Road. All utilities within the alley will be granted a blanket easement. The Sanitary District has provided conceptual approval for the proposed development.

Public Comment

No public comments were received at the Plan Commission public hearing.

ATTACHMENTS

Ordinance

Resolution

Aerial Map

Staff Report with attachments dated November 6, 2017

Draft Minutes of the Plan Commission Hearing dated November 6, 2017

2125 Ogden
Final Plat of Subdivision
17-PLC-0014

RESOLUTION _____

**A RESOLUTION APPROVING THE
FINAL PLAT OF SUBDIVISION WITH AN EXCEPTION
FOR 2125 OGDEN AVENUE**

WHEREAS, application has been made pursuant to the provisions of Chapter 20 of the Downers Grove Municipal Code for the approval of a Final Plat of Subdivision to subdivide one lot into two lots for the Power Mart Resubdivision, located on the southeast corner of Belmont Road and Ogden Avenue, commonly known as 2125 Ogden Avenue, Downers Grove, Illinois, legally described as follows:

LOTS 4, 5, 6, 7 AND 8 IN BLOCK 3 IN ARTHUR T. MCINTOSH AND COMPANY'S BELMONT COUNTRY CLUB ADDITION, BEING A SUBDIVISION OF PARTS OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND SECTION 6, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 18, 1927 AS DOCUMENT 235837, IN DUPAGE COUNTY ILLINOIS

Commonly known as: 2125 Ogden Avenue, Downers Grove, IL 60515
PIN: 08-01-405-042

ALONG WITH

THAT PART OF THE EAST-WEST ALLEY LYING SOUTH OF AND CONTIGUOUS TO LOTS 4 THROUGH 8, INCLUSIVE, IN BLOCK 3 IN ARTHUR T. MCINTOSH AND COMPANY'S BELMONT COUNTRY CLUB ADDITION, BEING A SUBDIVISION OF PART OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND SECTION 6, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 18, 1927 AS DOCUMENT 235837, IN DUPAGE COUNTY, ILLINOIS

Commonly known as a public alleyway immediately south of 2125 Ogden Avenue, Downers Grove, IL 60515 bearing PIN 08-01-405-042

WHEREAS, exception has been requested pursuant to Section 20.602 of the Downers Grove Municipal Code to permit the following:

1. An Exception from Chapter 20, *Subdivision Ordinance*, Section 20.301; *Lot Widths*, to reduce the required lot width of one hundred (100) feet to 66.73 feet for Lot 1.

WHEREAS, notice had been given and a public hearing before the Plan Commission on November 6, 2017 for this final plat application pursuant to the requirements of the Downers Grove Municipal Code; and,

WHEREAS, Village staff has reviewed and recommends approval of the petition for Final Plat of Subdivision for the Power Mart Resubdivision with an Exception, located at 2125 Ogden Avenue, Downers Grove, Illinois, as requested, subject to certain conditions; and,

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Downers Grove that the Final Plat of Subdivision for the Power Mart Resubdivision, located at 2125 Ogden Avenue, Downers

Grove, Illinois, is hereby approved subject to the following conditions:

1. The Special Uses, Variation, Plat of Subdivision and Alley Vacation shall substantially conform to the staff report; engineering, architectural and landscape drawings prepared by C.M. Lavoie & Associates, Inc. dated July 24, 2017 and last revised on September 18, 2017, except as such plans may be modified to conform to the Village codes and ordinances.
2. No liquor sales shall be allowed on either lot pursuant to Chapter 3 of the Downers Grove Municipal Code.
3. The pedestrian connection from the building entrances to Ogden Avenue shall be revised to show a safer pedestrian route per staff's determination at the time of the building permit.
4. The buildings shall be equipped with an automatic fire suppression system and an automatic and manual fire alarm system.
5. All proposed signage shall comply with the requirements of the Zoning Ordinance. Signage shall be reviewed at the time of the building permit application.
6. Plat of Subdivision shall add a five-foot public utility and drainage easement along all side lot lines and an easement over parking spaces identifying their shared availability to both uses.
7. Prior to the execution of the plat, the petitioner shall pay the Village \$5,000 for the vacated alley.
8. No building permits can be issued until the official Plat of Vacation and Plat of Subdivision are recorded.

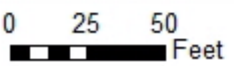
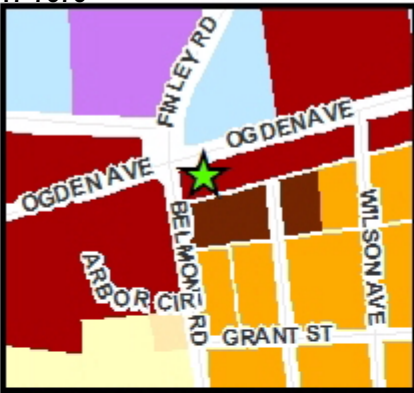
BE IT FURTHER RESOLVED, that the Mayor and Village Clerk are authorized to sign the final plat.

BE IT FURTHER RESOLVED, that this resolution shall be in full force and effect from and after its adoption in the manner provided by law.

Mayor

Passed:

Attest: _____
Village Clerk



2125 Ogden Avenue - Location Map



FINAL PLAT OF SUBDIVISION POWER MART RESUBDIVISION

OF
**PART OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST, OF THE 3RD
PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS.**

DRAINAGE CERTIFICATE

STATE OF ILLINOIS } S.S.
COUNTY OF DUPAGE }

I, _____, A REGISTERED PROFESSIONAL ENGINEER IN ILLINOIS AND _____, THE OWNER OF THE LAND DEPICTED HEREON OR HIS DULY AUTHORIZED ATTORNEY, DO HEREBY STATE, THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS AND PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION. FURTHER, AS ENGINEER, I HEREBY CERTIFY THAT THE PROPERTY ON WHICH IS THE SUBJECT OF THIS SUBDIVISION OR ANY PARTS THEREOF IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

THIS _____ DAY OF _____, A.D. 2017.

ENGINEER

OWNER/ATTORNEY

ILLINOIS DEPARTMENT OF TRANSPORTATION ACCEPTANCE
STATE OF ILLINOIS } SS
COUNTY OF COOK }

THE PROPOSED DEDICATION FOR PUBLIC HIGHWAY PURPOSES TO THE PEOPLE OF THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION IS HEREBY ACCEPTED.

BY: _____ DATE: _____
JOHN FORTMANN, P.E.
DEPUTY DIRECTOR OF HIGHWAYS,
REGION ONE ENGINEER

ILLINOIS DEPARTMENT OF TRANSPORTATION CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF COOK }

THIS PLAT HAS BEEN APPROVED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION WITH RESPECT TO ROADWAY ACCESS PURSUANT OF SS2 OF "AN ACT TO REVISE THE LAW IN RELATION PLATS," AS AMENDED. A PLAN THAT MEETS THE REQUIREMENTS CONTAINED IN THE DEPARTMENT'S "POLICY ON PERMITS FOR ACCESS DRIVEWAYS TO STATE HIGHWAYS" WILL BE REQUIRED BY THE DEPARTMENT.

DEPUTY DIRECTOR OF HIGHWAYS,
REGION ONE ENGINEER

EASEMENT PROVISIONS

AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC AND COMMUNICATION SERVICE IS HEREBY RESERVED FOR AND GRANTED TO

COMMONWEALTH EDISON COMPANY AND A&T TELEHOLDINGS INCORPORATED, ILLINOIS A.K.A. ILLINOIS BELL TELEPHONE COMPANY, GRANTEEES.

THEIR RESPECTIVE LICENSEES, SUCCESSORS AND ASSIGNS JOINTLY AND SEVERALLY, TO CONSTRUCT, OPERATE, REPAIR, MAINTAIN, MODIFY, RECONSTRUCT, REPLACE, SUPPLEMENT, RELOCATE AND REMOVE, FROM TIME TO TIME, POLES GUYS, ANCHORS, WIRES, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, PEDESTALS, EQUIPMENT CABINETS OR OTHER FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, COMMUNICATIONS, SOUNDS AND SIGNALS IN, OVER, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE DASHED OR DOTTED LINES (OR SIMILAR DESIGNATION) ON THE PLAT AND MARKED "EASEMENT"; "UTILITY EASEMENT"; "PUBLIC UTILITY EASEMENT"; "P.U.E." (OR SIMILAR DESIGNATION), THE PROPERTY DESIGNATED IN THE DECLARATION OF CONDOMINIUM AND/OR ON THIS PLAT AS "COMMON ELEMENTS", AND THE PROPERTY DESIGNATED ON THE PLAT AS "COMMON AREA OR AREAS", AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHTS TO INSTALL REQUIRED SERVICE CONNECTIONS OVER OR UNDER THE SURFACE OF EACH LOT AND COMMON AREA OR AREAS TO SERVE IMPROVEMENTS THEREON, OR ON ADJACENT LOTS, AND COMMON AREA OR AREAS, THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES, ROOTS AND SAPLINGS AND TO CLEAR OBSTRUCTIONS FROM THE SURFACE AND SUBSURFACE AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEEES' FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE DASHED OR DOTTED LINES (OR SIMILAR DESIGNATION) MARKED "EASEMENT"; "UTILITY EASEMENT"; "PUBLIC UTILITY EASEMENT"; "P.U.E." (OR SIMILAR DESIGNATION) WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEEES. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

THE TERM "COMMON ELEMENTS" SHALL HAVE THE MEANING SET FORTH FOR SUCH TERM IN THE "CONDOMINIUM PROPERTY ACT", CHAPTER 765 ILCS 605/2, AS AMENDED FROM TIME TO TIME.

THE TERM "COMMON AREA OR AREAS" IS DEFINED AS A LOT, PARCEL OR AREA OF REAL PROPERTY, THE BENEFICIAL USE AND ENJOYMENT OF WHICH IS RESERVED IN WHOLE OR AS AN APPURTENANCE TO THE SEPARATELY OWNED LOTS, PARCELS OR AREAS WITHIN THE PLANNED DEVELOPMENT, EVEN THOUGH SUCH BE OTHERWISE DESIGNATED ON THE PLAT BY TERMS SUCH AS "OUTLOTS", "COMMON ELEMENTS", "OPEN SPACE", "OPEN AREA", "COMMON GROUND", "PARKING" AND "COMMON AREA". THE TERM "COMMON AREA OR AREAS", AND "COMMON ELEMENTS" INCLUDE REAL PROPERTY SURFACED WITH INTERIOR DRIVEWAYS AND WALKWAYS, BUT EXCLUDES REAL PROPERTY PHYSICALLY OCCUPIED BY A BUILDING, SERVICE BUSINESS DISTRICT OR STRUCTURES SUCH AS A POOL, RETENTION POND OR MECHANICAL EQUIPMENT.

RELOCATION OF FACILITIES WILL BE DONE BY GRANTEEES AT COST OF THE GRANTOR/LOT OWNER, UPON WRITTEN REQUEST.

DECLARATION OF RESTRICTIVE COVENANTS

THE UNDERSIGNED OWNER HEREBY DECLARES THAT THE REAL PROPERTY DESCRIBED IN AND DEPICTED ON THIS PLAT OF SUBDIVISION SHALL BE HELD, TRANSFERRED, SOLD, CONVEYED AND OCCUPIED SUBJECT TO THE FOLLOWING COVENANTS AND RESTRICTIONS:

(A) ALL PUBLIC UTILITY STRUCTURES AND FACILITIES, WHETHER LOCATED ON PUBLIC OR PRIVATE PROPERTY, SHALL BE CONSTRUCTED WHOLLY UNDERGROUND, EXCEPT FOR TRANSFORMERS, TRANSFORMER PADS, LIGHT POLES, REGULATORS, VALVES, MARKERS, AND SIMILAR STRUCTURES APPROVED BY THE VILLAGE ENGINEER OF THE VILLAGE OF DOWNERS GROVE PRIOR TO RECORDING OF THIS PLAT OF SUBDIVISION.

(B) AN EASEMENT FOR SERVING THE SUBDIVISION, AND OTHER PROPERTY WITH STORM DRAINAGE, SANITARY SEWER, STREET LIGHTING, POTABLE WATER SERVICE AND OTHER PUBLIC UTILITY SERVICES, IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF DOWNERS GROVE, AND DOWNERS GROVE SANITARY DISTRICT, THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEPARATELY, TO INSTALL, OPERATE AND MAINTAIN AND REMOVE, FROM TIME TO TIME, FACILITIES AND EQUIPMENT USED IN CONNECTION WITH THE PUBLIC WATER SUPPLY, TRANSMISSION LINES, SANITARY SEWERS, STORM DRAINAGE SYSTEM, STREET LIGHTING SYSTEM, OR OTHER PUBLIC UTILITY SERVICE, AND THEIR APPURTENANCES, EITHER ON, OVER, ACROSS, BELOW OR THROUGH THE GROUND SHOWN WITHIN THE DOTTED LINES ON THE PLAT MARKED "PUBLIC UTILITY AND/OR DRAINAGE EASEMENT", OR SIMILAR LANGUAGE DESIGNATING A "STORMWATER OR SEWER EASEMENT", AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, TOGETHER WITH THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEEES' FACILITIES OR IN, UPON OR OVER, THE PROPERTY WITHIN THE STORMWATER OR SEWER EASEMENT WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEEES. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

WHEREAS, SAID LOTS WILL BE CONVEYED TO PURCHASERS SUBJECT TO THIS DECLARATION TO THE END THAT THE RESTRICTIONS IMPOSED SHALL INSURE TO THE BENEFIT OF EACH AND ALL OF THE PURCHASERS OF SUCH LOTS WHETHER THEY SHALL HAVE BECOME SUCH BEFORE OR AFTER THE DATE THEREOF, AND THEIR RESPECTIVE HEIRS AND ASSIGNS, AND

WHEREAS, THE AFORESAID PROPERTY DESCRIBED ON THE ATTACHED PLAT IS LOCATED ENTIRELY WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS, AND

WHEREAS, ALL OF THE PROVISIONS, RESTRICTIONS, CONDITIONS, COVENANTS, AGREEMENTS, AND CHARGES HEREIN CONTAINED SHALL RUN WITH AND BIND ALL OF SAID LOTS AND LAND AND SHALL INSURE TO THE BENEFIT OF, AND BE ENFORCEABLE BY THE VILLAGE OF DOWNERS GROVE, ILLINOIS, AND THE OWNERS OR OWNER OF ANY OF THE LOTS OF LAND COMPRISED WITHIN THIS PLAT, AND THEIR RESPECTIVE HEIRS, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS.

NOW, THEREFORE, ALL PERSONS, FIRMS OR CORPORATIONS NOW OWNING THE AFORESAID PROPERTY DO COVENANT AND AGREE THAT THEY OR ANY PERSON, FIRM OR CORPORATION HEREAFTER ACQUIRING ANY PROPERTY OR LOTS SHOWN UPON THE ATTACHED PLAT OF SUBDIVISION ARE HEREBY SUBJECT TO THE FOLLOWING RESTRICTIONS RUNNING WITH SAID PROPERTY TO WHOMSOEVER OWNED, TO WIT:

- NO IMPROVEMENTS SHALL BE MADE IN OR UPON THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, AS DESCRIBED IN THE PLAT OF SUBDIVISION, EXCEPT FOR LANDSCAPE INSTALLATION OF TREES, SHRUBS, BUSHES AND GRASS AND THE INSTALLATION OF UNDERGROUND UTILITY LINES AND DRIVEWAYS.
- EACH OWNER OR PURCHASER SHALL BE RESPONSIBLE FOR MAINTAINING THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, APPLICABLE TO HIS LOT IN SUCH MANNER AS TO INSURE THE FREE AND UNINTERRUPTED FLOW OF STORMWATER THROUGH THE DRAINAGE SYSTEM OF THE SUBDIVISION, AND SHALL NOT DESTROY OR MODIFY GRADES OR SLOPES WITHOUT HAVING FIRST RECEIVED PRIOR WRITTEN APPROVAL OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS.
- IN THE EVENT ANY OWNER OR PURCHASER FAILS TO PROPERLY MAINTAIN THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, THE VILLAGE OF DOWNERS GROVE, ILLINOIS, SHALL UPON TEN DAYS' PRIOR WRITTEN NOTICE, RESERVE THE RIGHT TO PERFORM, OR HAVE PERFORMED ON ITS BEHALF, ANY MAINTENANCE WORK TO OR UPON THE STORMWATER EASEMENT, INCLUDING DETENTION AND RETENTION AREAS, REASONABLY NECESSARY TO INSURE ADEQUATE STORMWATER STORAGE AND FREE FLOW OF STORMWATER THROUGH THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS.
- IN THE EVENT THE VILLAGE OF DOWNERS GROVE, ILLINOIS, SHALL BE REQUIRED TO PERFORM, OR HAVE PERFORMED ON ITS BEHALF, ANY MAINTENANCE WORK UPON THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, THE COST TOGETHER WITH THE ADDITIONAL SUM OF TEN PERCENT SHALL, UPON RECOGNITION OF A NOTICE OF LIEN WITHIN SIXTY DAYS OF COMPLETION OF THE WORK, CONSTITUTE A LIEN AGAINST HIS LOT WHICH MAY BE FORECLOSED BY AN ACTION BROUGHT BY OR ON BEHALF OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS.
- THE AFORESAID RESTRICTIONS AND COVENANTS, AND EACH AND EVERY ONE OF THEM, ARE HEREBY EXPRESSLY MADE AN ESSENTIAL PART OF THIS INSTRUMENT, AND SHALL BE AND REMAIN OF PERPETUAL EFFICACY AND OBLIGATION IN RESPECT TO THE SAID PREMISES AND THE PARTIES HEREIN DESIGNATED, THEIR AND EACH OF THEIR SUCCESSORS, HEIRS, AND ASSIGNS.

IN WITNESS WHEREOF, THE OWNERS HAVE SET THEIR HANDS UPON THE ATTACHED PLAT THE DAY AND DATE FIRST WRITTEN THEREON, DATED THIS _____ DAY OF _____, A.D. 2017.

OWNER

NOTARY'S CERTIFICATE

STATE OF ILLINOIS } S.S.
COUNTY OF DUPAGE }

I, _____, A NOTARY PUBLIC, IN AND FOR SAID COUNTY, IN THE STATE AFTER SAID, DO HEREBY CERTIFY THAT _____, ARE PERSONALLY KNOWN BY ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNERS, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AN VOLUNTARY ACT, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL, THIS _____ DAY OF _____, 2017.

NOTARY PUBLIC

STATE OF ILLINOIS } S.S.
COUNTY OF DUPAGE }

I, _____, A NOTARY PUBLIC, IN AND FOR SAID COUNTY, IN THE STATE AFTER SAID, DO

HEREBY CERTIFY THAT _____, ARE PERSONALLY KNOWN BY ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNERS, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AN VOLUNTARY ACT, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL, THIS _____ DAY OF _____, 2017.

NOTARY PUBLIC

NOTARY'S CERTIFICATE

LOCAL MAILING ADDRESS:
2125 OGDEN AVENUE
DOWNERS GROVE, ILLINOIS

SCHOOL DISTRICT CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF DUPAGE }

THE UNDERSIGNED DO HEREBY CERTIFY THAT, AS OWNERS OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND KNOWN AS _____ TO THE BEST OF THEIR KNOWLEDGE, IS LOCATED WITHIN THE BOUNDARIES OF THE _____ HIGH SCHOOL DISTRICT, AND _____ ELEMENTARY SCHOOL DISTRICT IN DUPAGE COUNTY, ILLINOIS.

DATED AT _____, ILLINOIS THIS _____ DAY OF _____, A.D., 2017.

BY: _____

LEGEND

| | |
|---------|----------------------------|
| 0.00' | MEASURED DATA |
| (0.00') | RECORD DATA |
| _____ | LIMIT OF SURVEY |
| _____ | SECTION LINE |
| _____ | EXISTING RIGHT-OF-WAY LINE |
| _____ | EXISTING CENTER LINE |

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS } S.S.
COUNTY OF DUPAGE }

I, _____, COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THIS PLAT. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THIS PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS THIS _____ DAY

OF _____, 2017.

COUNTY CLERK

COLLECTOR FOR THE VILLAGE

STATE OF ILLINOIS } S.S.
COUNTY OF DUPAGE }

I, _____, COLLECTOR FOR THE VILLAGE OF DOWNERS GROVE, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE NOT BEEN APPORTIONED AGAINST THE TRACT OF LAND, INCLUDED IN THIS PLAT.

THIS _____ DAY OF _____, A.D. 2017.

COLLECTOR

STATE OF ILLINOIS } S.S.
COUNTY OF DUPAGE }

STATE OF ILLINOIS } S.S.
COUNTY OF DUPAGE }

STATE OF ILLINOIS } S.S.
COUNTY OF DUPAGE }

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COUNTY OF DUPAGE }

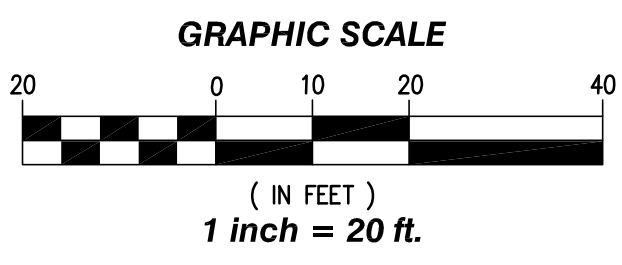
STATE OF ILLINOIS } S.S.
COUNTY OF DUPAGE }

STATE OF ILLINOIS } S.S.
COUNTY OF DUPAGE }

SURVEYOR'S NOTES

- DIMENSIONS SHOWN THUS: 50.25' ARE FEET AND DECIMAL PARTS THEREOF. ANGULAR DATA SHOWN THUS: 90°00'00" INDICATES DEGREES, MINUTES AND SECONDS.
- NORTH ARROW AND BEARINGS BASED ON WEST LINE OF LOT 8 AS SHOWN.
- IMPROVEMENT LOCATIONS ARE BASED ON A FIELD SURVEY BY C.M. LAVOIE AND ASSOCIATES, INC. ON 2/23/17.
- COMPARE YOUR POINTS BEFORE USING SAME AND REPORT ANY DIFFERENCES.
- CHECK LEGAL DESCRIPTION WITH DEED OR TITLE POLICY AND REPORT ANY DISCREPANCY IMMEDIATELY. BUILDING LINES AND EASEMENTS, IF ANY, SHOWN HEREON ARE AS SHOWN ON THE RECORDED SUBDIVISION OR AS INDICATED.

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CERTIFICATE OF THE COUNTY RECORDER

STATE OF ILLINOIS } S.S.
COUNTY OF DUPAGE }

THIS PLAT WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS, ON THE _____ DAY OF _____, A.D. 2017, AT _____ O'CLOCK _____ M. AS DOCUMENT NUMBER _____

RECORDER OF DEEDS

RECORDATION OF PLAT CERTIFICATE

STATE OF ILLINOIS } S.S.
COUNTY OF KENDALL }

I, KEITH E. BOLLINGER, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-003592, HEREBY AUTHORIZE _____ AND/OR ITS DESIGNATED AGENTS TO RECORD THIS PLAT OF SUBDIVISION WITH THE OFFICE OF THE DUPAGE COUNTY RECORDER OF DEEDS.

GIVEN UNDER MY HAND AND SEAL AT PLAINFIELD, ILLINOIS, THIS _____ DAY OF _____, 2017.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003592
MY LICENSE EXPIRES 11/30/2016
PROFESSIONAL DESIGN FIRM 184-003041

PLAN COMMISSION

STATE OF ILLINOIS } S.S.
COUNTY OF DUPAGE }

APPROVED BY THE VILLAGE OF DOWNERS GROVE PLANNING COMMISSION, THIS _____ DAY OF _____, A.D. 2017.

PLANNING COMMISSION CHAIRMAN

VILLAGE BOARD

STATE OF ILLINOIS } S.S.
COUNTY OF DUPAGE }

APPROVED BY THE VILLAGE OF DOWNERS VILLAGE BOARD, THIS _____ DAY OF _____, A.D. 2017.

MAYOR

VILLAGE CLERK

DOWNERS GROVE SANITARY DISTRICT

STATE OF ILLINOIS

COUNTY OF DUPAGE } S.S.
COUNTY OF KENDALL }

I, _____, COLLECTOR OF THE DOWNERS GROVE SANITARY DISTRICT, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE NOT BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT. THIS _____ DAY OF _____, A.D. 2017.

COLLECTOR

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS } S.S.
COUNTY OF KENDALL }

THIS IS TO CERTIFY THAT I, KEITH BOLLINGER, ILLINOIS LAND SURVEYOR NUMBER 035-003592 HAVE SURVEYED AND SUBDIVIDED THE ABOVE DESCRIBED PROPERTY AS SHOWN BY THIS PLAT, WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION; ALL DIMENSIONS ARE IN FEET OR DECIMALS THEREOF.

PARCEL 1, 4, 5, 6, 7 AND 8 IN BLOCK 3 IN ARTHUR T. MCINTOSH AND COMPANY'S BELMONT COUNTRY CLUB ADDITION, BEING A SUBDIVISION OF PARTS OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND SECTION 6, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 18, 1927 AS DOCUMENT 235837, IN DUPAGE COUNTY, ILLINOIS.

AND THAT PART OF THE EAST-WEST ALLEY LYING SOUTH OF AND CONTIGUOUS TO LOTS 4 THROUGH 8, INCLUSIVE, IN BLOCK 3 IN ARTHUR T. MCINTOSH AND COMPANY'S BELMONT COUNTRY CLUB ADDITION, BEING A SUBDIVISION OF PART OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND SECTION 6, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 18, 1927 AS DOCUMENT 235837, IN DUPAGE COUNTY, ILLINOIS.

2125 OGDEN AVENUE DOWNERS GROVE, ILLINOIS

SAID PARCEL OF LAND CONTAINING 38,389 SQUARE FEET OR 0.88 ACRES, MORE OR LESS.

THE PARCEL DEPICTED HEREON LIES WITHIN THE VILLAGE LIMITS OF DOWNERS GROVE.

THE SUBJECT PROPERTY IS SITUATED WITHIN "ZONE X" AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANGE FLOODPLAIN AS PER FEMA FLOOD INSURANCE RATE MAPS, MAP NUMBER 17043C0901H, WITH AN EFFECTIVE DATE OF DECEMBER 16, 2004.

I FURTHER CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR BOUNDARY SURVEYS.

GIVEN UNDER MY HAND AND SEAL AT PLAINFIELD, ILLINOIS THIS _____ DAY OF _____, 2017.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003592

MY LICENSE EXPIRES 11/30/2018
PROFESSIONAL DESIGN FIRM 184-003041



DOWNERS GROVE POWER MART

2125 OGDEN AVENUE
DOWNERS GROVE, ILLINOIS

| | | | |
|----------------------------|----------|-----------------------|------------------------|
| PLAT OF SUBDIVISION | | DRAWN BY: <i>TEP</i> | CHECKED BY: <i>KEB</i> |
| | | SCALE: 1"=20' | DATE: 07/24/2017 |
| | | JOB NUMBER: 16-255 | SHEET: 1 OF 1 |
| # | DATE | DESCRIPTION | |
| 1 | 08/28/17 | comments from village | |
| 2 | | | |
| 3 | | | |
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Consulting Civil Engineering
Land Planning & Surveying
1050 State Route 126
Plainfield, Illinois 60544
voice 815-254-0505
fax 815-436-5158



**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
NOVEMBER 6, 2017 AGENDA**

| SUBJECT: | TYPE: | SUBMITTED BY: |
|----------------------------------|---|-------------------------|
| 17-PLC-0014 2125 Ogden Avenue | Special Use, Variation, Final Plat of Subdivision and Alley Vacation | Swati Pandey Planner |

REQUEST

The petitioner is requesting approval of the following items to allow redevelopment of the Powermart property at the southeast corner of Ogden Avenue and Belmont Road, commonly known as 2125 Ogden Avenue:

1. Two Special Uses for a drive through facility (for a restaurant) and a fueling station
2. Variation for the drive-through setback
3. Vacation of the 20-foot-wide unimproved alley at the south side of the property; and
4. A Final Plat of Subdivision with an exception.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements.

GENERAL INFORMATION

| | |
|-------------------|---|
| OWNER: | Power Mart Real Estate Downers Grove #3 LLC 572 Lake Street Elmhurst, IL 60126 |
| APPLICANT: | C.M. Lavoie & Associates 1050 West Route 126 Plainfield, IL 60544 |

PROPERTY INFORMATION

| | |
|---------------------------|--|
| EXISTING ZONING: | B-3, General Services and Highway Business |
| EXISTING LAND USE: | Vacant commercial buildings |
| PROPERTY SIZE: | 42,593 sq. ft. (0.98 acres) |
| PIN: | 08-01-405-042 |

SURROUNDING ZONING AND LAND USES

| | ZONING | FUTURE LAND USE |
|---------------|--|--|
| NORTH: | M-1, Light Manufacturing | Corridor Commercial |
| SOUTH: | R-6, Residential Apartment/Condo 6 | Corridor Commercial/ Multi-Family Residential |
| EAST: | B-3, General Services and Highway Business | Corridor Commercial |
| WEST: | B-3, General Services and Highway Business | Corridor Commercial |

ANALYSIS

SUBMITTALS

This report is based on the following documents, which are on file with the Department of Community Development:

1. Project Narrative
2. Plat of Survey
3. Site Plans
4. Architectural Plans
5. Elevation/Renderings
6. Landscape Plan
7. Photometric Plan
8. Plat of Subdivision
9. Plat of Vacation
10. Alley Appraisal Report

PROJECT DESCRIPTION

The subject property is located at the southeast corner of Ogden Avenue and Belmont Road and consists of five lots of record. The applicant is proposing to resubdivide the property into two new lots, and construct a gas station with convenience store on one lot and a restaurant with a drive-through on the other lot. The restaurant includes a drive-through facility is on the east side of the building. The petitioner is requesting approval of the following items:

1. A Special Use to permit a fueling station and another Special Use to permit a drive-through for a restaurant in the B-3, General Services and Highway Business district. Both uses are listed in Section 5.010 of the Zoning Ordinance as an allowed Special Use in the B-3 zoning district
2. Variation for the drive-through setback
3. Vacation of 20-foot public right-of-way (unimproved alley)
4. A Final Plat of Subdivision to subdivide five lots of record into two lots of record with one exception

Existing Conditions

The subject property is located at the southeast corner of Ogden Avenue and Belmont Road and consists of five lots of record. The property is zoned B-3, General Services and Business Highway District. The property is a former gas station with a one-story vacant commercial building, a vacant car wash facility and a surface parking lot. The site contains four curb cuts, two on both Ogden Avenue and on Belmont Road. The unimproved alley runs along the south side of the property.

Proposed Development

The petitioner is proposing to demolish all existing structures on the subject site and subdivide the property into two lots to construct the following buildings:

| Lot | Location | Building | Size |
|-----|-------------|------------------------------------|--------------|
| 1 | Eastern lot | Restaurant with drive-through | 15,683 sq ft |
| 2 | Western lot | Gas Station with convenience store | 28,085 sq ft |

A Plat of Subdivision is proposed to subdivide the parcel into two lots. The purpose of the subdivision is to allow two separate businesses to develop on their own lot. The new lots will meet all Subdivision Ordinance bulk lot requirements except for the width of Lot 1. The minimum lot width requirement for commercial properties is 100 feet where 66.73 feet has been proposed for the first 69 feet south of Ogden Avenue,

expanding to over 109.74 feet approximately for the remaining 100.89 feet. The applicant is requesting an exception for the lot width requirement to accommodate underground fuel tanks.

The proposal for the western lot includes a fueling station with a five-island gas pad/canopy along Ogden Avenue and a 2,100-square-foot convenience store. The petitioner is requesting a Special Use to allow a 'fueling station' per Section 5.010 of the Zoning Ordinance. The plans for the eastern lot consist of a 1,760-square-foot restaurant providing three services: a sit down restaurant, a drive-through facility, and a quick service packaged food component for carryout business. A restaurant is a permitted use in the B-3 zoning district, however, the drive-through facility requires a Special Use per Section 5.010 of the Zoning Ordinance. The proposed drive-through is located seven feet from the east property line where 25 feet are required, and the petitioner is requesting an 18-foot setback variation. The petitioner is also requesting a 35-foot setback variation from the southern property line where 50 feet is required and 15-foot is proposed. The vacation of a 20-foot-wide alley to the south has also been requested to facilitate the redevelopment of this site and to provide additional buffering between the commercial uses and adjacent multi-family zoned properties.

The site contains four curb cuts, two each on Ogden Avenue and Belmont Road. The petitioner has proposed to improve on-site circulation by removing the western most curb cut along Ogden Avenue. One curb cut on Belmont Road will be removed while the second will be reconfigured for a right-in/right-out turn. The petitioner submitted plans to IDOT and DuDOT, and will incorporate all comments from the agencies at the time of permit. Pedestrian access will be provided from Ogden Avenue and Belmont Road to the buildings main entrances with distinct material as required per the Zoning Ordinance.

The proposed one-story convenience store building will have an aluminum storefront system with a vertically extended façade in the center and columns clad in brick and stone. There will be an arched aluminum canopy at the entrance with double doors accessing the building. The new restaurant building shall use similar materials with a metal panel façade and stone base. The fuel canopies shall be made of prefinished metal panels. Five gas islands with ten pumps are proposed under the fuel canopy. The pumps shall be oriented in the same direction under a single rectangular canopy which will have a metal panel with steel columns. Stacking for the drive-through and the gas pumps is provided per the requirements of the Zoning Ordinance.

The petitioner is proposing 23 parking spaces, in conformance with the Village requirements, including two handicapped spaces. The parking spaces will be shared by both building tenants, although ten are on Lot 1, and 13 are on Lot 2. The fully screened trash enclosure is proposed at the southeast corner of the property per the requirements of the Zoning Ordinance.

The petitioner is proposing new landscaping on the property, in conformance with the Village requirements. Landscaping is proposed on the north and west perimeter of the property in the street yard. Foundation landscaping is proposed south of the restaurant building. A fence is proposed on the south side of the property to provide screening for the residential properties. Signage is not part of this petition, and any signage proposed for the development shall comply with the Sign Code requirements through a separate sign permit application.

An unimproved, public alley south of the property is requested to be vacated, approximately 270 feet by 20 feet. The vacation is requested by the petitioner to allow greater flexibility in site design and to add depth to the property to accommodate setbacks. The alley will largely remain unimproved, except that part of the drive-through lane will encroach five feet into the alley. Per the Village's Right-of-Way Vacation Policy (Resolution #2003-58), staff contacted the public agencies and determined that the utility providers and the Village do not have an objection to the vacation of the right-of-way as long as a public drainage, utility and

17-PLC-0014; 2125 Ogden Avenue
November 6, 2017

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access easement is retained along the entire width and length of the alley. The required easement has been provided as noted on the Plat of Vacation.

In order to meet the first criteria of approval for alley vacation, the petitioner must provide the written consent of at least two property owners who abut the subject property, one of which may be the petitioner. There are two parcels abutting the subject property – one is vacant and the other is improved with a condominium building. The petitioner has not been able to secure consent from the owner of the vacant property or the homeowner’s association of the condominium property. The petitioner has submitted a note of consent from one of the condo owners, however, it cannot be considered consent for the entire property.

Staff is supportive of the overall site development plans submitted by the petitioner.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The current Comprehensive Plan identifies the subject site as a part of a catalyst site “D5” in the *Ogden Avenue-Key Focus Areas*, and recommends aesthetic and functionality improvements. The parcels are identified as underutilized and recommendations are made to redevelop and enhance the site to serve as a major gateway into the Village. The applicant’s proposal aligns with these goals. The plan notes that this area should be redeveloped with attention to pedestrian circulation, reducing the number of curb cuts, increasing cross-access between lots, and enhancing the overall appearance at an important intersection while providing neighborhood-oriented and smaller regional commercial retail and service uses.

The proposed development:

- Removes two curb cuts and improves access onto both Ogden Avenue and Belmont Road
- Improves site connectivity by installing pedestrian access from Ogden Avenue and Belmont Road to the two buildings and maintains vehicular cross-access through an easement
- Consolidates multiple lots into two lots and increases depth for a functional site plan
- Provides enhanced landscaping and screening in order to provide a buffer to the residential areas to the south and a more attractive image at a community gateway intersection

The plan recommends the Corridor Commercial Area include a blend of neighborhood-oriented commercial retail, offices, smaller regional retail and service uses. The proposed development meets the goals of the Comprehensive Plan.

COMPLIANCE WITH THE SUBDIVISION ORDINANCE

The subject property is made up of five lots of record and an unimproved alley. The petitioner is proposing to subdivide these five lots into two lots of record. The two commercial lots will meet the minimum requirements outlined in Section 20.301 of the Village’s Subdivision Ordinance except for the width of Lot 1. The proposed lot dimensions are specified in the table below:

| 2125 Ogden Avenue | Lot Width | | Lot Depth | | Lot Area | |
|-------------------|-----------|--|-----------|-------------|----------------|----------------|
| | Required | Proposed | Required | Proposed | Required | Proposed |
| Lot 1 | 100 feet | 66.73 feet <i>(exception requested)</i> | 140 feet | 170.03 feet | 10,500 sq. ft. | 15,683 sq. ft. |
| Lot 2 | 100 feet | 178.57 feet | 140 feet | 170.03 feet | 10,500 sq. ft. | 28,085 sq. ft. |

The lot width exception of approximately 33.27 feet is requested for the first 69 feet south of Ogden for Lot 1. The exception allows Lot 1 to contain all gas station related underground facilities on the same lot as the proposed gas station. The reduction of the required lot width allows for the construction of the gas station and the restaurant on separate lots, while placing tanks and appurtenances on the gas station lot. Lot 1 fully meets the lot width requirements for the remaining 100.89 feet from the rear of the proposed property line.

The petitioner is providing a 20-foot wide public utility and drainage easement across the vacated alley and will provide five-foot easements along all side lot lines as a condition of approval. An ingress/egress easement is provided on the subdivision plat, guaranteeing shared access across both lots to both properties.

COMPLIANCE WITH ZONING ORDINANCE

The property is zoned B-3, General Services and Highway Business. The bulk requirements of the proposed development in the B-3 zoning district are summarized in the following table:

| 2125 Ogden Avenue | Required | Proposed |
|--|-----------------|-----------------|
| Restaurant (Lot 1) | | |
| North Setback (Street Yard – Ogden Avenue) | 75 ft | 116 ft |
| East Setback | n/a | 20.29 ft |
| South Setback (Rear Yard) | 20 ft | 42.55 ft |
| West Setback | n/a | 10.5 ft |
| Floor Area Ratio | 0.75 (max) | 0.13 |
| Building Height | 60 ft (max) | 12.5 ft |
| Gas Station Convenience Store (Lot 2) | | |
| North Setback (Street Yard – Ogden Avenue) | 75 ft | 142 ft |
| East Setback | n/a | 10 ft |
| South Setback (Rear Yard) | 20 ft | 30.01 ft |
| West Setback (Street Yard) | 25 ft | 68.14 ft |
| Floor Area Ratio | 0.75 (max) | 0.13 |
| Building Height | 60 ft (max) | 25 ft |
| Overall Site Development (Lots 1 & 2) | | |
| Street (Belmont) Setback - Parking | 8 ft | 44 ft |
| Drive-through Setback - East | 25 ft | 7 ft |
| Drive-through Setback - South | 50 ft | 15 ft |
| Canopy setback (Ogden Avenue) | 50 ft | 67 ft |

| | | |
|-----------------------------------|----------------|-------------------|
| Landscaped Open Space | 4,247 sf (10%) | 5,899.89 sf (15%) |
| Street Yard Landscaped Open Space | 2,124 sf (50%) | 3,064.98 sf (52%) |
| Stacking (Fueling & Restaurant) | 28 | 28 |
| Parking Spaces | 19 | 23 |

The proposed development is compliant with the vast majority of the bulk regulations in the B-3 zoning district; however, the drive-through setbacks on the east (non-residential) and south (residential) side do not comply with the minimum requirements of the Zoning Ordinance. The drive-through lane for the restaurant is seven feet from the east property line where 25 feet is required and 15 feet from the south where 50 feet is required. The applicant will install landscaping and a fence along the south property line to provide screening for the adjacent multi-family residence.

Sufficient parking and stacking for vehicles is provided per the zoning requirements. The proposal meets the minimum open space requirements for the property and the street yard. Landscaping material shall be provided in accordance to the requirements of the Zoning Ordinance. The petitioner is proposing parking lot lighting that meets the requirements of the Zoning Ordinance. All lighting will be directed towards the buildings, driveways and parking areas, and away from the adjacent residential areas.

With all the above analysis considered, the applicant's proposal is consistent with the Village's Zoning Ordinance with the one exception of the requested drive-through setback variation.

ENGINEERING/PUBLIC IMPROVEMENTS

Based on the existing and proposed impervious area on the site, the existing underground stormwater detention is required to be maintained and if additional storage is required at time of permit, it will be provided on-site. Post Construction Best Management Practices will be required for this property. The project will meet all provisions of the Stormwater and Floodplain Ordinance.

Additional public improvements include the reduction of curb cuts onto Ogden Avenue and reconfiguration of two curb cuts to one on Belmont Road. All utilities within the alley will be granted a blanket easement. The Sanitary District has provided conceptual approval for the proposed development.

PUBLIC SAFETY REQUIREMENTS

The Fire Prevention Division has reviewed the proposed plans and determined that the development provides sufficient access for emergency vehicles. As shown in the auto turning plan, the Village's largest emergency vehicle can maneuver through the site and access both buildings from Belmont Road and Ogden Avenue. The buildings will also include a fire alarm system and sprinkler system that meet the Village's code requirements. A fire hydrant will be required within 100 feet of each fire department connection.

NEIGHBORHOOD COMMENT

Notice was provided to all property owners 250 feet or less from the property in addition to posting public hearing notice signs and publishing the legal notice in the *Downers Grove Suburban Life*. There was one informational inquiry received by staff and one letter from one of the owners of the condominium property stating that additional information was required by him to form an opinion.

FINDINGS OF FACT

The petitioner is requesting a Special Use, Variation, Plat of Subdivision with an exception, and an Alley Vacation to redevelop 2125 Ogden Avenue. Staff finds that the proposal meets the standards as outlined below:

Section 28.12.050.H Approval Criteria

No special use may be recommended for approval or approved unless the respective review or decision-making body determines that the proposed special use is constituent with and in substantial compliance with all Village Council policies and plans and that the applicant has presented evidence to support each of the following conclusions:

1. ***That the proposed use is expressly authorized as a Special Use in the district in which it is to be located;***
The property is located in the B-3, General Service and Highway Business zoning district. Under Section 5.010 of the Zoning Ordinance, a fueling station and a drive-through facility are listed as allowable Special Uses in the B-3 zoning district. This standard has been met.
2. ***That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.***
The proposed redevelopment, which includes the construction of a gas station and a drive-through restaurant, are desirable within the Ogden Avenue corridor and will contribute to the general welfare of the community. The Comprehensive Plan identifies the property as a catalyst site and requires the underutilized parcel including the large surface parking lot to be redeveloped with attractive development. The proposed uses meet various Comprehensive Plan goals which include reinvestment, adding to the complement of auto-oriented businesses and adding uses that cater to the nearby residents and to the larger region. This standard has been met.
3. ***That the proposed use will not, in the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.***
The proposed development with a gas station and drive-through facility will not be detrimental to the health, safety or general welfare of persons residing in or working in the vicinity and will not be injurious to property values or improvements in the vicinity. The proposed development will convert a vacant commercial property into an active commercial development that will contribute to the ongoing enhancement of the Ogden Avenue corridor. The development will increase the overall value of this corridor and should increase property values while attracting new business. The drive-through facility has been designed in a manner that will separate the vehicles from the pedestrian areas. Moreover, landscaping and screening will be added which will create a buffer from the adjacent properties. This standard has been met.

Section 28.12.090.G Approval Criteria

Variations require evaluation per Section 28.12.090 of the Municipal Code, *Standards and Review Criteria*: “No variation may be approved unless the variation to be approved is consistent with the spirit and intent of this zoning ordinance and that strict compliance with the subject provisions would result in practical difficulties or particular hardships for the subject property owner. The consideration of whether a variation request has met the standards of practical difficulties or particular hardships must include all of the following findings from the evidence presented.”

(1) *The subject property cannot yield a reasonable return if required to comply with the regulations that apply to it.*

The property is currently vacant and is not yielding any return. Compliance with the setback requirements for the drive-through facility reduces the potential of the property for any drive-through business. The proposed drive-through design and location maximizes site circulation for both vehicles and pedestrians by physically separating the drive-through from any pedestrian activity. This standard has been met.

(2) *The plight of the owner is due to unique circumstances.*

The property is located at the corner of two streets and is a catalyst site identified in the Comprehensive Plan. This unique situation requires the proposed site to locate the drive-through facility along the east property line and behind the buildings in order to minimize any potential interaction between motorists and pedestrians. This layout allows for optimal circulation patterns for both vehicles and pedestrians. This standard has been met.

(3) *The variation, if granted, will not alter the essential character of the locality.*

The proposed variation will not alter the essential character of the locality. The area contains a combination of both large and small retail establishments with drive-through facilities. The proposed project will enhance the character of the locality by redeveloping a vacant gas station into two new commercial establishments that serves both pedestrians and motorists in a safe manner. This standard has been met.

(4) *That the particular physical surroundings, shape, or topographical conditions of the subject property would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.*

The property presents a physical hardship to have safe and adequate site circulation while meeting the required setback for a drive-through facility. Physical conditions of the property do not allow for the proposed project to meet the setback requirement and create an optimal circulation pattern to safely accommodate pedestrians and motorists. The proposed site plan allows for both pedestrians and motorists to utilize the site while only having the petitioner request one variation from the Zoning Ordinance. All other bulk regulations have been met and the variation request meets the spirit and intent of the Zoning Ordinance and the Comprehensive Plan. This standard has been met.

(5) *That the conditions leading to the need of the requested variation are not applicable, generally, to other properties within the same zoning classification.*

The conditions leading to the requested variation are very specific to this property and are not generally found with other properties within the B-3 district or the Village. The subject property is a corner lot; and therefore provides fewer opportunities to locate a drive-through facility away from the street at the rear of the building. The proposed site layout acknowledges both motorists and pedestrians by physically placing the drive-through facility along the south and east property lines. As such, the variation request is only applicable to this property. As a catalyst site, placing the drive-through at the rear of the property further enhances the overall design of the development and promotes aesthetics for a corner catalyst site. The proposed site design will meet all other safety and design regulations. This standard has been met.

(6) *That the alleged difficulty or hardship was not created by the current property owner.*

There is no particular difficulty or physical hardship associated with the property that has resulted from the actions of the owner. The petitioner is requesting a setback variation for the drive-through lane in order to meet the circulation safety requirements from the Zoning Ordinance and to meet the goals of the Village's Comprehensive Plan. This standard had been met.

- (7) That the proposed variation will not impair an adequate supply of air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.**

The approval of the proposed variation will not diminish or impair the property values of similar properties within the neighborhood. Adequate landscaping, screening and buffering will be provided so as to not endanger the public health, safety or welfare. The granting of the requested variation will not negatively impact the desirability of adjacent properties. This standard has been met.

- (8) That the proposed variation will not alter the essential character of the area.**

The granting of a variation will not alter the essential character of the area as the variation assists with enhancing the safety for motorists and pedestrians. The proposed development is consistent with surrounding automobile-oriented commercial uses and food service related drive-throughs along Ogden Avenue. This standard has been met.

- (9) That the granting of the variation will not confer on the subject property owner any special privilege that is not available to other properties or structures in the same district.**

If this request is granted it will not confer a special privilege to the subject property as there are physical hardships and unique circumstances associated with this property that are not common with the properties found in the same zoning district. All properties located in the B-3 zoning district can apply for a special use for a drive-through facility; however, there are setbacks and safety regulations that each site has to comply with as found in the Zoning Ordinance. The proposed design follows all of the safety regulations by optimizing vehicular and pedestrian circulation when placing the drive-through facility along the east property line. This standard has been met.

Section 20.301 – Plat of Subdivision

The proposed subdivision meets the minimum lot area requirements of Sections 20.301 of the Subdivision Ordinance. An exception is requested for a reduced Lot 1 lot width from the required 100 feet to 66.73 feet.

Section 20.602 Exceptions

An exception shall be recommended by the Plan Commission only if it finds that there are practical difficulties or particular hardships in the way of carrying out the strict letter of the provisions of this subdivision ordinance. In its consideration of the standards of practical difficulties or particular hardships, the Commission may consider, but is not limited to, the following:

- (1) The extent to which the proposed exception impacts on the value or reasonable use of surrounding properties;**

The proposed exception does not have a negative impact on the surrounding properties. Rather a subdivision allows each business and its appurtenances to be located on a separate lot which would have a positive impact on the surrounding properties. This standard is met.

- (2) Whether the exception is consistent with the trend of development in the area and the surrounding uses;**

The area is primarily commercial and the proposed lot widths are consistent with existing lot widths in the area. Specifically, the immediate vicinity east of the property have an average width of 50 feet. This standard is not met.

- (3) The characteristics of the property which support or mitigate against the granting of the exception;**

The property is a corner lot and has limitations of site configuration for the proposed development. In order to accommodate two separate business on their own lots, the exception for a reduced lot width is required. Furthermore, the exception requested is for 66.73 feet along Ogden but the lot meets the

minimum lot width requirement for the remaining 100.89 feet from the proposed rear property line to allow accommodating the fuel gas tanks. This standard is met.

(4) Whether the exception is in conformance with the general plan and spirit of this Chapter;

The requested exceptions are in conformance with the Comprehensive Plan and in conformance with the spirit of the Subdivision Ordinance. The Comprehensive Plan looks to ensure development and enhancement of this catalyst site. The proposed plan requires the reduced lot width to achieve a functional site plan. The health, safety and general welfare of the community is not negatively impacted and therefore maintains the spirit of the Subdivision Ordinance. This standard is met.

(5) Whether the exception will alter, or be consistent with, the essential character of the locality.

The proposal is consistent with the character of the locality. The majority of the lots on east side of the subject property are 50 feet wide. This standard is met.

Compliance with the Procedure to be followed in the Vacation of Streets, Alleys, and Public Rights-of-Way (Resolution #2003-58)

The Village's alley vacation policy asks the following questions when it comes to determining if an alley can be vacated. These questions and staff's findings are listed below:

1. *Is there written consent of at least two property owners who abut the proposed parcel to be vacated?*
 - The petitioner has not been able to secure written consent from at least two property owners who abut the alley. Because the consent of a second property owner has not been provided, this criteria has not been met.
2. *Whether the Parcel or portion thereof, is no longer necessary for public use and whether the public interest will be served by such vacation request.*
 - The alley is unimproved currently and would continue to be maintained as an unimproved alley. A five foot encroachment of the drive-through drive aisle is proposed along the rear side of the buildings; however, this is a standard allowed encroachment across the easement. As noted above, staff contacted the utility companies and outside public agencies to determine the extent of public interest. Based on their replies, staff has determined the public interests are addressed by placing a public drainage, utility and access easement over the entire vacated alley.
3. *Whether the Parcel or portion thereof, should be vacated and whether public utility easements and any ingress-egress easements are to be maintained.*
 - A public drainage, utility and utility access easement will be retained over the entire alley length and width. As such, the petitioners will not be able to construct any permanent structure, other than a driveway, drive-through lane or fence, within this easement.
4. *The amount and type of compensation, if any, to be required as a condition to the effectiveness of the vacation of the parcel.*
 - The right-of-way vacation policy requires petitioners provide the Village with compensation for the alley to be vacated at the discretion of Village Council. The petitioner has provided an appraisal report for the alley prepared by Argianas & Associates, Inc. on August 17, 2017. Based on the appraisal report, the value of the alley is \$5,000.

17-PLC-0014; 2125 Ogden Avenue
November 6, 2017

Page 11

RECOMMENDATIONS

The proposed Special Uses, Variation, and Plat of Subdivision with an exception for the development at 2125 Ogden Avenue are consistent with the Comprehensive Plan, the Zoning Ordinance and surrounding zoning and land use classifications. Staff recommends **approval** of the requested Special Uses, Variation, Plat of Subdivision with an exception, and Alley Vacation as requested in case 17-PLC-0014, recognizing that the proposal does not meet the vacation policy, subject to the following conditions:

1. The Special Uses, Variation, Plat of Subdivision and Alley Vacation shall substantially conform to the staff report; engineering, architectural and landscape drawings prepared by C.M. Lavoie & Associates, Inc. dated July 24, 2017 and last revised on September 18, 2017, except as such plans may be modified to conform to the Village codes and ordinances.
2. No liquor sales shall be allowed on either lot pursuant to Chapter 3 of the Downers Grove Municipal Code.
3. The pedestrian connection from the building entrances to Ogden Avenue shall be revised to show a safer pedestrian route per staff's determination at the time of the building permit.
4. The buildings shall be equipped with an automatic suppression system and an automatic and manual fire alarm system.
5. All proposed signage shall comply with the requirements of the Zoning Ordinance. Signage shall be reviewed at the time of the building permit application.
6. Plat of Subdivision shall add a five-foot public utility and drainage easement along all side lot lines and an easement over parking spaces identifying their shared availability to both uses.
7. No building permits can be issued until the official Plat of Vacation and Plat of Subdivision are recorded.

Staff Report Approved By:



Stanley J. Popovich, AICP
Director of Community Development

SP; sp
-att



2125 Ogden Avenue - Location Map





August 28, 2017

Mr. Stan Popovich
Director of Community Development
Village of Downers Grove
801 Burlington Avenue
Downers Grove, IL 60515

RE: PowerMart
Plan Commission Submittal

Dear Mr. Popovich;

On behalf of Mr. Sam Odeh and PowerMart Real Estate DG #3, LLC, we are submitting for petition to the plan commission for approval and recommendation of approval to the city council, the redevelopment of the southeast corner of Belmont Avenue and Ogden Avenue. The owner of the property seeks approval of its plan and intent to subdivide and redevelop approximately 0.88 acres to build and operate a fueling station and fresh food deli convenience store on one of the resubdivided lots and a restaurant with prepackaged convenience food to supplement the restaurant, located on the other subdivided lot. As such, the owner seeks approval of the resubdivision to create two parcels for the two building types, vacation of the adjacent alley to maximize the traffic flow on the site, and construction of the two buildings.

The property is currently zoned a B-3 classification. The properties to the east, west, and northwest are all similarly zoned B-3. The property to the north is a car dealership and zoned M-1. The properties to the south are zoned for residential apartments, R-6; however, the land immediately to the south is undeveloped and vacant. As the site is currently a vacant gas station, the redevelopment of this facility is unlikely to negatively impact surrounding property values, and to the contrary, it is expected the development will enhance the overall property values. Our client is proposing to resubdivide the existing parcel into two lots and maintain the current zoning. One lot will refurbish the site into a gas station with a convenience store located within the proposed building. The second lot on the east side of the parcel, will have a stand-alone restaurant. The proposed use is sorely and dearly needed in the adjacent vicinity as there are no similar businesses offering the array of services as proposed, including E85 fuel and fresh food/deli choices available on one of the resubdivided lot, and the availability of a sit down/drive through quick serve restaurant with a convenience packaged food component (potato chips, cookies, fruit cuts, etc. that would not normally be prepared at the restaurant). A drive through service window is also proposed that would include extensive car stacking.

The planned use is entirely consistent with the village's comprehensive plan and would be an asset to the immediate and extended community.

Currently, the site is a vacant gas station with a closed building and car wash facility. The site also contains a block wall depressional stormwater storage facility, and is adjacent to a natural, depressional area that contains a vacant alleyway, located on the south side of the site.

Storm water detention for the site will be handled by an underground storage chambers, with the volume computed to handle and store the 100 year (1%) storm event. The minimum size that the storage

chamber will be equal to the existing depressional storage facility, which is to be removed. Outflow will be controlled for the 2 year and 100 year storm event, discharging to the south near the existing outfall structure, following the existing drainage pattern.

Curb cuts and reconfiguration along both Belmont Avenue and Ogden Avenue will require permission for the approving agencies, County of DuPage (Belmont Avenue) and IDOT (Ogden Avenue). These agencies have been sent preliminary engineering plans for review and preliminary approval of the curb changes. We are seeking reduction from two (2) curb opening along Belmont Avenue to one (1) and from two (2) openings along Ogden Avenue to one (1). As this will increase safety and limit vehicle movement onto the adjoining streets, we anticipate approval.

As the site is already developed, existing utilities will be utilized as available, including storm and sanitary structures. Sanitary service is provided at the south of the property, via an 8 inch clay pipe with a structure at the end of the pipe run. A saddle tap for the proposed restaurant will be added to the pipe run, as commented by the sanitary district. Preliminary plans for the proposed sanitary disconnection and connections have been submitted to the Downers Grove Sanitary District for conceptual approval.

Storm routing will utilize existing drainage piping if possible, to convey the stormwater release. As stated above, detention will be provided by a sized, underground storage system.

Gas, telephone, and electrical service will be determined in coordination with the appropriate utility companies. Water service is proposed for connection along Ogden Avenue, following village specifications.

Parking within the site is provided at the periphery of the proposed use. Based on comments from the village, parking as proposed, is adequate for the proposed uses.

Crossover blanket easements for access, parking, and utilities would be incorporated into the plat of subdivision.

Agency approvals include EcoCAT, Sanitary District, Kane-DuPage SWCD, County of DuPage, IDOT, and the Village of Downers Grove

Should you have any questions, please contact me at the office at 815-254-0505

Regards,



Tim Parmenter
Project Manager
C.M. Lavoie and Associates, Inc.



Project Narrative

The proposed site development located at 2125 Ogden Avenue is currently a blighted gas station site that has been closed for several years. Currently, the site has two full entrances on Ogden Avenue and two other full entrances on Belmont Avenue which is controlled by DuPage County. The current lot dimensions of the property, more specifically, the lot depth from Ogden Avenue is minimal for truck motions with this lot being a corner lot, the turning motions are highly restrictive. Belmont Avenue is currently a five-lane cross-section including two north bound lanes, two south bound lanes, and a north bound left-hand turn lane. Ogden Avenue is also a five-lane cross section with two lanes in each direction and a west bound left-hand turn lane. The site is nearly 100 percent asphalt with an abandoned gas station building and a free-standing car wash building both of which are not in use. The site also contains a stormwater detention pond with vertical concrete walls located on the east side of the property. These limiting conditions restrict any re-development of the site due to access, the lot depth, and lot width.

Since the site was a fueling station for many years, and the proposed use is the same with an added fast food component, the request for a special use is here by requested. This project is seeking a special use for a fueling station which is a permitted special use as noted in the Downers Grove Zoning Code, according to Article 5, Allowed Uses, Section 5.010. The project is also seeking relief on the lot width for a secondary restaurant described herein as LOT 1 located on the east side of the site. The minimum lot width for LOT 1 is 66.73 feet and according to Section 20.301C the proposed lot width is less than the required minimum of 100 feet.

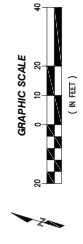
The site geometry, along with the truck motions, turning radii, drive thru lane stacking for vehicles, and the underground gas facilities including the tanks and appurtenances, require nearly two thirds of the lot area to meet engineering design and code requirements. The engineering design includes the restricted access on Belmont Avenue and a full access on Ogden Avenue. This particular site is limiting due to the size and dimensions of all the above-mentioned components and cannot be designed without the requested variation for lot width.

The request for Special Use for this project has been met based on the following approval criteria:

1. The proposed use is an expressly authorized special use in the current zoning district.
2. The proposed use is necessary due to the limiting access at other fueling facilities at the same intersection. Any consumer traveling north bound on Belmont Avenue and wishes to continue north bound on Finley Road, cannot use the other fueling facilities.
3. This proposed development will serve residential areas south of Ogden Avenue and will contribute to the general welfare of the neighborhood. The new development will allow pedestrian traffic from the south east to use the new facilities without crossing a major roadway.
4. The proposed development will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity.

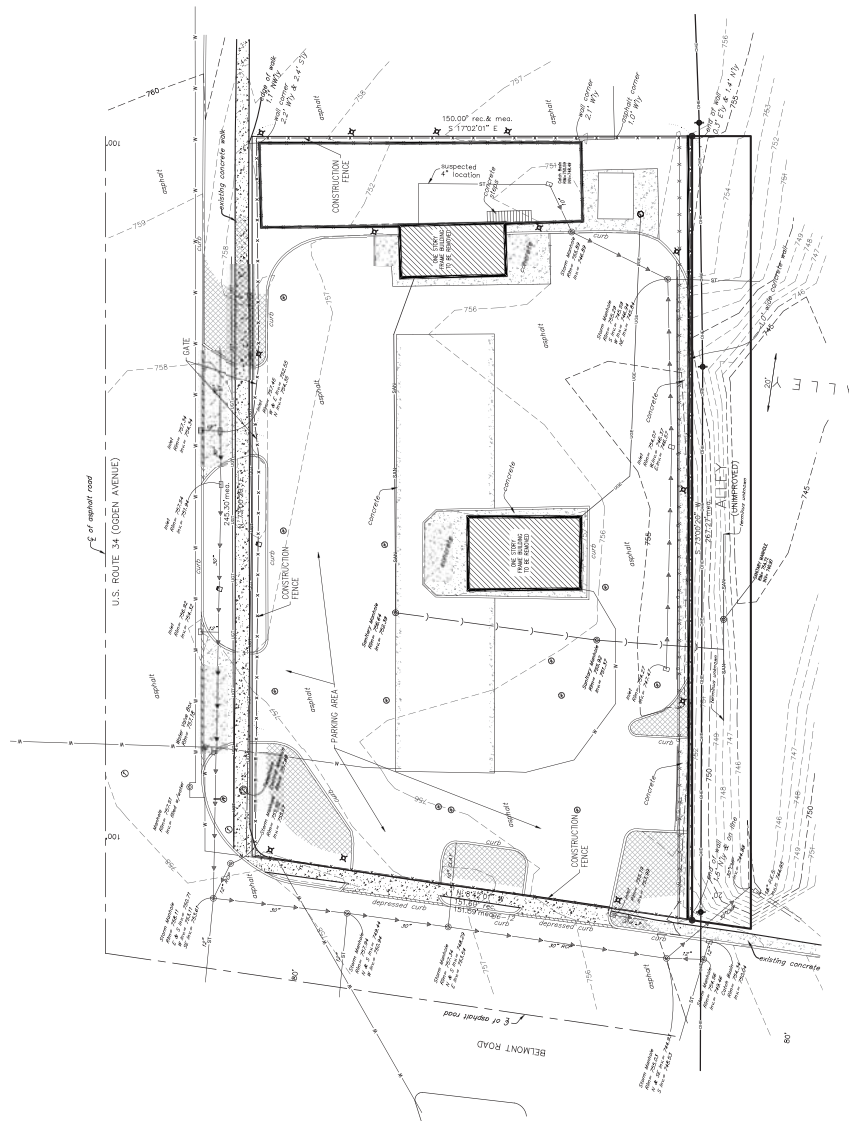
The request for the Lot Area Width variation for this project has been met based on the following criteria:

1. The variation will not alter the essential character of the locality.
2. The secondary restaurant use is required to meet the return on investment.
3. The site limitations are unique conditions and the requested variation are not applicable to other properties within this classification.



NOTES:

1. THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES, SUCH AS WATER MAINS, SEWERS, GAS LINES, ELECTRIC LINES, TELEPHONE LINES, ETC., AS SHOWN ON THE PLANS HAVE BEEN OBTAINED FROM THE RECORD DRAWINGS AND FIELD SURVEY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE LOCATIONS SHOWN. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL UTILITY COMPANIES AND THEIR FACILITIES SHALL BE LOCATED PRIOR TO ANY WORK.
2. EXISTING GRASSES AND IMPROVEMENTS ARE SHOWN FROM THE BEST INFORMATION AVAILABLE AND MUST BE MAINTAINED IN THE FIELD BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION. ANY DISCREPANCY WITH THE PLAN SHALL BE IMMEDIATELY REPORTED TO THE ENGINEER.
3. PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR SHALL EXPOSE ANY UTILITIES OR OTHER OBSTRUCTIONS TO BE CROSSED BY THE PROPOSED SEWER, AND SHALL NOTIFY THE ENGINEER IMMEDIATELY IF THESE ARE ANY CONFLICTS WITH THE PROPOSED SEWER OR GUTTER.
4. ALL DIMENSIONS OF STORM STRUCTURES LOCATED IN CORB & GUTTERS ARE TO FLOW LINE UNLESS NOTED.
5. CONTRACTOR TO PROVIDE NECESSARY PROTECTION TO ALL EXISTING UTILITIES DURING DEMOLITION AND CONSTRUCTION.
6. ALL PERMANENT SANITARY SERVICE DISCONNECTIONS MUST BE DONE AT THE POINT OF CONNECTION TO THE PUBLIC SANITARY SEWER MAIN. ALL WORK MUST BE INSPECTED BY THE ENGINEER PRIOR TO THE START OF CONSTRUCTION. REPAIRS SHALL BE SUBMITTED 24 HOURS IN ADVANCE.
7. CONTRACTOR TO VERIFY IF ANY ON-SITE UTILITIES SERVICE OFF-SITE LOTS PRIOR TO CONSTRUCTION. IF NECESSARY, CONTRACTOR TO RELOCATE ALL ON-SITE EXISTING UTILITIES WHICH SERVICE OFF-SITE LOTS WITH MINIMAL SERVICE INTERRUPTIONS TO OFF-SITE LOTS.
8. ALL EXISTING UTILITIES SHALL BE PROTECTED AND MAINTAINED THROUGHOUT THE PROPOSED STORM SEWER SYSTEM OR ABANDONED AS REQUIRED. IF NECESSARY, FIELD TILES SHALL BE REROUTED AROUND THE SITE DURING CONSTRUCTION SO THAT SERVICE OF THE TILES IS NOT INTERRUPTED.
9. THE PERIMETER TO HAVE MINIMUM 6 FT. HIGH CHAIN LINK CONSTRUCTION FENCE WITH 4" X 4" POSTS AND RAILS TO BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION.
10. ALL STORM SEWER STRUCTURES TO HAVE INLET BASKETS TO COLLECT ANY SOLID WHICH MAY FLOW INTO STRUCTURES. INLET BASKETS TO REMAIN IN PLACE UNTIL SITE IS PERMANENTLY STABILIZED.
11. POWER TO EXISTING STREET LIGHTS IN AREA OF CONSTRUCTION IS TO BE MAINTAINED. NEW CONDUITS AND WIRES WILL BE INSTALLED WHERE LIGHTING IS INTERRUPTED.
12. PROPOSED SIGNAGE PERMITTING TO BE HANDED BY CONTRACTOR UNDER SEPARATE COVER.
13. CONTRACTOR TO MAINTAIN MINIMUM 5 FEET CLEARANCE FROM EXISTING WATER MAINS AND 10 FT FROM THE BUILDINGS PRIOR TO EXCAVATION.
14. GROUND WAS REMOVED A FEET OF SURFACE COURSE ADJACENT TO NEW CORB AND GUTTERS. REPLACE WITH LIKE MATERIALS.
15. REMOVE CURBS AND GUTTERS TO THE NEAREST CURB.



NOTE:
ALL BARRICADES FOR WORK IN RIGHT OF WAY WILL BE COORDINATED THROUGH DOT

DOWNERS GROVE POWER MART
 2128 ODGEN AVENUE
 DOWNERS GROVE, ILL. 60414

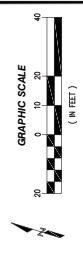
DEMOLITION EXHIBIT

DRAWN BY: TEP CHECKED BY: CML
 SCALE: 1" = 20' DATE: 08/18/2017
 JOB NUMBER: 19-099 SHEET: 24

Consulting Civil Engineering
 Landmark Engineering, Inc.
 10505 State Route 128
 Plainfield, Illinois 60644
 Phone: 630-580-1100
 Fax: 630-580-1518

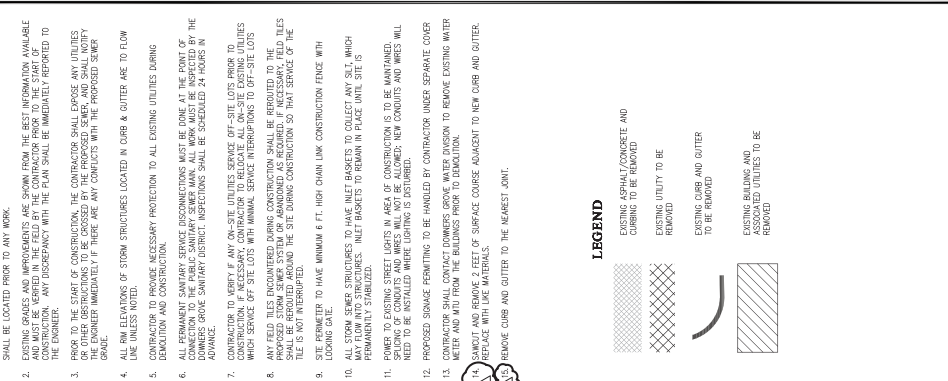
CML
 C.M. Lavoie & Associates, Inc.

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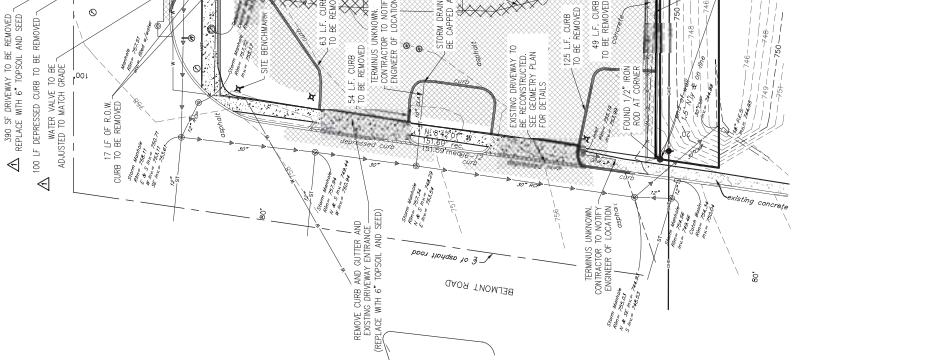
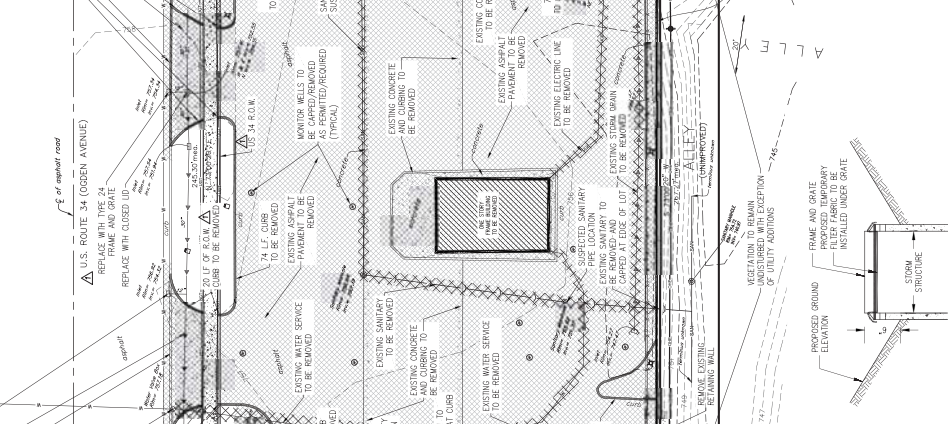
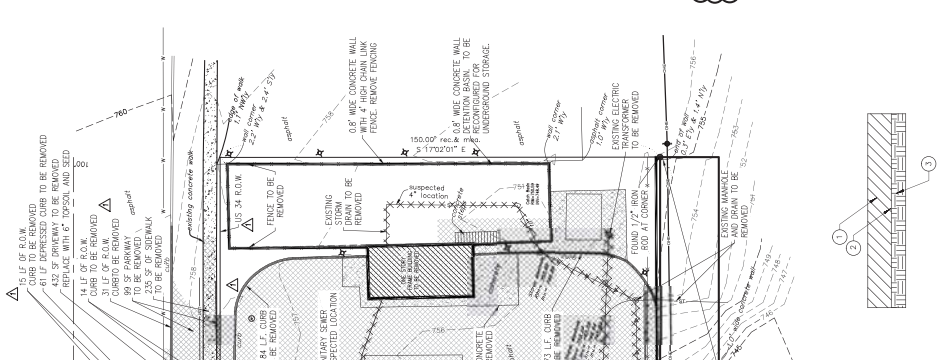


NOTES:

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- EXISTING GRASSES AND IMPROVEMENTS ARE SHOWN FROM THE BEST INFORMATION AVAILABLE AND WILL BE MAINTAINED TO THE FULLEST EXTENT POSSIBLE. ANY DISCREPANCY WITH THE PLAN SHALL BE IMMEDIATELY REPORTED TO THE ENGINEER.
- PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR SHALL EXPOSE ANY UTILITIES OR OTHER OBSTRUCTIONS TO BE CROSSED BY THE PROPOSED SEWER, AND SHALL NOTIFY THE ENGINEER IMMEDIATELY IF THESE ARE ANY CONFLICTS WITH THE PROPOSED SEWER.
- ALL FCM COLLECTIONS OF STORM STRUCTURES LOCATED IN CURB & GUTTER ARE TO FOLLOW UNLESS NOTED.
- CONTRACTOR TO PROVIDE NECESSARY PROTECTION TO ALL EXISTING UTILITIES DURING DEMOLITION AND CONSTRUCTION.
- ALL PERMANENT SANITARY SERVICE DISCONNECTIONS MUST BE DONE AT THE POINT OF CONNECTION TO THE PUBLIC SANITARY SEWER MAIN. ALL WORK MUST BE INSPECTED BY THE CITY ENGINEER PRIOR TO ANY BACKFILLING. REPAIRS SHALL BE SUBMITTED 24 HOURS IN ADVANCE.
- CONTRACTOR TO VERIFY IF ANY ON-SITE UTILITIES SERVICE OFF-SITE LOTS PRIOR TO CONSTRUCTION. IF NECESSARY, CONTRACTOR TO RELocate ALL ON-SITE EXISTING UTILITIES WHICH SERVICE OFF-SITE LOTS WITH MINIMAL SERVICE INTERRUPTIONS TO OFF-SITE LOTS.
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- PROPOSED SIGNAGE PERMITTING TO BE HANDED BY CONTRACTOR UNDER SEPARATE COVER.
- CONTRACTOR TO REMOVE A FEET OF SURFACE COURSE ADJACENT TO NEW CURB AND GUTTERS AND TO REPLACE WITH LIKE MATERIALS.
- REMOVE CURB AND GUTTERS TO THE NEAREST CURB.



| DOT RIGHT OF WAY REMOVAL TOTALS | |
|---------------------------------|--------|
| CURB | 57 LF |
| DEPRESSED CURB | 70 LF |
| DRIVEWAY | 622 SF |
| PARKWAY | 297 SF |
| SEWALK | 235 SF |



DOWNERS GROVE POWER MART
 2128 COUDRAVINE
 DOWNERS GROVE, ILL. 60120

DEMOLITION PLAN

DRAWN BY: TEP CHECKED BY: CML
 SCALE: 1" = 20' DATE: 08-02-2017
 SHEET: C-40
 JOB NUMBER: 19-0999
 CONSULTING CIVIL ENGINEERING
 Leland
 1950 State Route 126
 1/307/6037
 PER. LICENSE NUMBER: 06044
 2/27/92/207
 PER. LICENSE NUMBER: 06044
 2/27/92/207
 PER. LICENSE NUMBER: 06044
 2/27/92/207
 PER. LICENSE NUMBER: 06044
 2/27/92/207

C.M. Lavoie & Associates, Inc.

NOTES:

- ALL WORK SHALL BE IN ACCORDANCE WITH ANY RECORDING OF DEEDS AND/OR ORDINANCES IN THE PUBLIC RECORDS.
- ANY REMOVAL OF CURB THAT SPILLS ONTO THE PUBLIC ROAD SHALL BE REPAIRED IMMEDIATELY.
- THE ENTRANCE SHALL BE A MINIMUM OF 100 FEET LONG AND 20 FEET WIDE.

NO CHANGES THIS SHEET

- NO CHANGES THIS SHEET
- NO CHANGES THIS SHEET
- NO CHANGES THIS SHEET
- NO CHANGES THIS SHEET
- NO CHANGES THIS SHEET

STABILIZED ENTRANCE DETAIL

1. 6" - 8" CONC. BASE, 6" DEPTH MINIMUM
 2. FILTER FABRIC
 3. COMPACTED SURGRADE

NOTES:

1. FILTER FABRIC SHALL MEET THE REQUIREMENTS IN MATERIAL SPECIFICATION 692 GEOTECHNICAL, TABLE FOR 2. CLASS 1 WITH A MINIMUM APPARENT DENSITY (AAS) OF 30 FOR NON-WOVEN AND 50 FOR WOVEN, AS DESCRIBED IN THE "ULTRAS" DESIGN MANUAL, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, 1996.
2. FILTER FABRIC SHALL BE INSPECTED, AND CLEANED OR REPLACED AFTER EVERY RAINFALL EVENT.

NOTES:

1. FILTER FABRIC SHALL MEET THE REQUIREMENTS IN MATERIAL SPECIFICATION 692 GEOTECHNICAL, TABLE FOR 2. CLASS 1 WITH A MINIMUM APPARENT DENSITY (AAS) OF 30 FOR NON-WOVEN AND 50 FOR WOVEN, AS DESCRIBED IN THE "ULTRAS" DESIGN MANUAL, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, 1996.
2. FILTER FABRIC SHALL BE INSPECTED, AND CLEANED OR REPLACED AFTER EVERY RAINFALL EVENT.

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Civil Engineer

CM LAYVOIE & ASSOCIATES
 Consulting Civil Engineering
 (and Planning) Ltd. (Incorporated in Illinois)
 1500 West River 138
 Chicago, IL 60606-3104
 (815) 500-0149 FAX
 (815) 500-0149
 (815) 500-0149

ARCHITECT

RA

ROBERT JURIS & ASSOCIATES
 ARCHITECTS, LTD. Architects & Associates
 1628 LINCOLN HIGHWAY
 CHICAGO, ILLINOIS 60643
 (815) 500-0149 FAX
 (815) 500-0149
 (815) 500-0149

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STRUCTURAL ENGINEER
 B. P. MILLER CONSULTANTS
 1628 LINCOLN HIGHWAY
 CHICAGO, IL 60647

MECHANICAL ENGINEER
 US & ASSOCIATES, INC.

| No. | Issues & Revisions | Date |
|-----|-------------------------------------|------------|
| 3 | PEER GOVERNMENT AGENCIES REVIEW | 09/09/2017 |
| 2 | PEER VILLAGE REVIEW | 08/16/2017 |
| 1 | ISSUED FOR PLANNING & ZONING REVIEW | 07/28/2017 |
| 0 | ISSUED FOR 50% PROGRESS SET | 07/24/2017 |

NEW CONSTRUCTION
CONVENIENCE STORE & RESTAURANT

POWER MART
2125 OGDEN AVE.
DOWNERS GROVE, IL 60515

Drawing Title: 170065.DS&E.DWG

GEOMETRY PLAN

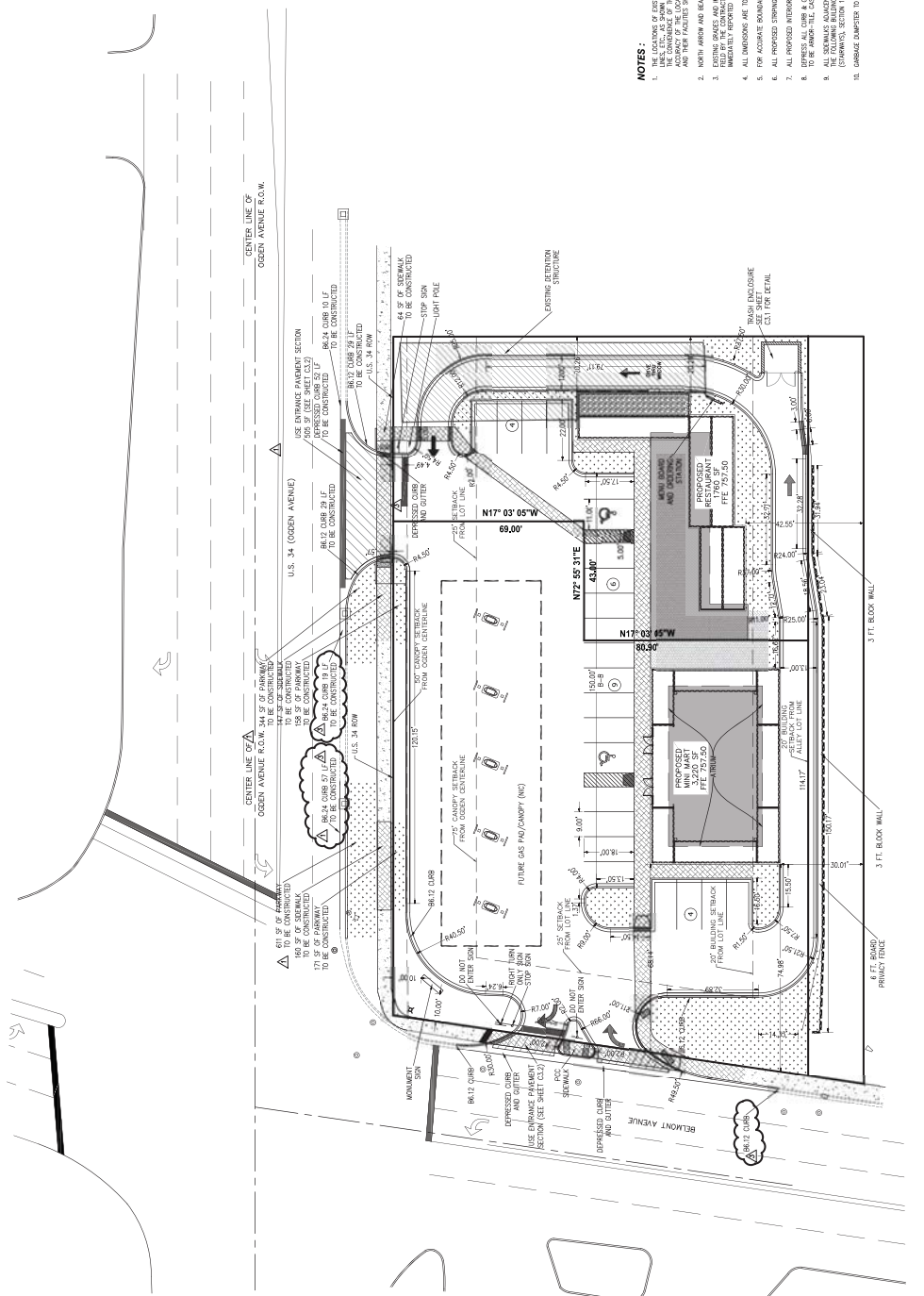
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GRAPHIC SCALE (IN FEET)
 0 10 20 40
 (1" = 20')

Project No. 16-255
 Drawing: C.5.0
 Drawn By: SKB
 Checked By: CML

- PROPOSED RESTAURANT PAD
- PROPOSED ASPHALT PAVEMENT
- PROPOSED CONCRETE PAVEMENT
- PROPOSED DECORATIVE PAVEMENT
- EXISTING CONCRETE
- PROPOSED ASPHALT PAVEMENT



Δ

| NET AREA OF NEW CONSTRUCTION TOTALS | Area | Spaced Spots |
|-------------------------------------|---------|--------------|
| CURB | 144 SF | 12 |
| DEPRESSED CURB | 52 SF | |
| SIGNAL WALK | 371 SF | |
| DRIVEWAY | 505 SF | |
| PARKWAY | 1254 SF | |

- NOTES:**
- THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES, SUCH AS WATER MAINS, SEWER, GAS LINES, ELECTRICAL LINES, TELEPHONE LINES, AND CABLES, SHALL BE SHOWN ON THE PLAN. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO THE START OF CONSTRUCTION. THE OWNER AND CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES PRIOR TO THE START OF CONSTRUCTION.
 - EXISTING SPACES AND IMPROVEMENTS ARE SHOWN FROM THE BEST INFORMATION AVAILABLE AND MUST BE VERIFIED IN THE FIELD PRIOR TO THE START OF CONSTRUCTION. ANY DISCREPANCY WITH THE PLAN SHALL BE IMMEDIATELY REPORTED TO THE ENGINEER.
 - ALL DIMENSIONS ARE TO BACK OF CURB OR ALLOT CORNER, UNLESS OTHERWISE NOTED.
 - FOR ACCURATE BOUNDARY INFORMATION, SEE FINAL SUBDIVISION PLAT.
 - ALL PROPOSED INTERIOR SPACES SHALL BE FINISH FLOOR FINISH UNLESS OTHERWISE NOTED.
 - ALL PROPOSED EXTERIOR SPACES SHALL BE FINISH FLOOR FINISH UNLESS OTHERWISE NOTED.
 - ALL SEWER MAINS AND STORM MAINS SHALL BE INSTALLED IN ACCORDANCE WITH THE ILLINOIS BUILDING CODE & IBC. AMENDMENTS SECTION 1009 SHALL APPLY.
 - LANDSCAPE IMPROVEMENTS TO BE BASED ON PROPOSED TRAMP STRUCTURE.

Δ DEVELOPMENT SUMMARY

| Category | Value |
|----------------------------|---|
| TOTAL SITE AREA | 88 AC |
| CONVENIENCE STORE LOT | 4.53 AC |
| RESTAURANT LOT | 3.31 AC |
| EXISTING DRIVEWAYS | 6.5 |
| BUILDING | 116.5 FOOT FRONT FROM R.O.W. CENTERLINE |
| DRIVEWAY | 48.5 FOOT WEST |
| DRIVEWAY | 20 FOOT REAR |
| DRIVEWAY | 17 FOOT |
| MAXIMUM FLOOR | 35 |
| CONVENIENCE STORE FLOOR-13 | |
| RESTAURANT FLOOR-13 | |
| MAXIMUM ALLOWED OPEN SPACE | 10% |
| MAXIMUM BUILDING HEIGHT | 60 FT |

Δ PARKING SUMMARY

| Category | Value |
|----------|-------|
| Spaced | 12 |
| Unspaced | 4 |
| Total | 16 |

Δ

| Category | Value |
|----------|-------|
| Spaced | 12 |
| Unspaced | 4 |
| Total | 16 |

PROPOSED CONVENIENCE STORE SPACES: 13
 PROPOSED RESTAURANT SPACES: 10

CIVIL ENGINEER

CM Lavoie & Associates
 1500 West Bank 136
 Chicago, IL 60644
 (815) 354-6500

ARCHITECT

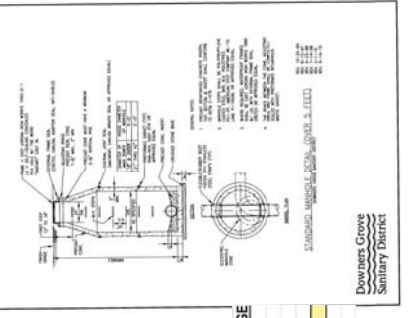
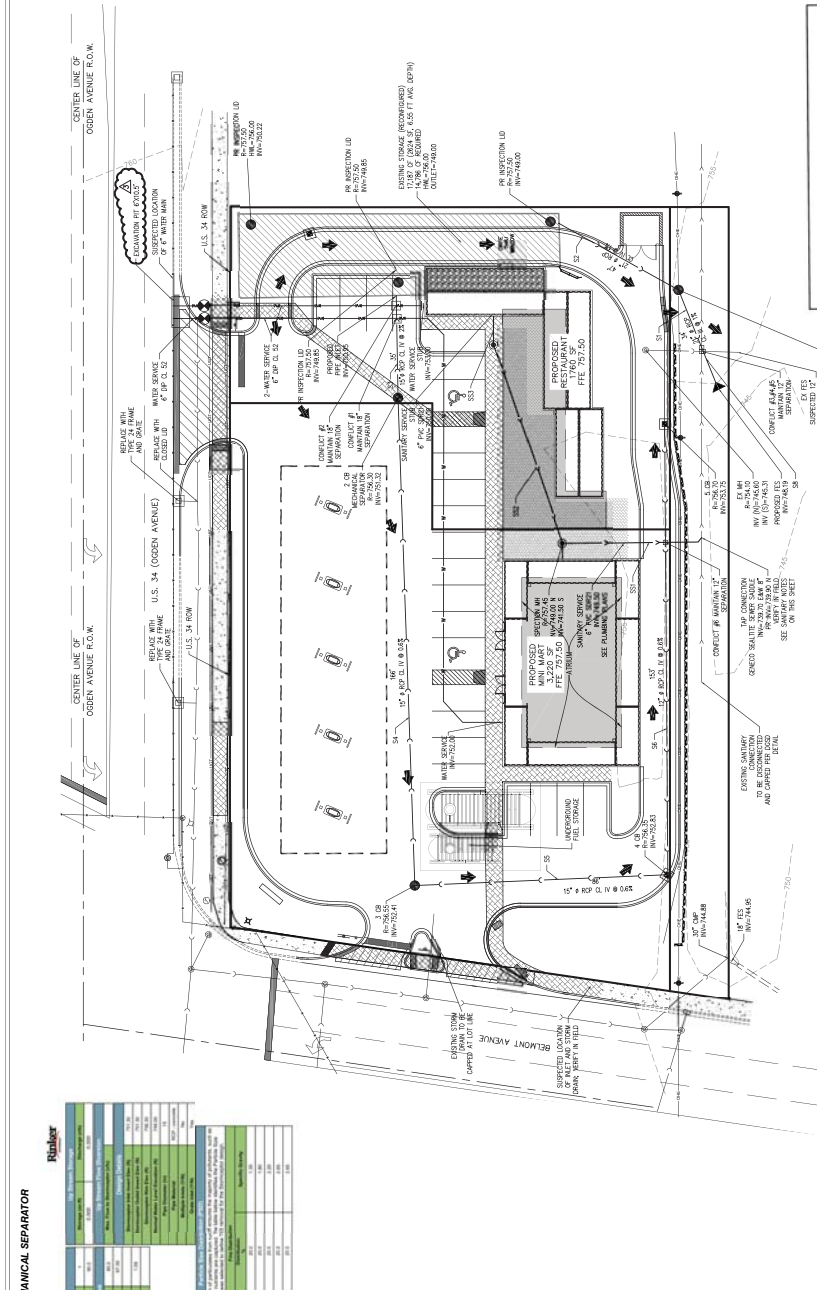
RA ROBERT JURIS & ASSOCIATES
 Member American Institute of Architects
 ARCHITECTS, LTD.
 1500 West Bank 136
 Chicago, IL 60644
 (815) 354-6500
 WEBSITE: raia.com

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 B. P. MILLER CONSULTANTS
 105 W. MADISON STREET
 CHICAGO, IL 60601

MECHANICAL ENGINEER
 US & ASSOCIATES, INC.



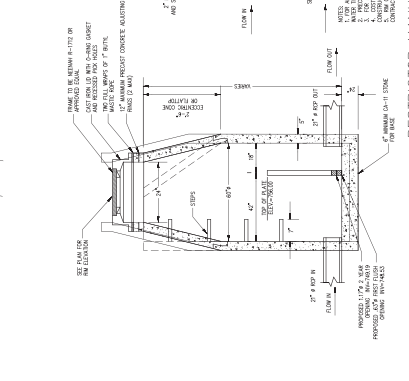
UTILITY CROSSING TABLE

| NUMBER | DEPT. | TYPE OF PIPE | SIZE | DEPTH | DATE |
|--------|-------|--------------|--------|-------|------|
| 1 | 753.0 | WATER | 12\"/> | | |
| 2 | 753.0 | WATER | 12\"/> | | |
| 3 | 753.0 | WATER | 12\"/> | | |
| 4 | 753.0 | WATER | 12\"/> | | |
| 5 | 753.0 | WATER | 12\"/> | | |
| 6 | 753.0 | WATER | 12\"/> | | |

CALCULATION FOR ORIFICE DISCHARGE

| Discharge Coefficient | 0.61 |
|------------------------------|--------|
| HW | 756.00 |
| Orifice Invert Elevation | 748.19 |
| Orifice Diameter (inches) | 0.63 |
| Total Release (cfs) | 0.0789 |
| Allowable Release Rate (cfs) | 0.100 |

ALLOWABLE RELEASE RATE OF ALLOWED CFS BASED ON 15 MINUTE STORAGE VOLUME OF 15,882 CUBIC FEET. WITH 1 CFS/ADE TRIENNIAL PASS THROUGH.



MECHANICAL SEPARATOR

| Item | Description | Quantity |
|------|-------------|----------|
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MECHANICAL SEPARATOR

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Civil Engineer

CM LAYOIE & ASSOCIATES
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 Surveying & Mapping | Land Surveying
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 (630) 334-4000

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RA

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 (630) 582-0146
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 17055 PASEO DRIVE
 DOWNERS GROVE, ILLINOIS 60515
 (630) 582-0146

MECHANICAL ENGINEER
 US & ASSOCIATES, INC.

| | | |
|-----|-------------------------------------|------------|
| 3 | PER GOVERNMENT AGENCIES REVIEW | 09/08/2017 |
| 2 | PER VILLAGE REVIEW | 08/16/2017 |
| 1 | ISSUED FOR PLANNING & ZONING REVIEW | 07/28/2017 |
| 1 | ISSUED FOR 50% PROGRESS SET | 07/14/2017 |
| No. | Issues & Revisions | Date |

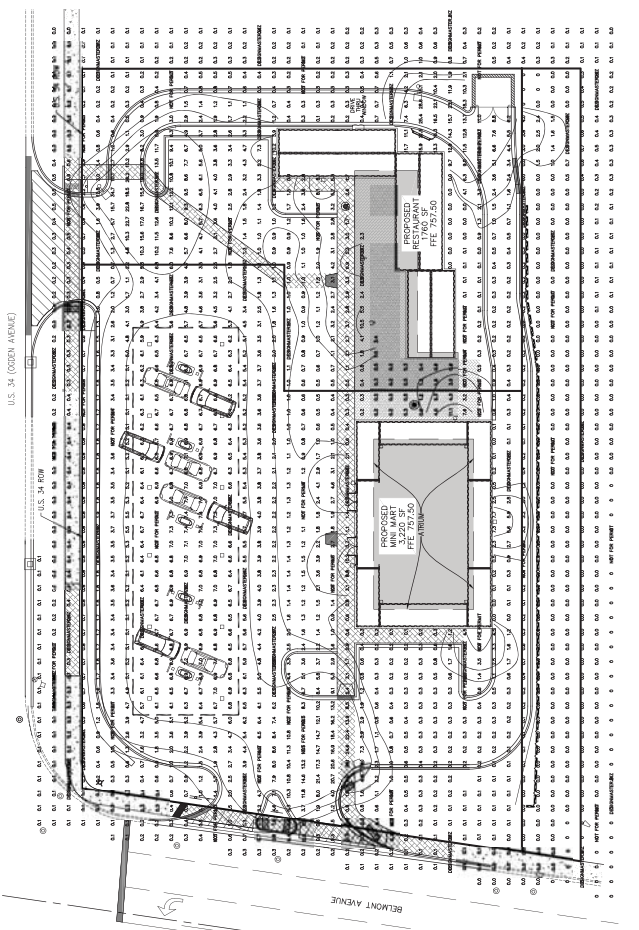
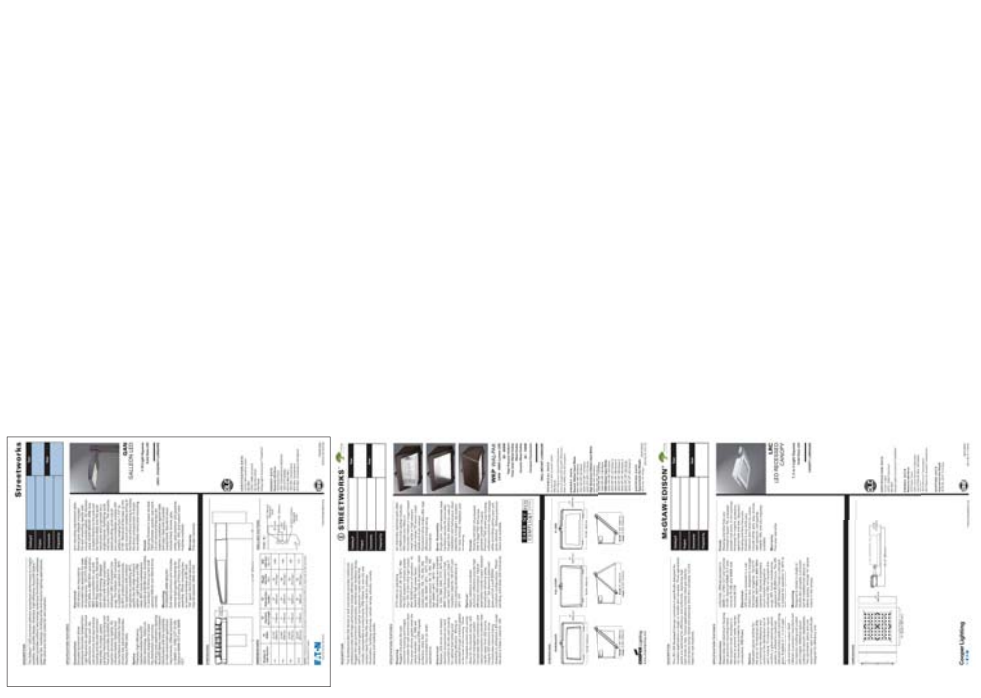
NEW CONSTRUCTION
CONVENIENCE STORE & RESTAURANT
POWER MART
 2125 OGDEN AVE
 DOWNERS GROVE, IL 60515

Drawing Title: 17055_PASEO_DRIVE
 PHOTOMETRIC PLAN

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| | |
|-------------|--------|
| Project No. | 16-255 |
| Drawn By | TEP |
| Checked By | SKB |
| Drawing | C 9.0 |
| of | |




LUMINAIRE SCHEDULE

| SYMBOLOGY | LAMP | DESCRIPTION | MODEL |
|------------|------------------------------|---|--|
| Canopy | (1) 32 LED | URC CANOPY LUMINAIRE, MOUNTED UNDER CANOPY | EXATON - INTRON (FORMER COOPER LIGHTING) 4-LESEL-WST |
| Post Light | (2) (7) 4000K CCT, 70 CR LED | EPIC MODERN MEDIUM DECORATIVE LED LUMINAIRE LIGHTBAR WITH ASSEMBLED LUMINAIRE MOUNT AT 16 FT. MAXIMUM | EXATON - INTRON (FORMER COOPER LIGHTING) EUM-703-LED-E1-T3 |
| wall mount | (4) 40W LED (COOK, 67 CR) | WAL-PAK LED WITH BOROSILICATE GLASS LENS MOUNT 8 FT. OR AS PER ARCHITECTURAL PLANS | EXATON - STREETWORKS (FORMER HALO) W67-HALO3XGLS |

PowerMart Downers Grove


REVISIONS
 1. U.S. 34 AND E.C.K. LABEL ADD

CIVIL ENGINEER



CM Lavoie & Associates
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(Architecture, Planning, Surveying) and Mapping
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P.O. Box 100
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ILL. LICENSE NUMBER: 001-010993

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B. P. MILLER CONSULTANTS
1000 W. WASHINGTON STREET
MADISON, IL 60447

MECHANICAL ENGINEER
US & ASSOCIATES, INC.

| No. | Issues & Revisions | Date |
|-----|-------------------------------------|------------|
| 5 | PER GOVERNMENT AGENCIES REVIEW | 04/09/2017 |
| 6 | PER VILLAGE REVIEW | 08/09/2017 |
| 1 | ISSUED FOR PLANNING & ZONING REVIEW | 07/28/2017 |
| 1 | ISSUED FOR 50% PROGRESS SET | 07/24/2017 |

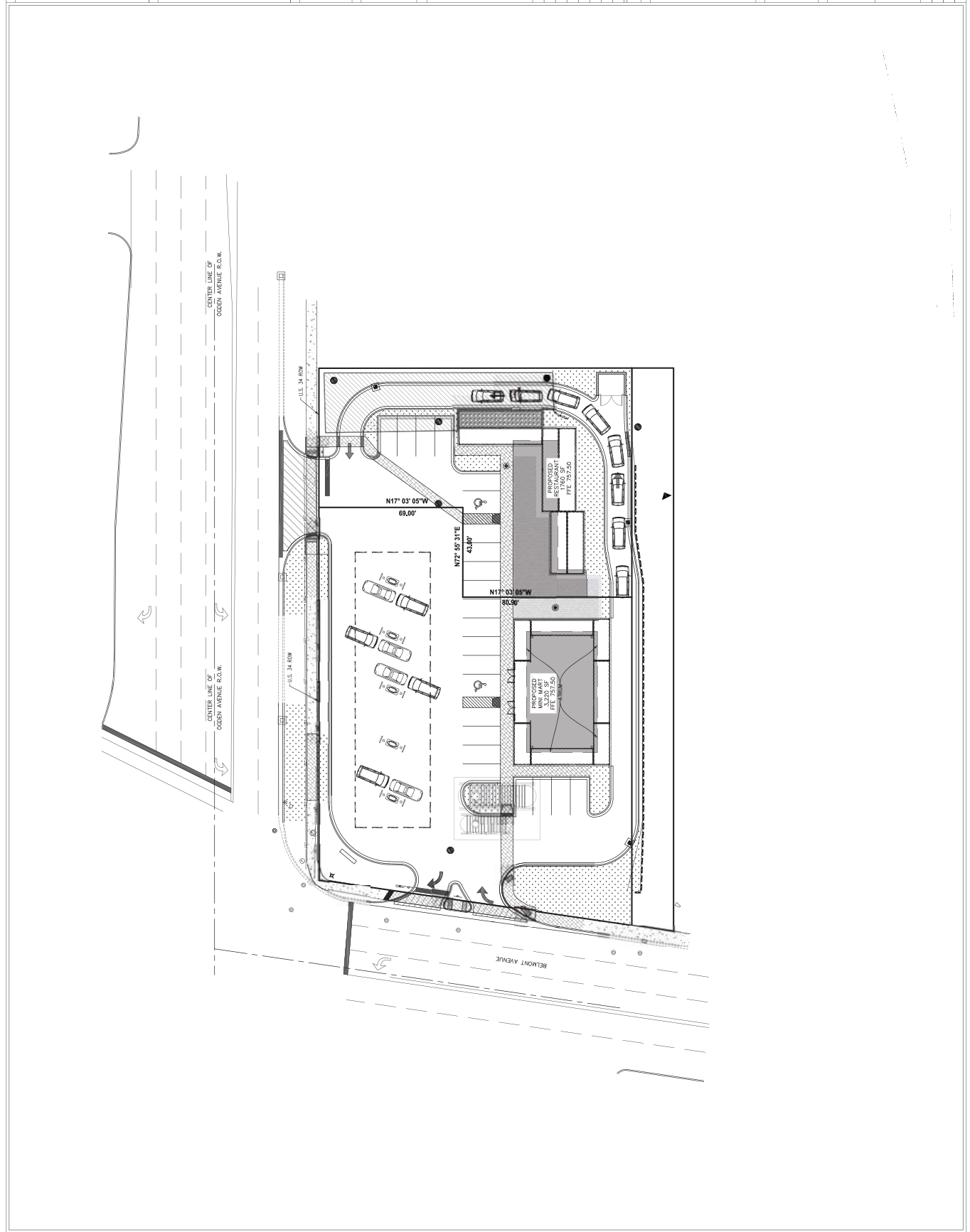
Project:
NEW CONSTRUCTION
CONVENIENCE STORE & RESTAURANT
POWER MART
2125 OGDEN AVE
DUNDEN GROVE, IL 60515

Drawing Title: 17065_BAISE.DWG

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Project No.: 6-295
Drawing: TEP
Drawn By: SKB
Checked By: CM



CIVIL ENGINEER

CM LAYOIE & ASSOCIATES
Consulting Civil Engineers
Lead Planning / Lead Designer

1009 West Breda 126
Plainfield, Illinois 60544
(815) 234-0593

ARCHITECT

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(815) 806-0148 FAX
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| No. | Issued & Revisions | Date |
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| 1 | ISSUED FOR 50% PROGRESS SET | 07/24/2017 |
| 2 | ISSUED FOR PLANNING & ZONING REVIEW | 07/26/2017 |
| 3 | ISSUED FOR PLANNING & ZONING REVIEW | 08/25/2017 |
| 4 | ISSUED FOR PLANNING & ZONING REVIEW | 09/19/2017 |

PROJECT

NEW CONSTRUCTION
CONVENIENCE STORE & RESTAURANT
2125 OGDEN AVE.
DOWNERS GROVE, IL 60515

DRIVING TITLE

17065_2452.DWG

MASTER FLOOR PLAN

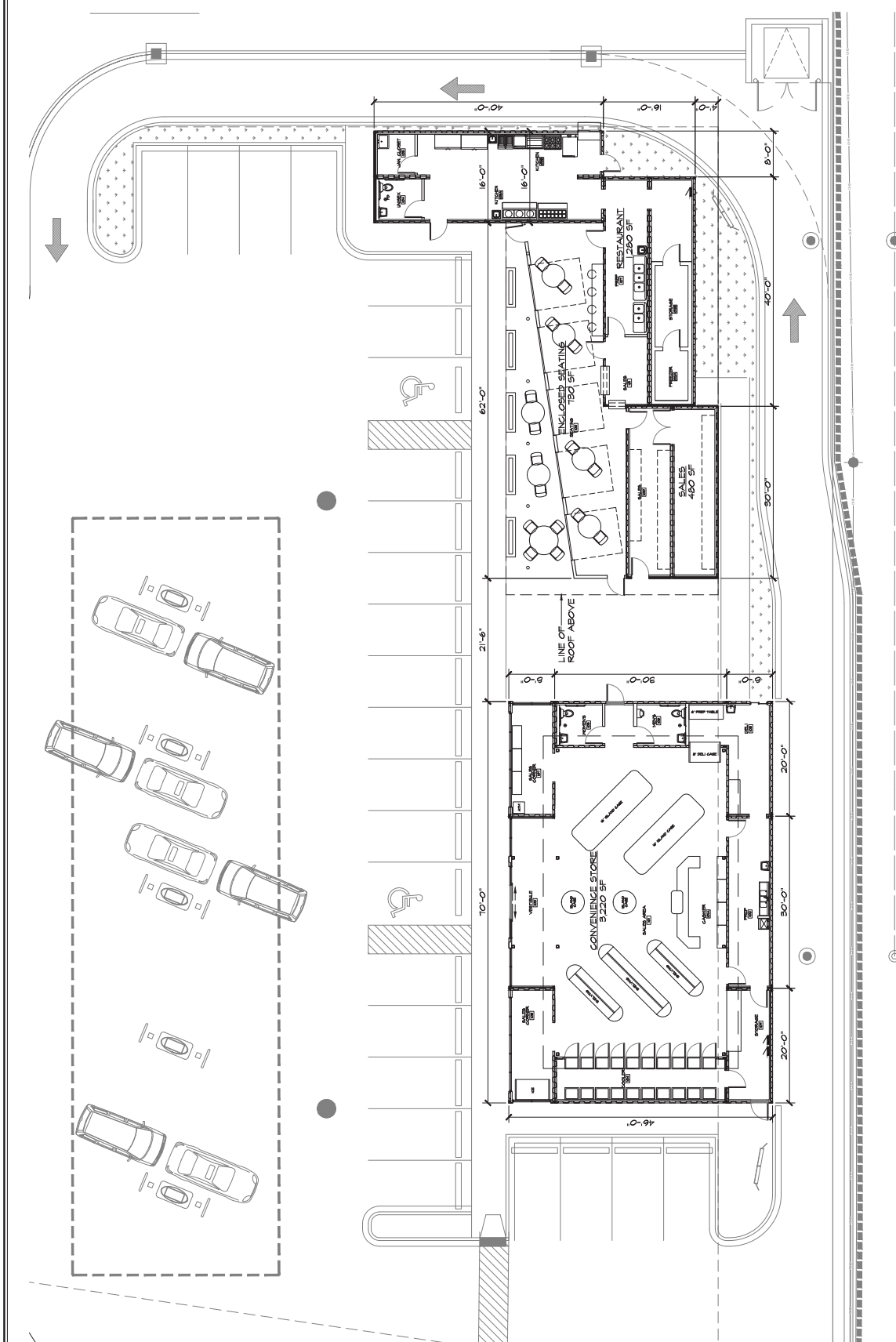
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GRAPHIC SCALE: 1" = 10'-0"

Project No. 17065
Drawn By JRM
Checked By RLJ

A1.0
OF THREE



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EXPIRES 11/30/2018

SIGNATURE

MASTER FLOOR PLAN
SCALE: 1/8" = 1'-0"

CIVIL ENGINEER

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 Consulting Civil Engineers
 1009 West Beach 126
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ARCHITECT

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| No. | Issued & Revisions | Date |
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| 1 | ISSUED FOR PLANNING & ZONING REVIEW | 04/09/2017 |
| 2 | ISSUED FOR PLANNING & ZONING REVIEW | 08/25/2017 |
| 3 | ISSUED FOR PLANNING & ZONING REVIEW | 07/26/2017 |
| 4 | ISSUED FOR 50% PROGRESS SET | 07/24/2017 |

NEW CONSTRUCTION
CONVENIENCE STORE & RESTAURANT
 2125 OGDEN AVE.
 DOWNERS GROVE, IL 60515

Project No. 17065-2125-016
 Drawing Title: FIRST FLOOR PLAN- CONVENIENCE STORE

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GRAPHIC SCALE: 1" = 10'-0"

Project No. 17065
 Drawing: EBP
 Drawn By: JRH
 Checked By: RLJ

A.1.1
 of ONE

FLOOR PLAN LEGEND

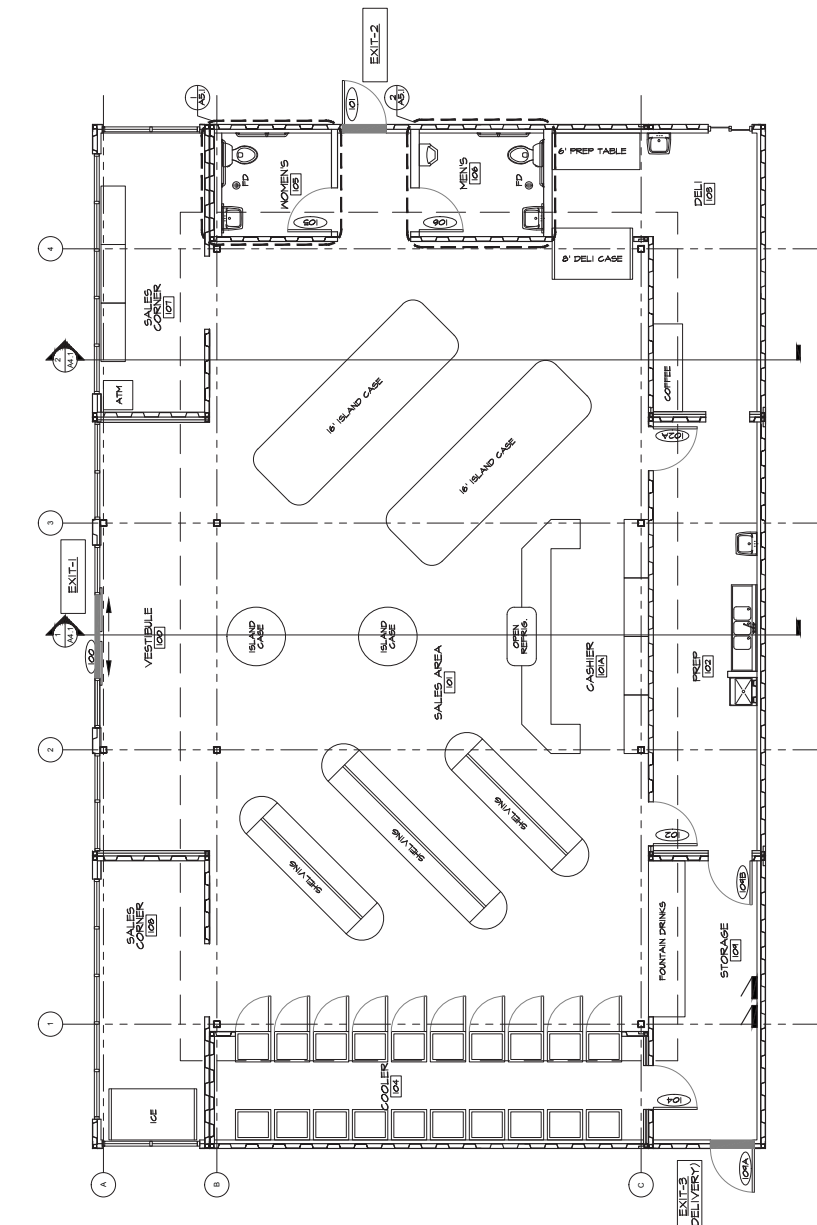
NEW INTERIOR WALL PARTITION (SEE SHEET A-1 FOR WALL TYPE)
 NEW EXTERIOR WALL PARTITION (SEE SHEET A-1 FOR WALL TYPE)
 NEW DOOR & FRAME - SEE DOOR SCHEDULE

FLOOR PLAN NOTES:

1. FINISH OF BOARD PARTITION WORK SHALL BE APPROVED BY THE ARCHITECT IN THE FIELD.
2. FINISH ALL NON-WALLS AS PER THE INTERIOR FINISH SCHEDULE.
3. ALL PARTITIONS, INCLUDING ALL CASE PARTITIONS, SHALL BE FINISHED WITH THE ARCHITECT IN THE FIELD.
4. ALL EXPANSIONS ARE TO THE FINISH FACE OF GYPSUM BOARD UNLESS NOTED OTHERWISE.
5. ALL PARTITIONS TO BE FINISHED WITH THE ARCHITECT IN THE FIELD.
6. ALL PARTITIONS TO BE FINISHED WITH THE ARCHITECT IN THE FIELD.
7. ALL PARTITIONS TO BE FINISHED WITH THE ARCHITECT IN THE FIELD.
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18. ALL PARTITIONS TO BE FINISHED WITH THE ARCHITECT IN THE FIELD.
19. ALL PARTITIONS TO BE FINISHED WITH THE ARCHITECT IN THE FIELD.
20. ALL PARTITIONS TO BE FINISHED WITH THE ARCHITECT IN THE FIELD.

FLOOR PLAN KEYNOTES:

1. RESERVED
2. RESERVED
3. RESERVED
4. RESERVED
5. RESERVED
6. RESERVED
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8. RESERVED
9. RESERVED
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16. RESERVED
17. RESERVED
18. RESERVED
19. RESERVED
20. RESERVED



NEW CONVENIENCE STORE
FLOOR PLAN
 SCALE: 1/4" = 1'-0"

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| No. | Revisions | Date |
|-----|-------------------------------------|------------|
| 1 | ISSUED FOR 50% PROGRESS SET | 07/24/2017 |
| 2 | ISSUED FOR PLANNING 1 ZONING REVIEW | 07/26/2017 |
| 3 | ISSUED FOR PLANNING 1 ZONING REVIEW | 08/25/2017 |
| 4 | ISSUED FOR PLANNING 1 ZONING REVIEW | 09/19/2017 |

NEW CONSTRUCTION
CONVENIENCE STORE & RESTAURANT
2125 OGDEN AVE.
DOWNERS GROVE, IL 60515

Project Title: 17065_2125.DWG

FIRST FLOOR PLAN - RESTAURANT

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GRAPHIC SCALE: 1" = 10'-0"

Project No. 17065
Drawing: 2125
Drawn By: JRJ
Checked By: RLJ

A1.3
of ONE

FLOOR PLAN LEGEND

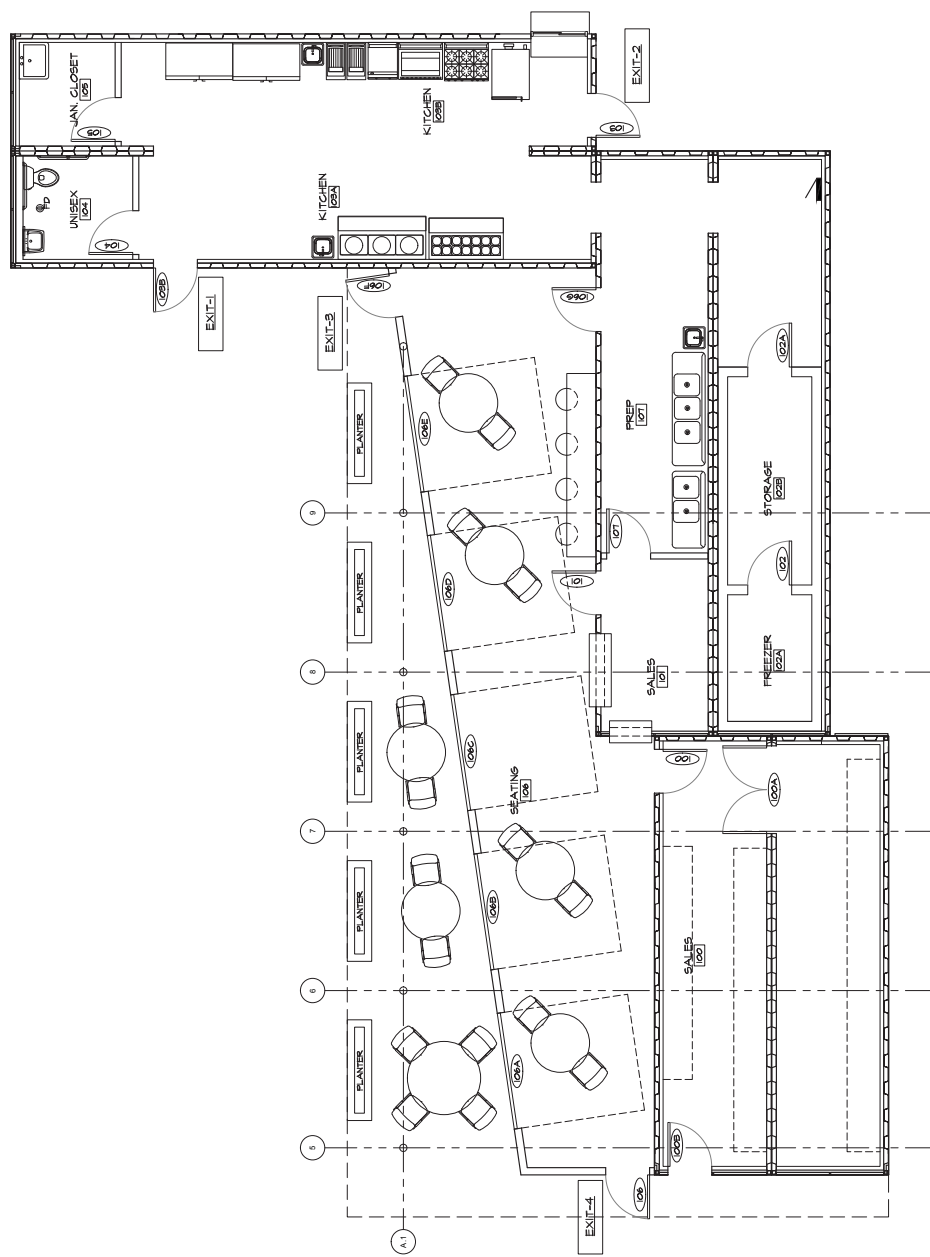
- NEW INTERIOR WALL PARTITION (SEE SHEET A1 FOR WALL TYPE)
- NEW EXTERIOR WALL PARTITION (SEE SHEET A1 FOR WALL TYPE)
- NEW SHEDDING DOWNWARD WALL PARTITION (SEE SHEET A1 FOR WALL TYPE)
- NEW DOOR & FRAME - SEE DOOR SCHEDULE

FLOOR PLAN NOTES:

1. ALL BOARD PARTITION WORK SHALL BE APPROVED BY THE ARCHITECT IN THE FIELD.
2. FINISH ALL MATERIALS AS NOTED UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO THE FINISH FACE OF STUDY BOARD UNLESS NOTED OTHERWISE.
4. ALL DIMENSIONS ARE TO THE FINISH FACE OF STUDY BOARD UNLESS NOTED OTHERWISE.
5. ALL DIMENSIONS ARE TO THE FINISH FACE OF STUDY BOARD UNLESS NOTED OTHERWISE.
6. OWNER SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES AND AUTHORITIES HAVING JURISDICTION OVER THE PROJECT.
7. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IBC AND ALL APPLICABLE CODES AND REGULATIONS.
8. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IBC AND ALL APPLICABLE CODES AND REGULATIONS.
9. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IBC AND ALL APPLICABLE CODES AND REGULATIONS.
10. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IBC AND ALL APPLICABLE CODES AND REGULATIONS.
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12. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IBC AND ALL APPLICABLE CODES AND REGULATIONS.
13. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IBC AND ALL APPLICABLE CODES AND REGULATIONS.
14. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IBC AND ALL APPLICABLE CODES AND REGULATIONS.

FLOOR PLAN KEYNOTES:

1. RESERVED
2. RESERVED
3. RESERVED
4. RESERVED
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6. RESERVED
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8. RESERVED
9. RESERVED
10. RESERVED
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12. RESERVED
13. RESERVED
14. RESERVED



RESTAURANT FLOOR PLAN
SCALE: 1/8" = 1'-0"

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| 9 | ISSUED FOR PLANNING 1 ZONING REVIEW | 08/25/2017 |
| 2 | ISSUED FOR PLANNING 1 ZONING REVIEW | 07/26/2017 |
| 1 | ISSUED FOR 50% PROGRESS SET | 07/24/2017 |

NEW CONSTRUCTION

CONVENIENCE STORE & RESTAURANT

2125 OGDEN AVE.
 DOWNERS GROVE, IL 60515

Drawing Title: 17855_2452.DWG

EXTERIOR ELEVATIONS- CONVENIENCE STORE

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North arrow GRAPHIC SCALE: 1" = 10'-0" (SEE PLAN FOR DIMENSIONS)

Project No. 17045

Drawn By: EJP

Checked By: JRJ

Scale: A3.1

of ONE

- ELEVATION LEGEND**
- 1 ALUMINUM STOREFRONT SYSTEM WITH LOW-E INSULATED GLAZING - SEE SPECS
 - 2 CAST STONE BAND
 - 3 THIN VENEER STONE
 - 4 ALUMINUM GUTTER AND DOWNSPOUT
 - 5 ALUMINUM COPING - SEE SPECS
 - 6 THIN VENEER BRICK
 - 7 RAISED LETTERING
 - 8 ALUMINUM SUNSHADE STOREFRONT MANUF (ALTERNATE No. X)
 - 9 ALUMINUM ENTRANCE CANOPY
 - 10a HORIZ FIBER CEMENT & LAP SIDING
 - 10b VERTICAL FIBER CEMENT SIDING
 - 11 ACCENT LIGHT FIXTURE - SEE ELEC DWGS
 - 12 LED LOGO / LETTERING
 - 13 MOOD PLANTER
 - 14 EXPOSED COLUMN - PAINT
 - 15 STEEL TUBE FOR 1/4" TRELLIS - PAINT
 - 16 OVERHEAD SECTIONAL GLASS DOOR (MOTORIZED)
 - 17 BOONERICK LIGHT FIXTURE
 - 18 CAST STONE ACCENT
 - 19 MOOD PLANKS
 - 20 ROOFTOP SCREEN - COLOR SELECTED BY ARCH.
 - 21 EXPOSED SHIPPING CONTAINER FACADE - PAINT.

GENERAL ELEVATION NOTES

1. ALL NEW EXTERIOR STOREFRONT AND DOORS TO HAVE TINTED LOW-E INSULATED GLASS (TYPICAL UNO) - SEE SPECS.
2. PROVIDE SEALANT AROUND ALL EXTERIOR OUTLETS, HOSE BIBS, LIGHT FIXTURE MOUNTING PLATES, ETC. TO MAINTAIN FINISH LIMITS OF FOUNDATIONS AND RECESSED SLABS.
3. COORDINATE EXACT LOCATION OF THIS CONTROL JOINTS WITH ARCHITECT IN FIELD.

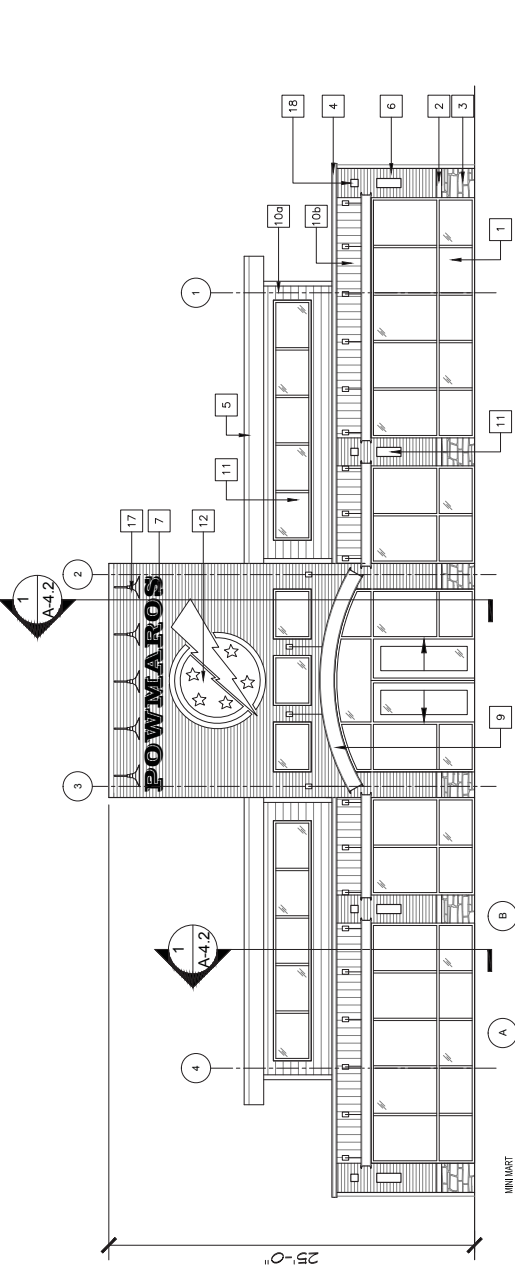
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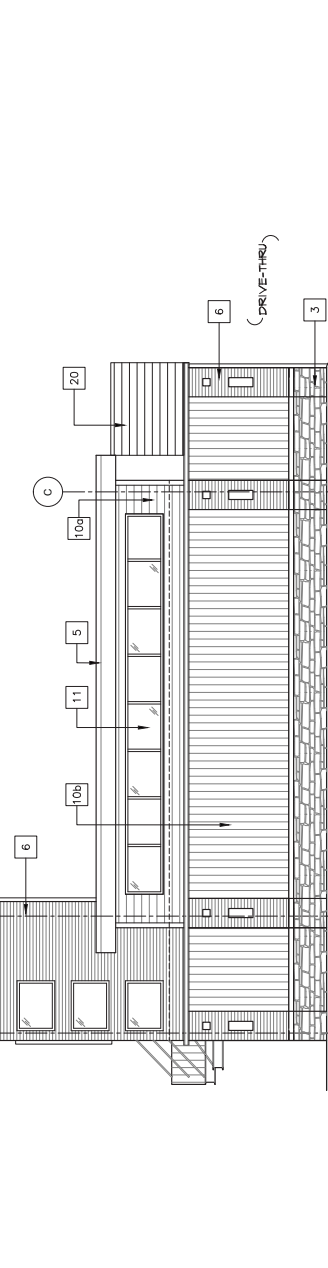
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EXPIRES 11/30/2018

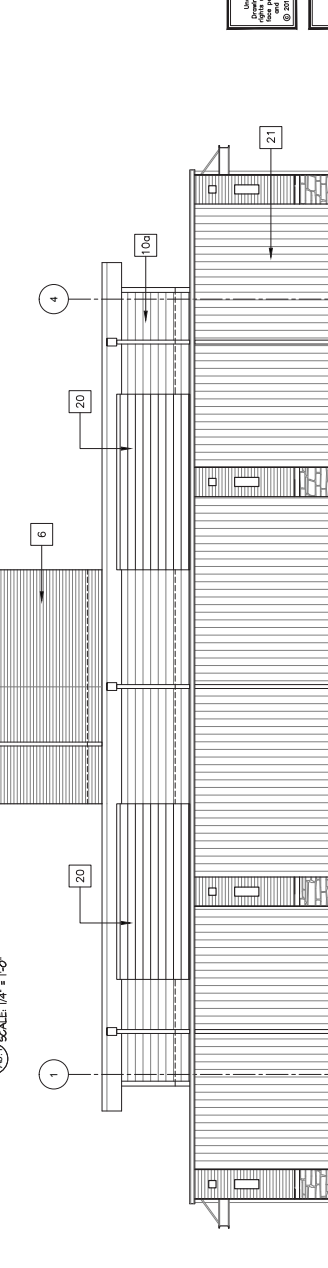
SIGNATURE



1. NORTH ELEVATION
 SCALE: 1/4" = 1'-0"



2. WEST ELEVATION (EAST OPP.)
 SCALE: 1/4" = 1'-0"



3. SOUTH ELEVATION
 SCALE: 1/4" = 1'-0"

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| 1 | ISSUED FOR PLANNING & ZONING REVIEW | 04/19/2017 |
| 2 | ISSUED FOR PLANNING & ZONING REVIEW | 08/25/2017 |
| 3 | ISSUED FOR PLANNING & ZONING REVIEW | 07/26/2017 |
| 4 | ISSUED FOR 50% PROGRESS SET | 07/24/2017 |

NEW CONSTRUCTION
CONVENIENCE STORE & RESTAURANT
 2125 OGDEN AVE.
 DOWNERS GROVE, IL 60515

Drawing Title: 17855-BAISE.DWG

EXTERIOR ELEVATIONS AND SECTION - RESTAURANT

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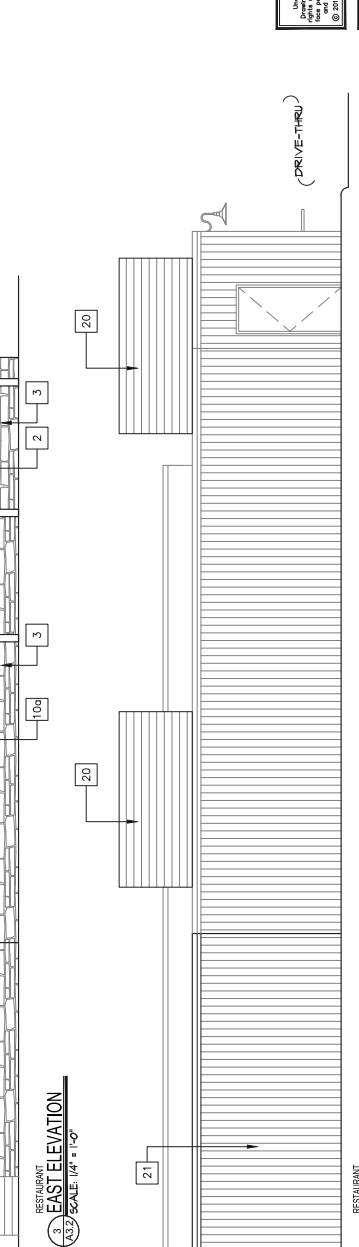
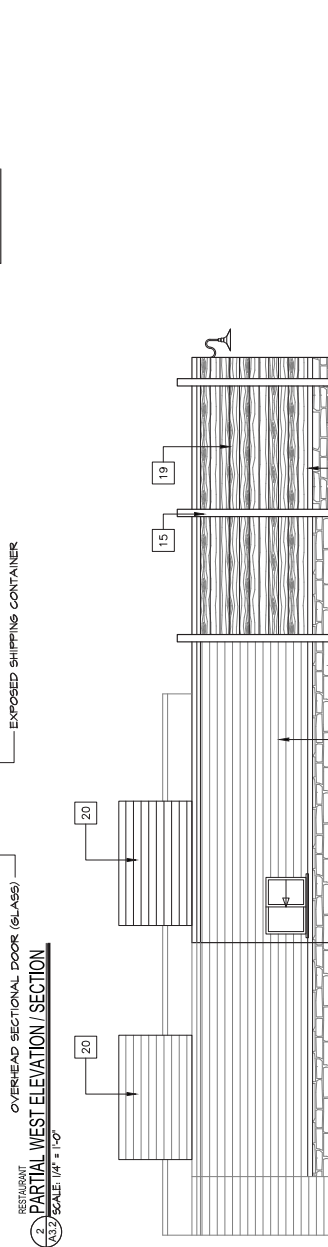
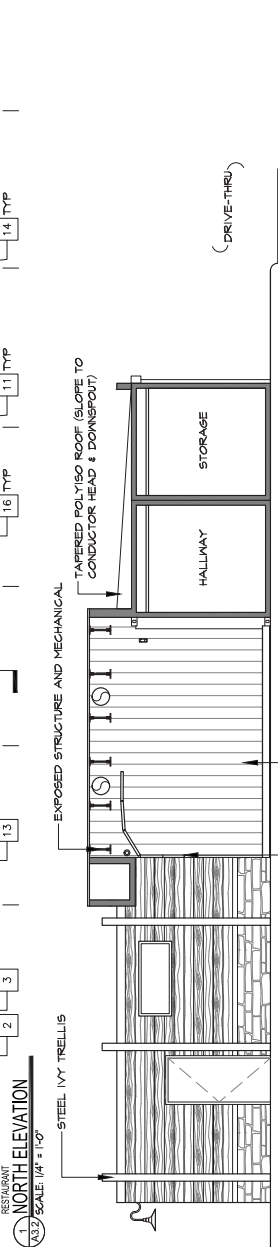
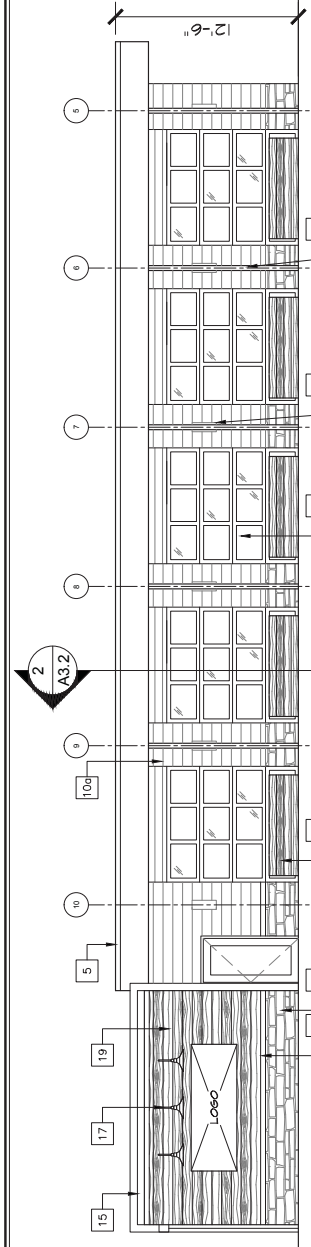
GRAPHIC SCALE: 1" = 10'-0" (Horizontal) / 1" = 10'-0" (Vertical)

Project No.: 17045
 Drawing: A3.2
 Drawn By: JRM
 Checked By: RLJ

- ELEVATION LEGEND**
- 1 ALUMINUM STOREFRONT SYSTEM WITH LOW-E INSULATED GLAZING - SEE SPECS
 - 2 CAST STONE BAND
 - 3 THIN VENEER STONE
 - 4 ALUMINUM GUTTER AND DOWNSPOUT
 - 5 ALUMINUM COPING - SEE SPECS
 - 6 THIN VENEER BRICK
 - 7 RAISED LETTERING
 - 8 ALUMINUM SUNSHADE STOREFRONT MANUF (ALTERNATE NO. X)
 - 9 ALUMINUM ENTRANCE CANOPY
 - 10a HORIZ FIBER CEMENT & LAP SIDING
 - 10b VERTICAL FIBER CEMENT SIDING
 - 11 ACCENT LIGHT FIXTURE - SEE ELEC DWGS
 - 12 LED LOGO / LETTERING
 - 13 MOOD PLANTER
 - 14 EXPOSED COLUMN - PAINT
 - 15 STEEL TUBE FOR IVY TRELLIS - PAINT (MOTORIZED)
 - 16 OVERHEAD SECTIONAL GLASS DOOR (SLOPE TO CONDUCTOR HEAD & DOWNSPOUT)
 - 17 BOONERICK LIGHT FIXTURE
 - 18 CAST STONE ACCENT
 - 19 MOOD PLANKS
 - 20 ROOFTOP SCREEN - COLOR SELECTED BY ARCH.
 - 21 EXPOSED SHIPPING CONTAINER FACADE - PAINT.

GENERAL ELEVATION NOTES

- 1 ALL NEW EXTERIOR STOREFRONT AND DOORS TO HAVE TINTED LOW-E INSULATED GLASS (TYPICAL UFG) - SEE SPECS.
- 2 PROVIDE SEALANT AROUND ALL EXTERIOR OUTLETS, HOSE BIBS, LIGHT FIXTURE MOUNTING PLATES, SLOTTED ROOF FLASHINGS FOR LIMITS OF FOUNDATIONS AND RECESSED SLABS.
- 3 COORDINATE EXACT LOCATION OF THIS CONTROL JOINTS WITH ARCHITECT IN FIELD.



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 WILSON, IL 60183

MECHANICAL ENGINEER
 US & ASSOCIATES, INC.

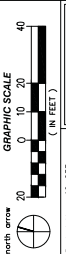
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|-----|-------------------------------------|------------|
| 2 | PER MILLAGE REVIEW | 08/19/2017 |
| 1 | ISSUED FOR PLANNING & ZONING REVIEW | 07/29/2017 |
| 1 | ISSUED FOR USE PROGRESS SET | 07/24/2017 |
| No. | Issues & Revisions | Date |

NEW CONSTRUCTION
CONVENIENCE STORE & RESTAURANT
 POWER MART
 2125 OGDEN AVE
 DOWNERS GROVE, IL 60515

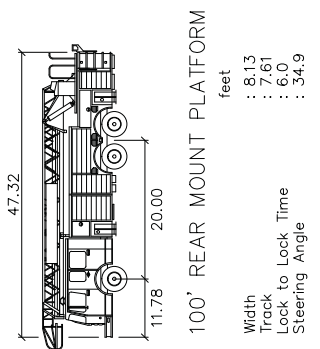
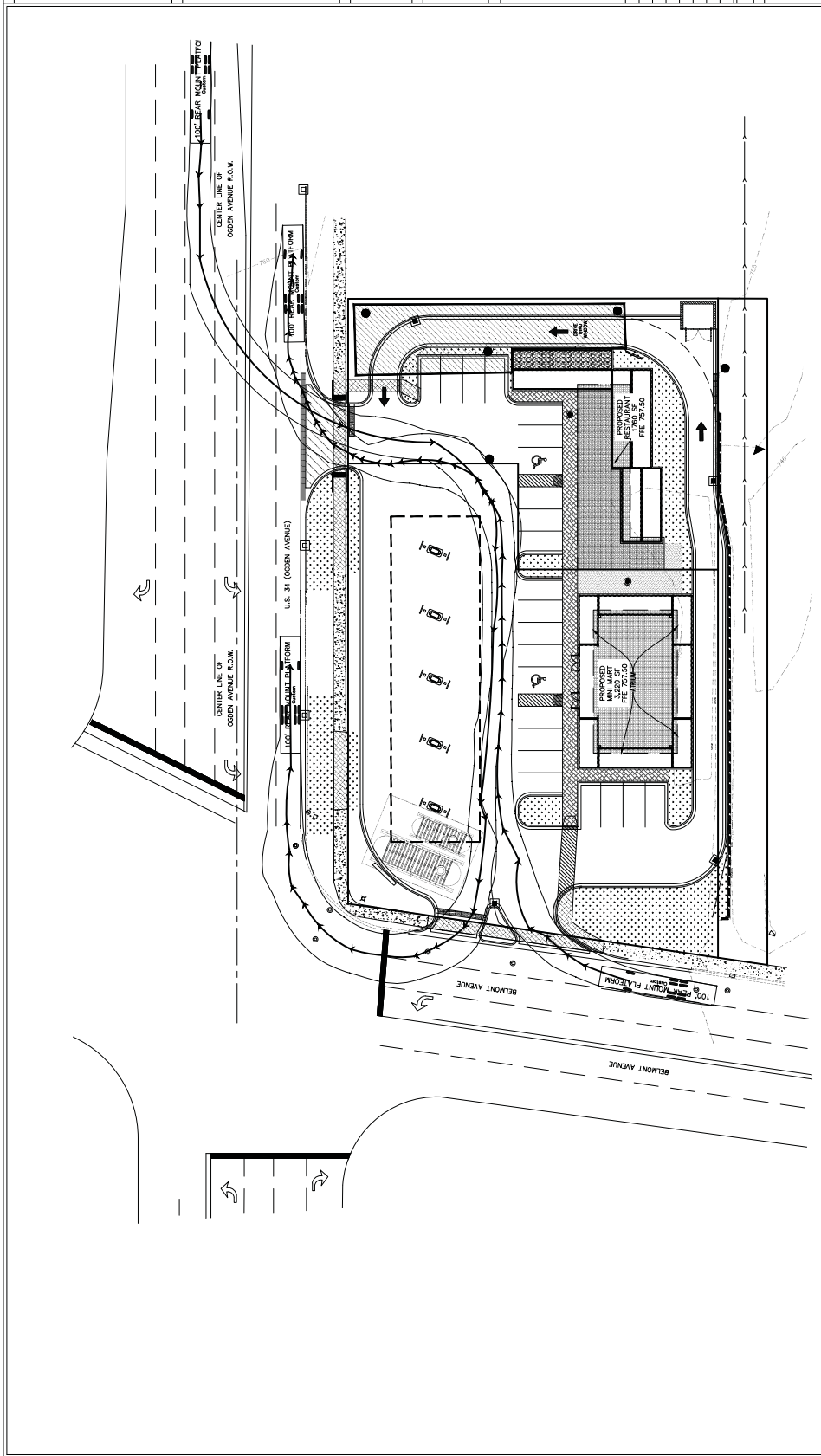
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Project No. 16-255
 Drawing: EP
 Drawn By: SJB
 Checked By: CM



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ILLINOIS PROFESSIONAL ENGINEER NO.
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 EXPIRES 12/31/2017

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CM Lavoie & Associates
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 and Surveying Land Surveyors
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ARCHITECT



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|-----|-------------------------------------|------------|
| 2 | FOR VALUE REVIEW | 08/09/2017 |
| 1 | ISSUED FOR PLANNING & ZONING REVIEW | 07/29/2017 |
| 1 | ISSUED FOR USE PROGRESS SET | 07/24/2017 |

NEW CONSTRUCTION
CONVENIENCE STORE & RESTAURANT
POWER MART
 2125 OGDEN AVE
 DOWNERS GROVE, IL 60515

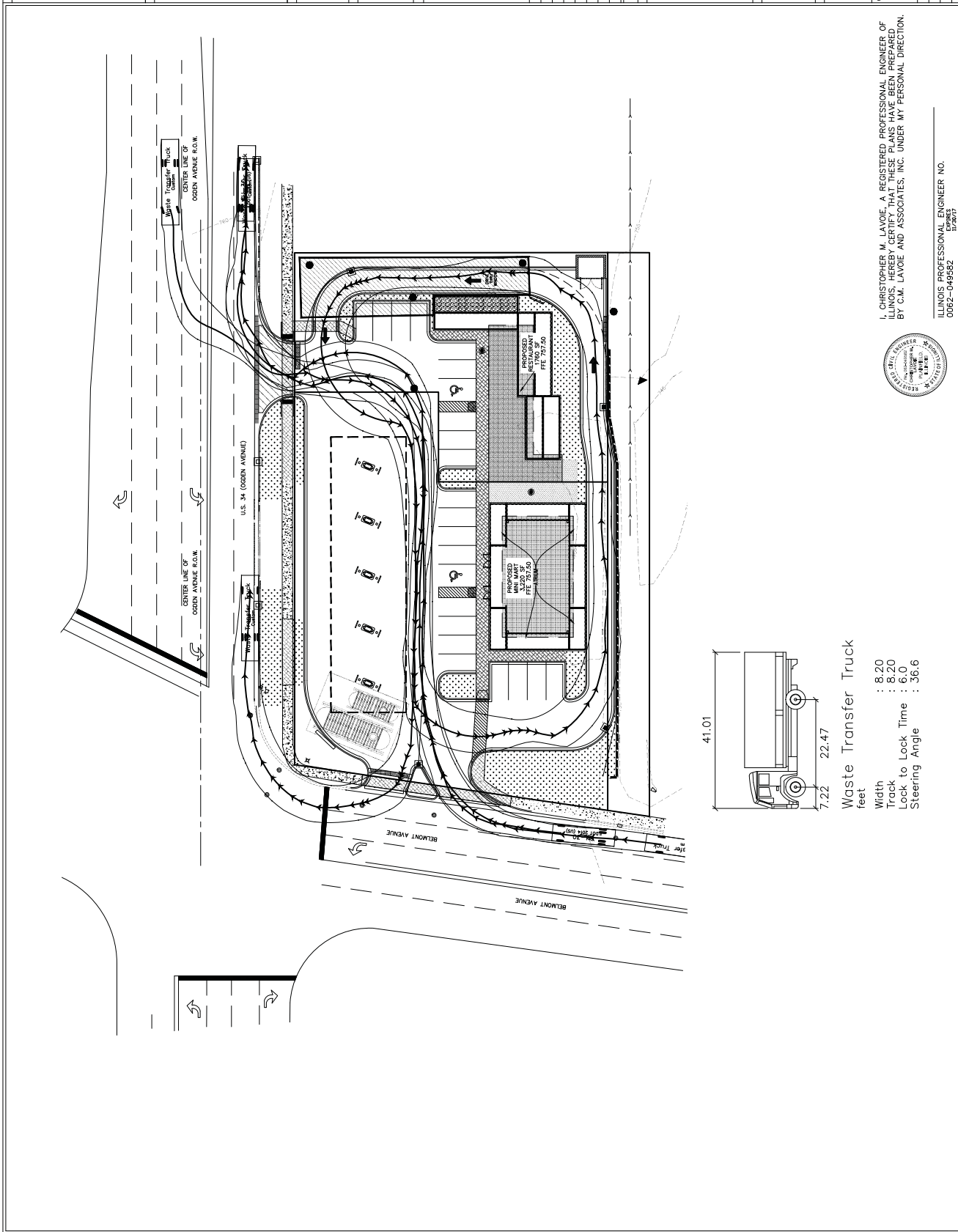
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 (IN FEET)

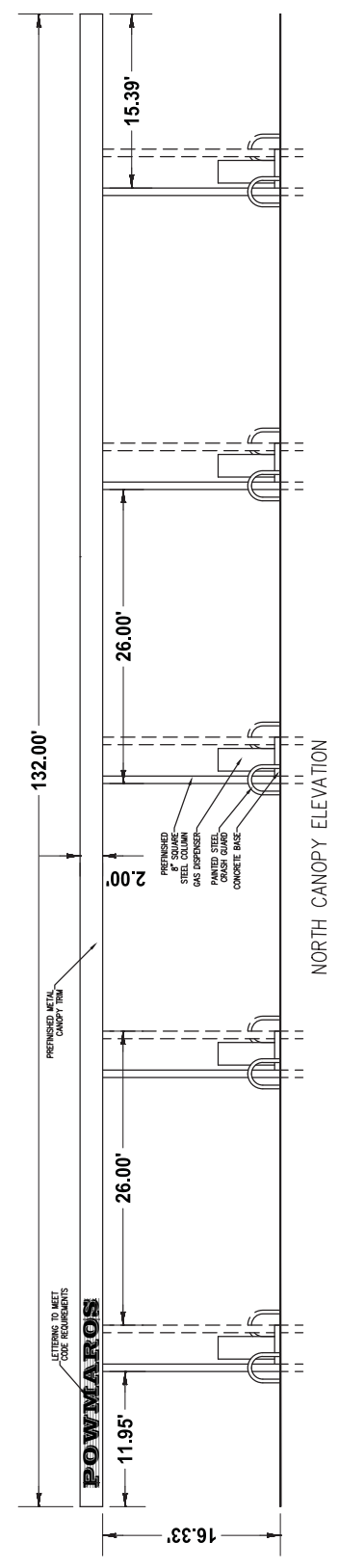
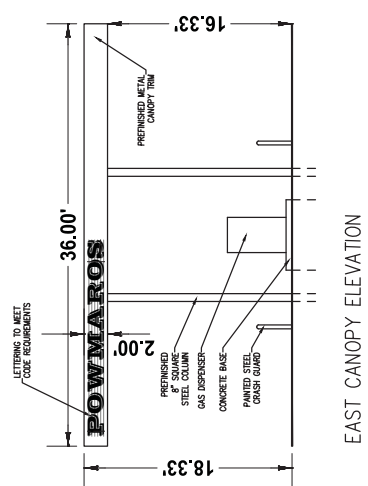
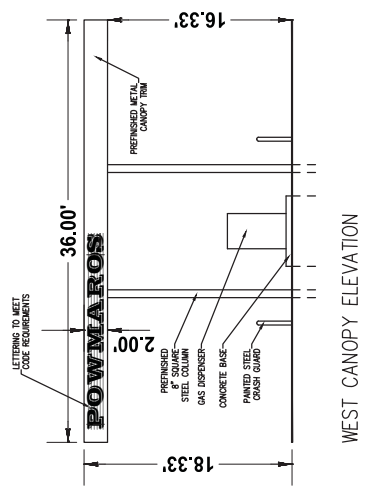
Project No. 16-255
 Drawing AUTOURN EXHIBIT
 Drawn By EP
 Checked By SJB
 Drawn By SJB
 Checked By CM



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 Expires 12/31/21





DOWNERS GROVE POWER MART
 2128 COOPER AVENUE
 DOWNERS GROVE, ILL. 60130

CANOPY ELEVATION

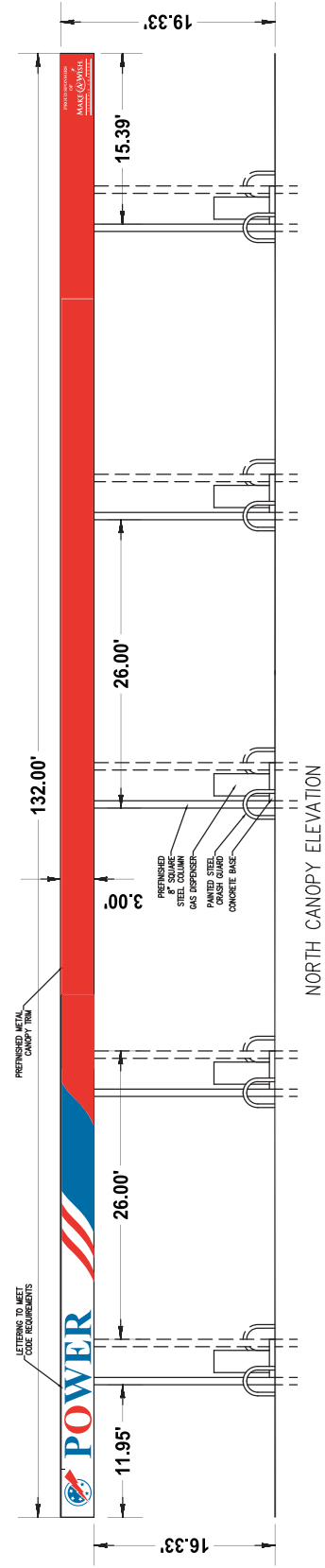
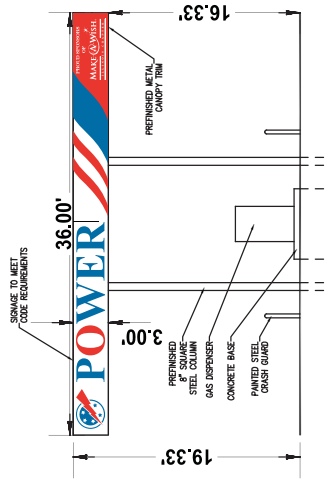
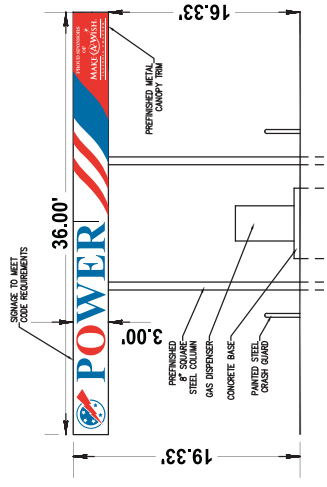
DRAWN BY: TEP | CHECKED BY: CML
 SCALE: 1" = 8'
 JOB NUMBER: 19-055
 SHEET: EXHIBIT

| | |
|------------------|------------------|
| DATE: 05-10-2017 | DATE: 05-10-2017 |
| 1 03/07/2017 | FOR SET EXHIBIT |
| 2 07/29/2017 | FOR SET EXHIBIT |
| 3 08/16/2017 | FOR SET EXHIBIT |
| 4 08/16/2017 | FOR SET EXHIBIT |
| 5 | |
| 6 | |
| 7 | |
| 8 | |

Consulting Civil Engineering
 C.M. Lavoie & Associates, Inc.
 16105 State Route 128
 Plainfield, Illinois 60544
 Tel: 815-436-5118
 Fax: 815-436-5118

C.M. Lavoie & Associates, Inc.

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DOWNERS GROVE POWER MART
 2128 COOPER AVENUE
 DOWNERS GROVE, ILL.

CANOPY ELEVATION

Drawn By: TEP | Checked By: CML
 Scale: 1" = 8' | Date: 02-10-2017

Job Number: 19-055 | Sheet: EXHIBIT

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 Per. Lic. No. 021-000004
 Per. Lic. No. 021-000005
 Per. Lic. No. 021-000006
 Per. Lic. No. 021-000007
 Per. Lic. No. 021-000008
 Per. Lic. No. 021-000009
 Per. Lic. No. 021-000010

CML
 C. M. Lavin & Associates, Inc.

CIVIL ENGINEER

CM LAYOIE & Associates
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Lead Planning / Lead Designer

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| No. | Issued & Revisions | Date |
|-----|-------------------------------------|------------|
| 1 | ISSUED FOR PLANNING 1 ZONING REVIEW | 04/19/2017 |
| 2 | ISSUED FOR PLANNING 1 ZONING REVIEW | 08/25/2017 |
| 3 | ISSUED FOR PLANNING 1 ZONING REVIEW | 07/26/2017 |
| 4 | ISSUED FOR 50% PROGRESS SET | 07/24/2017 |

PROJECT

NEW CONSTRUCTION
CONVENIENCE STORE & RESTAURANT
2125 OGDEN AVE.
DOWNERS GROVE, IL 60515

Project Title: 17065_2A15E.DWG

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CONVENIENCE STORE

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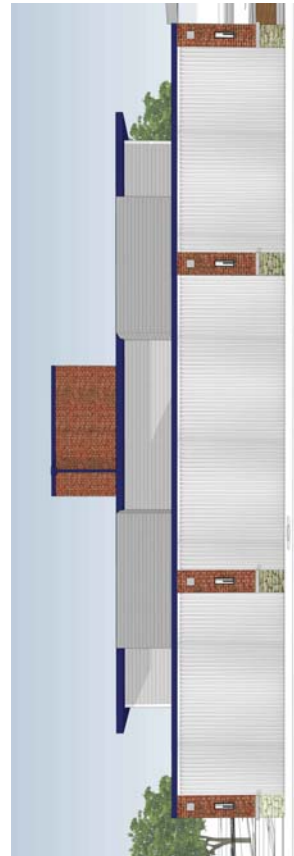
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Project No. 17065
Drawn By: EBP
Checked By: RJJ

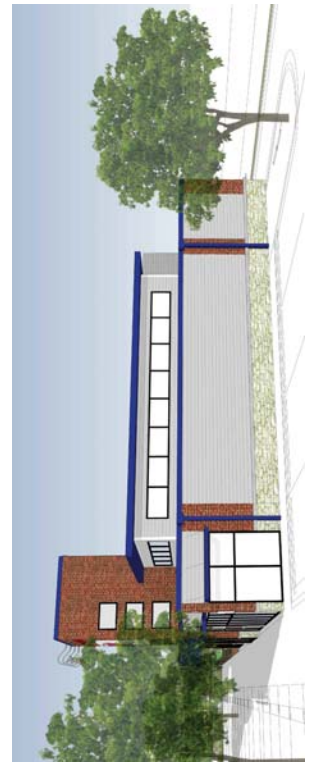
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of ONE



FRONT ENTRANCE - NORTH FACADE



SOUTH FACADE



WEST FACADE

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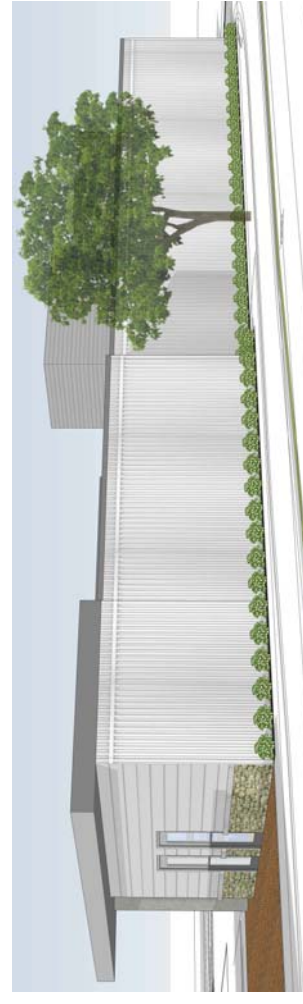
SIGNATURE



FRONT ENTRANCE - NORTH FACADE



WEST FACADE



SOUTH FACADE

CIVIL ENGINEER

CM LAYOIE & ASSOCIATES
Consulting Civil Engineers
Lead Planning / Lead Designer

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| No. | Issued & Revisions | Date |
|-----|-------------------------------------|------------|
| 1 | ISSUED FOR PLANNING & ZONING REVIEW | 04/19/2017 |
| 2 | ISSUED FOR PLANNING & ZONING REVIEW | 08/25/2017 |
| 3 | ISSUED FOR PLANNING & ZONING REVIEW | 07/26/2017 |
| 4 | ISSUED FOR 50% PROGRESS SET | 07/24/2017 |

PROJECT

NEW CONSTRUCTION
CONVENIENCE STORE & RESTAURANT
2125 OGDEN AVE.
DOWNERS GROVE, IL 60515

Drawing Title 17565_2125.01WS

EXTERIOR RENDERINGS
RESTAURANT

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GRAPHIC SCALE 1" = 10'-0"

Project No. 17045
Drawn By EJP
Checked By RJJ

SP-2
of ONE

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EXPIRES 11-30-2018

SIGNATURE

POWER MART
DOWNERS GROVE
CONVENIENCE STORE

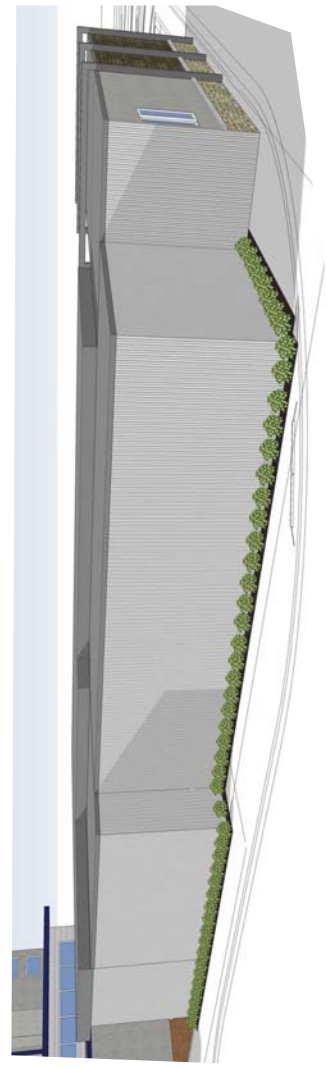


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POWER MART
DOWNERS GROVE
RESTAURANT CONCEPT





September 20, 2017

Village of Downers Grove
301 Belmont Avenue
Downers Grove, IL 60515

RE: 2125 Ogden Avenue
Downers Grove

Please be advised that I have reviewed the information received from C.M. Lavoie and Associates, I by certified mail dated September 15, 2017. Based on the information received, I have no objection the PowerMart Real Estate Corporation acquiring the alley from the village of Downers Grove, descri in the information received.

If you have any questions, you may contact me at:

Print: Frank Roti

Sign: Frank Roti

Address: 4400 Pershing Ave
Downers Grove, IL 60515

Phone: 630 241-1387

Regards
Sam Odeh, Owner
PowerMart Corporation
Lake Street
Elmhurst, IL

Attachment: Site development and alley vacation

William Benda
2815 Centre Circle
Downers Grove, IL 60515

September 29, 2017

Tim Parmenter
C.M. Lavoie and Associates, Inc.
1050 West Route 126
Plainfield, IL 60544

RE: Correspondence regarding 2125 Ogden Avenue, Downers Grove

Tim,

I am the owner of record for 4400 S. Pershing Avenue, Apt. 1, Downers Grove, IL. Please take this as formal notice to modify your records for further correspondence. Notice should be forwarded to my office stated above. As the notice went to the wrong party I am just receiving this now.

I have several comments which may be potential objections. The plan copy sent is basically unreadable. You state this may affect our property rights, if so this is an issue and would be objectionable to me. There is not enough information for counsel to determine any impact to property rights.

If you should have any questions, I can be reached anytime at 800-204-7502.

Sincerely,



William Benda

WB/kk

cc: Rebecca Leitschuh
Swati Pandey
Downers Grove Community Development

DISCLAIMER STATEMENT

This appraisal report was prepared for the use and benefit of Power Mart Real Estate Corp (PMRE) (Argianas' client and the primary intended user). C.M. Lavoie & Associates is named as an additional intended user. The report is based in part upon documents, writing and information, analyses, conclusions, statements, and the appraised values contained within the report are confidential.

This report is provided for information purposes only to third parties authorized to receive it. This report should not be used for any purpose other than to understand the information available to Power Mart Real Estate Corp (PMRE) and C.M. Lavoie & Associates concerning the property.

REAL ESTATE APPRAISAL

**ASSUMED VACATED ALLEY
(PUBLIC UTILITY EASEMENT)
EAST SIDE OF BELMONT ROAD, SOUTH OF OGDEN AVENUE
DOWNERS GROVE, DUPAGE COUNTY, ILLINOIS 60515**

**VALUATION IN COMPLIANCE
WITH USPAP STANDARDS**

DATE OF REPORT: AUGUST 17, 2017

VALUATION DATE: AUGUST 17, 2017

PROPERTY TYPE: 26

ARGIANAS 08-352-17

**APPRAISED BY
ARGIANAS & ASSOCIATES, INC.
5509 BELMONT ROAD, SUITE B
DOWNERS GROVE, ILLINOIS 60515**

**CLIENT:
POWER MART REAL ESTATE CORP. (PMRE)
ATTN: SAM ODEH, CHIEF EXECUTIVE OFFICER
2125 OGDEN AVENUE
DOWNERS GROVE, ILLINOIS 60515**



5509 Belmont Rd., Ste B
Downers Grove, IL 60515
630-390-0113 phone
630-390-0114 fax
www.argianas.com

August 17, 2017

Sam Odeh, Chief Executive Officer
Power Mart Real Estate Corp. (PMRE)
2125 Ogden Avenue
Downers Grove, Illinois 60515

Re: Assumed Vacated Alley (Public Utility Easement)
Belmont Road, south of Ogden Avenue
Downers Grove, DuPage County, Illinois 60515

Dear Mr. Odeh:

At your request, we have inspected and appraised the captioned property, which consists of an approximately 20' x 267' (5,375 SF) assumed vacated alley (public utility easement).

Purpose of the Appraisal

The purpose of this appraisal is to express our opinion of the property's market value in fee simple (real estate only) subject to the definitions, assumptions, limiting conditions and certifications herein. The property was inspected on August 17, 2017 (effective value date).

Client, Intended User & Use of the Appraisal

This appraisal is to be used by Power Mart Real Estate Corp. (PMRE) (Argianas' client/ the primary intended user) and C.M. Lavoie & Associates (as an additional intended user) to establish an estimate of the property's market value (real estate only) for internal decision making purposes. Its use for any other purpose or valuation date is unauthorized. Neither the report nor its contents, nor any reference to our firm, may be included or quoted in any offering circular or registration statement, sales brochure, prospectus, or other agreement or document without our prior written consent © *Copyright 2017 Argianas & Associates, Inc.*

No purchaser of the property, borrower, seller or any party not identified as an intended user should use or rely on this appraisal for any purpose. Such parties are advised to obtain an appraisal from an appraiser of their own choosing if they require an appraisal for their own use. This appraisal report should not serve as a basis for any property purchase.

Appraisal Compliance

This appraisal complies with the Uniform Standards of Professional Appraisal Practice.

Environmental Disclaimer

We reserve the right to amend our findings if problematic environmental or legal issues should be discovered.

Extraordinary Assumptions

Our findings were predicated upon the following extraordinary assumptions and are subject to revision if these limitations are not fully satisfied.

- We assumed the property is currently a vacated alley; &
- The property (5,375 SF) will be subdivided and given an individual PIN number.

We reserve the right to revise our findings if the reader rejects these limitations.

Value Conclusion

We conclude the subject's market value as follows:

| MARKET VALUE | |
|------------------------------------|------------------------|
| Effective Value Date: | August 17, 2017 |
| | |
| Market Value In Fee Simple: | \$5,000 |

A copy of this report and the field data supporting it will remain in our files for review upon request.

Very truly yours,

ARGIANAS & ASSOCIATES, INC.



Charles G. Argianas, MAI
 President & Chief Appraiser
 Certified General Real Estate Appraiser
 Illinois License # 553.000164
 License Expires September 30, 2017

CERTIFICATION

CERTIFICATION

I certify that to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice (USPAP).
- I have made an inspection of the property that is the subject of this report.
- Unless otherwise stated, no one provided significant real property appraisal assistance to the person signing this certification.
- The reported analyses, opinions, and conclusions in this report have been prepared in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- As of the date of issuance of this appraisal, I have completed the continuing education program of the Appraisal Institute.
- I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three year period immediately preceding acceptance of this assignment.



Charles G. Argianas
Certified General Real Estate Appraiser
Illinois License # 553.000164
License Expires September 30, 2017

CERTIFICATION

CERTIFICATION

I certify that to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
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- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- As of the date of this report, I have completed the Standards and Ethics Education Requirement of the Appraisal Institute.
- I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three year period immediately preceding acceptance of this assignment.



Michael P. Roth
Certified General Real Estate Appraiser
Illinois License # 553.002181
License Expires September 30, 2017

CONCLUSIONS**CONCLUSIONS**

| | |
|----------------------------|---|
| Client of Record: | Power Mart Real Estate Corp. (PMRE) |
| Property Type : | Assumed Vacated Alley (Public Utility Easement) |
| Location: | East side of Belmont Road, south of Ogden Avenue, Downers Grove, DuPage County, Illinois |
| Property Rights Appraised: | Fee Simple |
| Purpose: | To establish the property's market value (real estate only) for internal decision making purposes |
| Appraisal Compliance: | USPAP Standards Rule 2-2(a) |
| Land Area: | ±5,375 SF or 0.12 acre |
| Personal Property: | None considered |
| Zoning: | None (vacated alley) |
| Flood Zone: | Flood Zone X, Areas of Minimal Flooding per FEMA Map 17043C 0803H, map dated December 16, 2004 |
| Highest and Best Use: | |
| As vacant | To hold as vacant |
| Date of Inspection: | August 17, 2017 |
| Effective Value Date: | August 17, 2017 |
| | |

CONCLUSIONS

| MARKET VALUE | |
|------------------------------------|------------------------|
| Effective Value Date: | August 17, 2017 |
| <hr/> | |
| Market Value In Fee Simple: | \$5,000 |
| <hr/> | |
| Exposure & Marketing Periods: | 12-months |
| <hr/> | |

The appraisers make no representations or warranties, either express or implied, that any of the exhibits are current, accurate, or complete with respect to the physical nature or condition of the property. Anyone who uses or relies upon any information in these exhibits does so at his own risk.

Neither the report nor its contents, nor any reference to our firm, may be included or quoted in any offering circular or registration statement, sales brochure, prospectus, or other agreement or document without our prior written consent.

AERIAL EXHIBIT

AERIAL EXHIBIT



AERIAL VIEW

This aerial photograph is intended for illustrative purposes only and is not necessarily an actual depiction of property lines or of the subject's current site improvements

SUBJECT PHOTOGRAPHS



SUBJECT PROPERTY



SUBJECT PROPERTY



SUBJECT PROPERTY

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INTRODUCTION

INTRODUCTION

IDENTIFICATION OF THE PROPERTY

The subject, an assumed vacated alley (public utility easement) is located along the east side of Belmont Road, south of Ogden Avenue, Downers Grove, DuPage County, Illinois.

LEGAL DESCRIPTION

A copy of the subject's legal description appears in the Addenda.

PURPOSE OF THE APPRAISAL

The purpose of this appraisal is to express our opinion of the property's market value in fee simple (real estate only), subject to the definitions, assumptions, limiting conditions and certifications herein.

PROPERTY INTEREST APPRAISED

The legal position appraised is the fee simple interest.

PROPERTY INTEREST DEFINITION

Fee Simple Estate is defined as an absolute ownership unencumbered by any other interest or estate; subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power and escheat.

INSPECTION DATE

Charles Argianas & Michael Roth inspected the property on August 17, 2017 and the photographs were taken on that date. When the date of inspection differs from the effective date of appraised value, we have assumed no material change in the condition of the property unless otherwise noted.

INTRODUCTION

EFFECTIVE VALUE DATE

| | |
|------------------|-----------------|
| Inspection Date: | August 17, 2017 |
|------------------|-----------------|

CLIENT, INTENDED USER AND INTENDED USE OF THE APPRAISAL

This appraisal is to be used by Power Mart Real Estate Corp. (PMRE) (Argianas' client/ the primary intended user) and C.M. Lavoie & Associates (as an additional intended user) to establish an estimate of the property's market value (real estate only) for internal decision making purposes. Its use for any other purpose or valuation date is unauthorized. Neither the report nor its contents, nor any reference to our firm, may be included or quoted in any offering circular or registration statement, sales brochure, prospectus, or other agreement or document without our prior written consent © *Copyright 2017 Argianas & Associates, Inc.*

ENVIRONMENTAL ISSUES

An environmental assessment exceeded the scope of services we were retained to provide. This appraisal assumes no environmental or contamination issues affect the subject property.

SCOPE OF THE APPRAISAL

For this appraisal, we:

- Analyzed regional, city, market area, site, and improvement data;
- Inspected the subject and market area;
- Reviewed data regarding real estate taxes, zoning, utilities, easements, and city services;
- Analyzed the highest and best use of the subject both as vacant and as improved, as applicable;
- Considered all three approaches to value (Cost, Sales Comparison, and Income Capitalization) and utilized those which were deemed appropriate;
- As a vacant land parcel, the only approach utilized is the Sales Comparison Approach;
- Considered vacant land sales in analyzing the subject;
- Confirmed data with reliable sources, public records, principals, managers, real estate agents and professionals;
- Analyzed the data to arrive at conclusions via each approach, as applicable;

INTRODUCTION

- Reconciled the results of this analysis into a probable range of market data, and finally an estimate of market value for the subject, as defined herein; and
- Estimated reasonable exposure and marketing times associated with the value estimate.

Our conclusions reflect all known information about the property, market conditions and all available data.

SOURCE OF PROPERTY DATA

Property data provided to the appraiser is assumed accurate and Argianas & Associates assumes no responsibility for any incorrect, since updated, incomplete or falsified information. As part of the appraisal process we:

- Made, in writing, a formal, detailed request for all property data including a survey of the property that indicated total land and building size, building plans/floor plans/leasing plan drawings, as applicable;
- Were provided with a proposed Plat of Vacation and general property information (subject and surrounding properties), from Sam Odeh, CEO Power Buying Dealers USA Inc.
- Determined and confirmed the subject's zoning with the Downers Grove Zoning Department;
- Reviewed public record information as to land size, as available;
- Researched and chose to use the proposed Plat of Vacation for land size. We used our best judgment in determining total land size with the information provided and attained through our research; &
- Derived floodzone and wetland risks for the subject property based upon our research of FEMA and Wetland Mapper Maps.

In the event any information we were provided with proves incomplete or contrary to what actually exists, we reserve the right to amend our findings.

EXCLUSIONS FROM VALUE

Excluded from this appraisal are personal property, furniture fixtures and equipment, trade fixtures, intangibles and inventories that are not real property.

PROSPECTIVE INFORMATION

Any prospective information in the accompanying report, if applicable, was based on estimates and assumptions developed in connection with our appraisal research. Some assumptions inevitably may not materialize, and unanticipated events and circumstances may occur; therefore, actual results achieved during the projection period may vary from our

INTRODUCTION

estimates and the variations may be material. We were not engaged to evaluate the effectiveness of management. We are not responsible for marketing efforts or management actions upon which actual results may depend.

MARKET VALUE DEFINITION

The following definition pertains to this report:

Market Value¹. The most probable price that a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well-informed or well-advised, and acting in what they consider their best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

Market value is synonymous with the legal term fair market value and is equivalent to an as is value.

PROPERTY HISTORY

We requested property history information and documentation and utilized to the fullest extent all of the information available. We assume that the information provided accurately reflects the subject property's history; we reserve the right to amend this report at a later date in the event that there was any type of error or omission in the information provided to us.

According to the information provided by the DuPage County Recorder's office, the subject property has not sold or exchanged hands over the past three years.

¹ Federal Register, Volume 55, 12 C.F.R. Part 34.42(g), Page 34696, August 24, 1990, as amended at Federal Register, Volume 57 Page 12202, April 9, 1992, Federal Register, Volume 59 Page 29499, June 7, 1994.

INTRODUCTION

HYPOTHETICAL CONDITIONS AND EXTRAORDINARY ASSUMPTIONS

Hypothetical Conditions

These are defined as that which are contrary to what exists, but are supposed for the purpose of the analysis. Our appraisal was not prepared subject to hypothetical appraisal conditions.

Extraordinary Assumptions

These are defined as assumptions, directly related to a specific assignment, which, if found to be false, could alter the appraisers opinions or conclusions.

Our findings were predicated upon the following extraordinary assumptions and are subject to revision if these limitations are not fully satisfied.

- We assumed the property is currently a vacated alley; &
- The property (5,375 SF) will be subdivided and given an individual PIN number.

We reserve the right to revise our findings if the reader rejects these limitations.

EXPOSURE & MARKETING PERIODS

The Uniform Standards of Professional Appraisal Practice requires that value estimates be prepared assuming reasonable exposure and marketing times. Exposure time is defined as the estimated time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal. Marketing time is the anticipated time required to successfully market the property as of the effective value date.

Our findings were premised upon 12-month exposure and marketing times.

REGIONAL ANALYSIS

REGIONAL ANALYSIS

Area Overview

The metropolitan Chicago area is located in northeastern Illinois on the southwestern shore of Lake Michigan and encompasses 5,065 square miles.

Demographics and Housing

With a population of 9.8 million residents, metropolitan Chicago is the nation's third largest metropolitan area after Los Angeles and New York. Metro Chicago, which accounts for almost one-half of the population of Illinois and approximately 60% of employment.

| Counties | Cook | DuPage | Lake | Kane | Will | McHenry | Kendall | Chicago MSA |
|-------------------------------|-----------|-----------|-----------|----------|-----------|----------|-----------|-------------|
| Population | | | | | | | | |
| 2010 Census | 5,194,675 | 916,924 | 703,462 | 515,269 | 677,560 | 308,760 | 114,736 | 9,633,519 |
| 2017 Census | 5,313,828 | 940,072 | 709,599 | 541,814 | 697,215 | 311,424 | 123,322 | 9,847,060 |
| 2021-Projection | 5,377,519 | 956,218 | 716,666 | 561,747 | 713,310 | 316,279 | 132,853 | 9,987,827 |
| 2010-2017 % Annual Change | 0.32% | 0.35% | 0.12% | 0.70% | 0.40% | 0.12% | 0.99% | 0.31% |
| 2017 -2022 % Annual Change | 0.24% | 0.34% | 0.20% | 0.71% | 0.45% | 0.31% | 1.43% | 0.28% |
| Households | | | | | | | | |
| 2010 Census | 1,966,356 | 337,132 | 241,712 | 170,479 | 225,256 | 109,199 | 38,022 | 3,542,265 |
| 2017 Census | 2,014,981 | 345,039 | 246,031 | 177,964 | 231,372 | 110,891 | 40,724 | 3,623,989 |
| 2022-Projection | 2,040,831 | 350,846 | 249,075 | 183,947 | 236,644 | 112,966 | 43,806 | 3,676,359 |
| 2010-2017 % Annual Change | 0.34% | 0.33% | 0.25% | 0.60% | 0.38% | 0.22% | 0.95% | 0.32% |
| 2017-2022 % Annual Change | 0.25% | 0.33% | 0.24% | 0.65% | 0.45% | 0.37% | 1.41% | 0.28% |
| Income | | | | | | | | |
| 2017 Per Capita Income | \$33,208 | \$41,995 | \$42,770 | \$32,877 | \$33,714 | \$35,648 | \$34,451 | \$34,093 |
| 2017 Median Household Income | \$57,978 | \$83,599 | \$85,415 | \$75,476 | \$81,279 | \$80,275 | \$87,551 | \$64,165 |
| 2017 Average Household Income | \$86,287 | \$113,107 | \$121,505 | \$98,764 | \$100,522 | \$99,567 | \$104,139 | \$91,360 |

Source: stdbonline.com

Unemployment

According to the Illinois Department of Employment Security, the State's jobless rate stood at 4.7% as of June 2017.

Conclusion

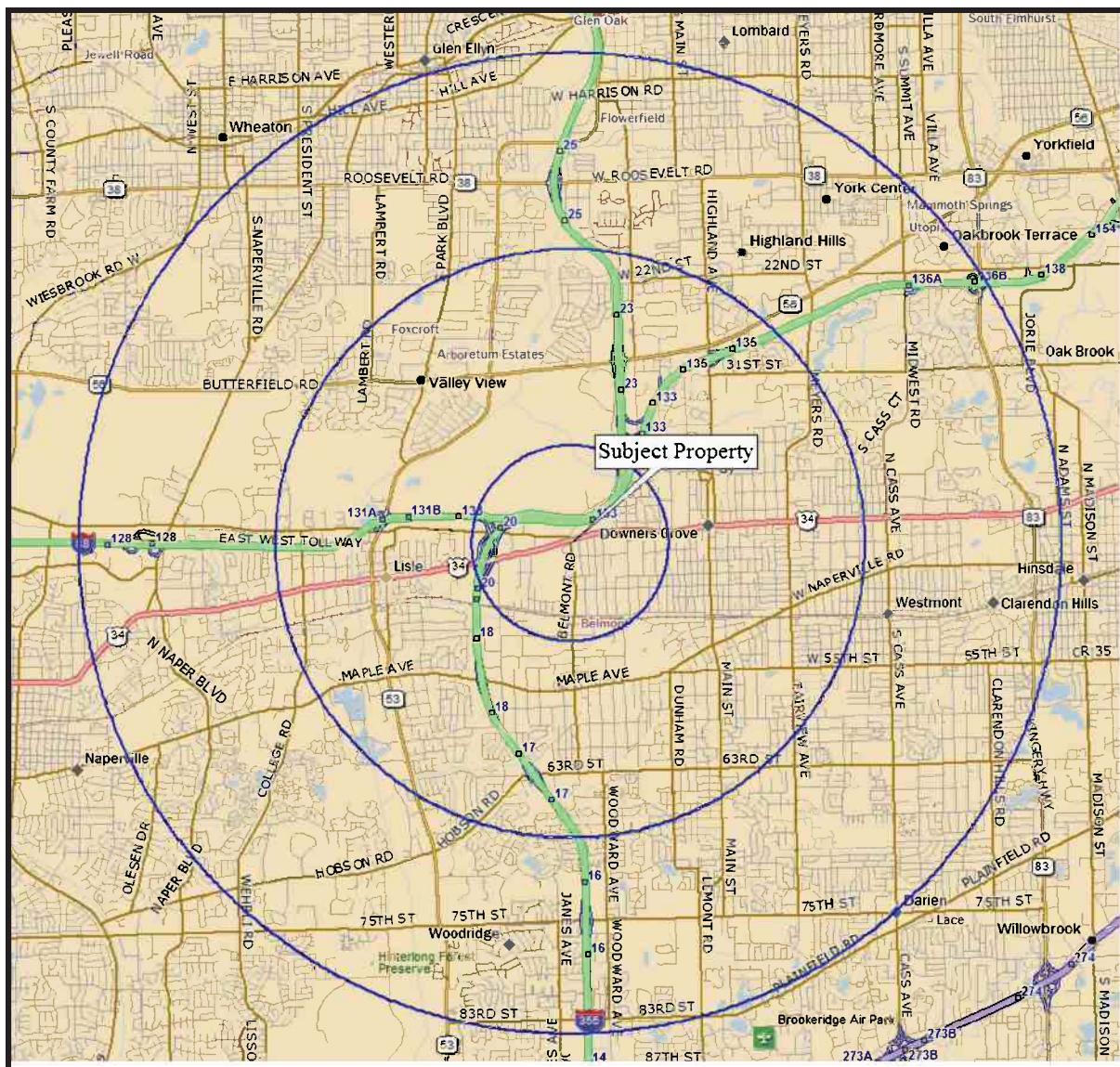
Illinois' current unemployment reflects prevailing patterns of the current national economic recession. Overall home prices and commercial service occupancy rates have been improving over the past several years. Illinois' outlook is promising; however, it will take years before demand catches back up to its pre-recession levels.

LOCAL AREA

LOCAL AREA

The City of Downers Grove is located ±25 miles southwest of Chicago’s Central Business District.

DEMOGRAPHICS



The following table summarizes demographic information for the subject’s 1, 3 and 5 mile radii:

LOCAL AREA**AREA DEMOGRAPHICS**

| | RADII | | | CITY | COUNTY | MSA |
|---------------------------------|-----------|-----------|-----------|---------------|-----------|-------------|
| | 1 Mile | 3 Miles | 5 Miles | Downers Grove | DuPage | Chicago MSA |
| POPULATION | | | | | | |
| 2010 | 4,695 | 79,857 | 262,163 | 48,843 | 916,924 | 9,633,519 |
| 2017 | 4,781 | 82,023 | 268,621 | 49,990 | 940,072 | 9,847,060 |
| 2022 | 4,937 | 83,666 | 273,277 | 50,982 | 956,218 | 9,987,827 |
| Annual Change % | | | | | | |
| 2010 - 2017 | 0.26% | 0.38% | 0.34% | 0.33% | 0.35% | 0.31% |
| 2017 - 2022 | 0.63% | 0.39% | 0.34% | 0.39% | 0.34% | 0.28% |
| HOUSEHOLDS | | | | | | |
| 2010 | 1,802 | 32,667 | 104,312 | 19,551 | 337,132 | 3,542,265 |
| 2017 | 1,824 | 33,593 | 106,759 | 20,007 | 345,039 | 3,623,989 |
| 2022 | 1,890 | 34,273 | 108,580 | 20,395 | 350,846 | 3,676,359 |
| Annual Change % | | | | | | |
| 2010 - 2017 | 0.17% | 0.39% | 0.33% | 0.33% | 0.33% | 0.32% |
| 2017 - 2022 | 0.70% | 0.40% | 0.34% | 0.38% | 0.33% | 0.28% |
| Median Household Income | \$90,554 | \$85,078 | \$82,548 | \$87,938 | \$83,599 | \$64,165 |
| Average Household Income | \$116,098 | \$111,823 | \$112,614 | \$116,264 | \$113,107 | \$91,360 |
| Per Capita Income | \$45,768 | \$46,410 | \$45,185 | \$46,494 | \$41,995 | \$34,093 |

Source: STDBonline.com

IMMEDIATE AREA

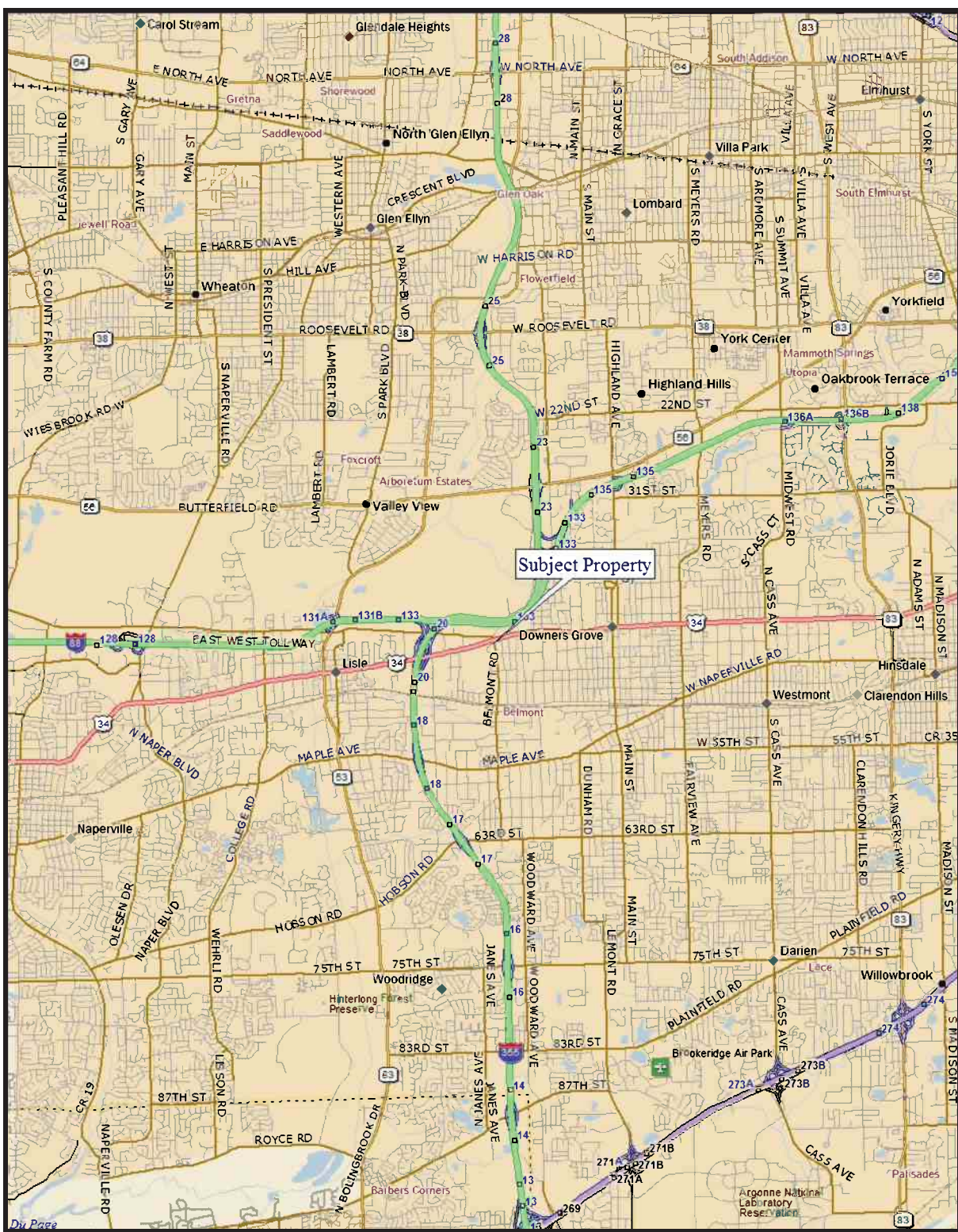
The appraisal property is located along the east side of Belmont Road, just south of Ogden Avenue. There is a former gas station to the north, vacant land and residential development to the south; residential to the east; and retail and multi-family residential to the west.

CONCLUSION

Community facilities, services, and amenities, including retailing, business services, public transportation, utilities, and telecommunication services, are adequate. The subject has adequate proximity to labor markets, commercial services, and regional arterial linkage.

LOCAL AREA

LOCAL AREA



SITE DATA

SITE DATA

| | |
|---|--|
| Land Area: | ±5,375 SF or 0.12 acre |
| Shape: | Irregular |
| Surrounding Uses: | Retail & residential |
| Prohibitive Easements, Encroachments, or Restrictions: | None noted |
| Ingress and Egress: | Access via Belmont Road |
| Topography and Drainage: | Generally level/ adequate |
| Soil and Subsoil Condition: | Assumed sound |
| Zoning: | None |
| Flood Zone: | Flood Zone X, Areas of Minimal Flooding per FEMA Map 17043C 0803H, map dated December 16, 2004 |
| Relationship to Surroundings: | Compatible |
| Utilities: | Nearby |

The site's characteristics are functional and marketable. Our findings are subject to revision should restrictive/private deed restrictions be discovered.

We were informed that the former gas station property to the immediate north had environmental issues. It is unsure if this condition plumed onto the subject property. The property to the immediate south contains wetlands, which suggests limited use for the appraisal property, due to runoff. These items were considered within our valuation.

SITE DATA

TAX MAP

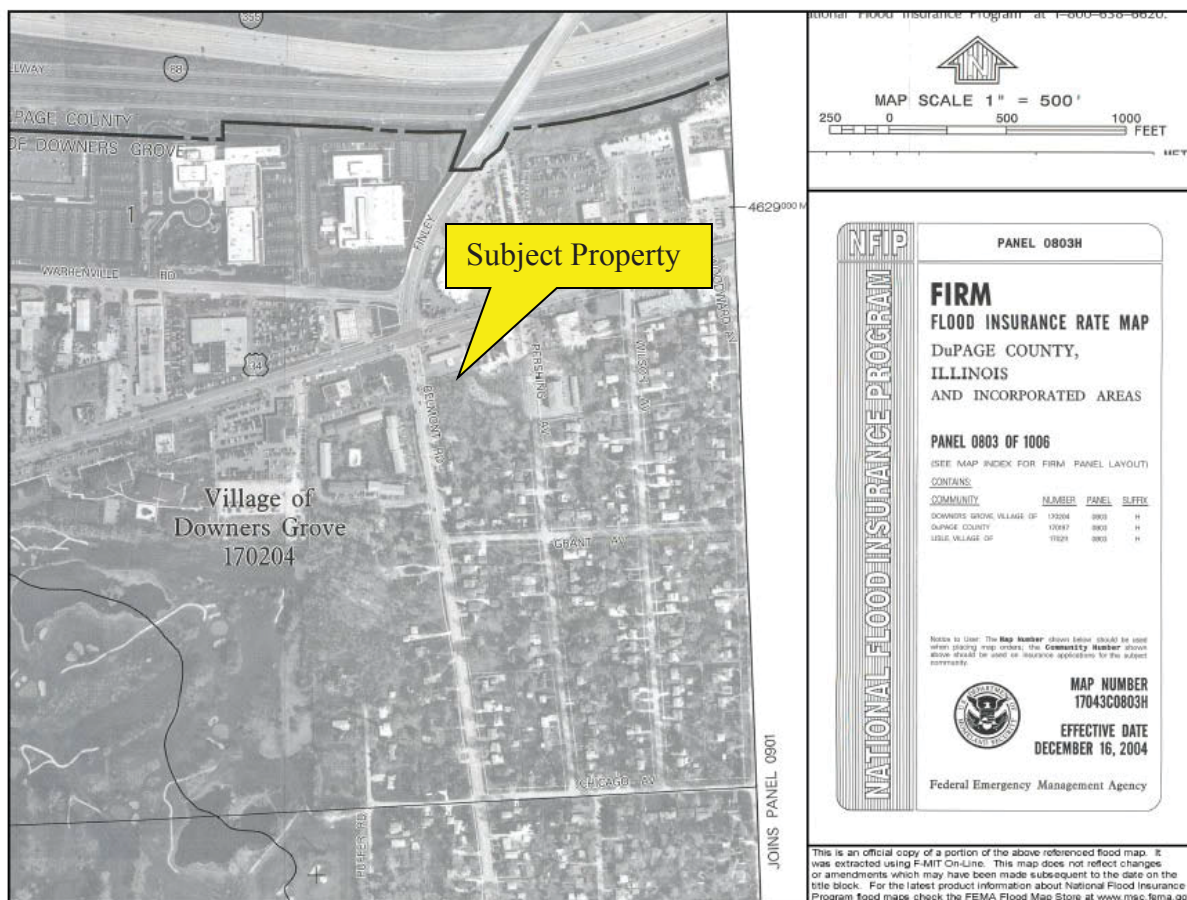


Source: DuPage County GIS

Subject is outlined in yellow. This exhibit is intended for illustrative purposes only

SITE DATA

FLOOD ZONE MAP



Source: fema.gov

SITE DATA

WETLAND MAP



Source: National Wetland Mapper

ASSESSMENT AND TAXES

ASSESSMENT AND TAXES

The property (a vacated alley) is owned by Village of Downers Grove a municipal corporation; the property is not assessed for real estate tax purposes.

ZONING

ZONING

The site (a vacated alley) does not currently have an active zoning classification. The property to the north is Zoned B-3 while the property to the south is zoned as a planned residential development.

HIGHEST AND BEST USE

HIGHEST AND BEST USE

In developing a real estate appraisal, the land is valued as if vacant and available for development to its highest and best use. The value of the improvements is recognized based upon their actual contribution to the site.

The latest edition of *The Appraisal of Real Estate*, published by the Appraisal Institute, defines highest and best use as:

The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value.²

Estimating highest and best use essentially involves four stages of analysis:

Legally Permissible Which use is permitted by zoning and deed restrictions on the site in question?

Physically Possible To which use is it physically possible to put the site in question?

Financially Feasible Which permissible and possible use will produce any net return to the owner of the site?

Maximally Productive Among the feasible uses, which use will produce the highest net return or the highest present worth?

HIGHEST AND BEST USE CONCLUSION AS VACANT

As Vacant: Development is legally permissible and physically possible; however, due to current market conditions coupled with the subject's shape, it is not financially feasible, and maximally productive. The subject property by itself is of negligible market value due to size, drainage, suspect contamination plume, the immediate proximity to a wetland. The most likely buyer would be an adjacent property owner or speculator.

²*The Appraisal of Real Estate* (Chicago: Appraisal Institute).

APPRAISAL PROCEDURES

APPRAISAL PROCEDURES

Developing a reasonable opinion of the value of real estate generally involves considering these appraisal techniques:

The Cost Approach considers the current cost of reproducing a property, less accrued depreciation in the property. A summation of the market value of the land assumed vacant, and the depreciated replacement cost new (RCN) of the improvements, provides an indication of the total value of the property. The Cost Approach provides an estimate of value based upon the assumption that an informed buyer would not pay more for a particular property than the cost of purchasing land and constructing improvements with similar utility.

The Income Capitalization Approach is based upon an estimate of the property's possible net operating income. The net operating income is capitalized to arrive at an indication of value from the standpoint of an investment. This method measures the present worth of anticipated future benefits (net income) derived from the property. The Income Capitalization Approach is based upon the assumption that a typically informed buyer would not pay more for a property than the anticipated present worth of future benefits derived from the ownership.

The Sales Comparison Approach produces an estimate of value by comparing the sales and/or listings of similar properties in the same area as the subject or in competing areas. The Sales Comparison Approach is based upon the assumption that the typically informed buyer would not pay more for a particular property than the cost of purchasing similar properties with the same utility as the subject.

After considering these three approaches, the appraiser critically examines and weighs their value indications in a reconciliation of value before reaching a conclusion of value.

SALES COMPARISON APPROACH

SALES COMPARISON APPROACH

DESCRIPTION OF APPROACH

The Sales Comparison Approach is an appraisal technique in which the appraiser estimates value by comparing the subject to similar recently sold or currently available properties.

UNDERLYING APPRAISAL PRINCIPLE

The Sales Comparison Approach draws heavily on the principle of substitution, which holds that a prudent investor will pay no more for any particular property than it would cost to acquire an equally desirable alternative property. A premise of this approach is that the market value of a property directly relates to the prices of properties. It interprets the actions of buyers, sellers, and investors in the market, and presumes that the price paid for a property is the result of an extensive shopping process in which available alternatives are compared based upon the buyer's purchase criteria.

The reliability of the approach depends upon the following:

- The degree of comparability of the property appraised with each sale or listing;
- The length of time since the sale;
- The accuracy of the sale data; and
- Absence of unusual conditions affecting the sale.

As its main strength, the Sales Comparison Approach reflects actual market behavior of typical purchasers under current market conditions.

SALES COMPARISON APPROACH METHODOLOGY

The Sales Comparison Approach involves making adjustments between the comparable properties and the subject. With the subject property as a standard, the appraiser adjusts the sale price of the comparables to arrive at an indication of value for the subject. Provided a sufficient number of similar property sales have occurred, the resulting unit pricing usually provides a good indication of value.

SALES COMPARISON APPROACH

LAND SALE/OFFERING DATA

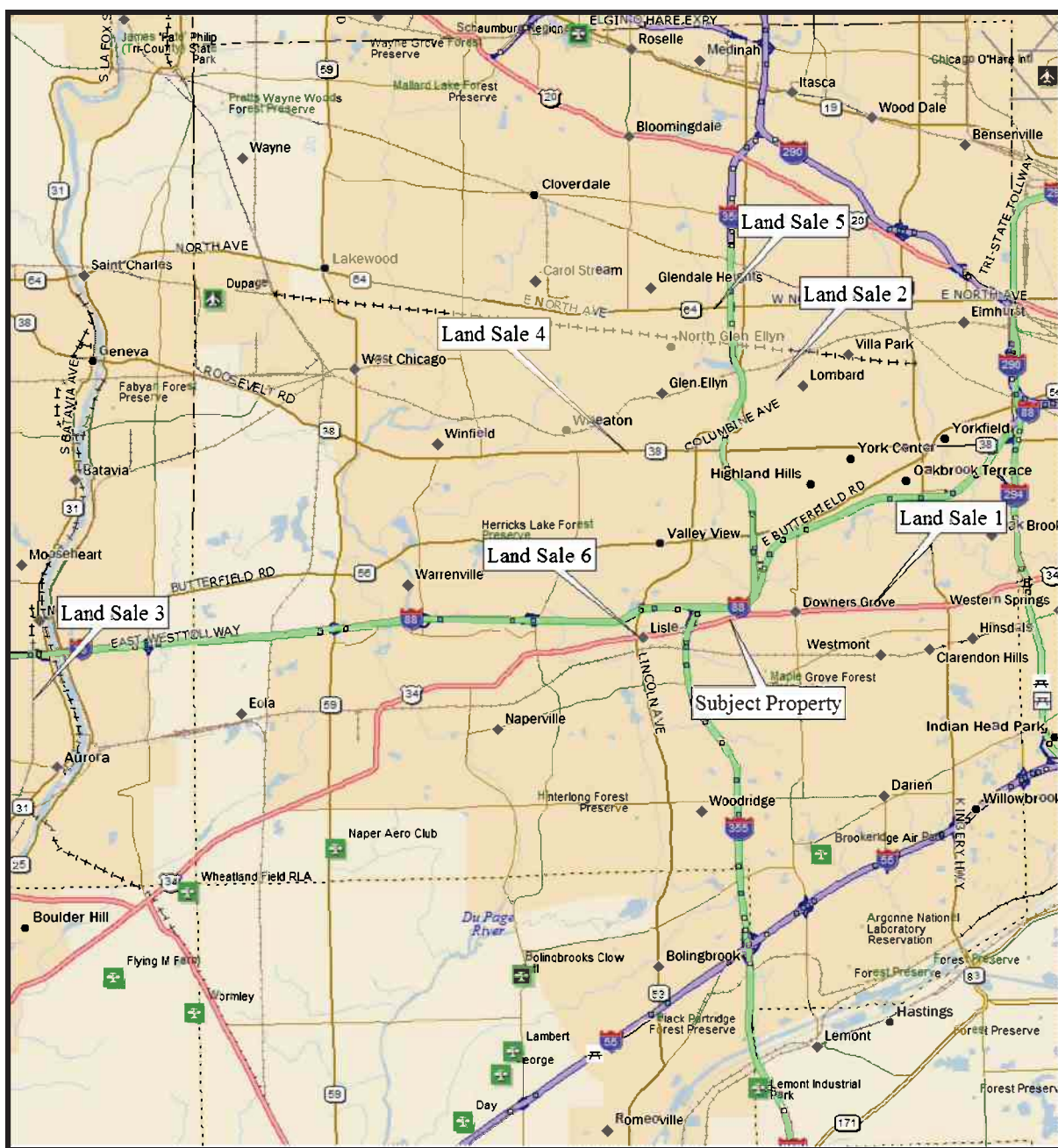
The following sales were considered in estimating the value of the land as if vacant:

Land Sale/Offering Data

| No. | Location | Date | Price | Zoning | Land Area SF | Unit Price | | Comments |
|------|---|---------|-----------|-------------|--------------|------------|--|--|
| | | | | | | PSF | | |
| 1 | 4108 Grant Street, Westmont, DuPage County, Illinois | Oct-15 | \$102,500 | Commercial | 12,632 SF | \$8.11 | | Property lacks street frontage from an arterial. |
| 2 | 22 W. Willow Street, Lombard, DuPage County, Illinois | Jun-16 | \$100,000 | Residential | 13,939 SF | \$7.17 | | Located along Willow Street, just west of Main Street. |
| 3 | 702 N. Highland Avenue, Aurora, Kane County, IL | Jan-15 | \$50,000 | Industrial | 13,939 SF | \$3.59 | | Located at the NWC of Highland & Illinois Avenues, adjacent to railroad tracks. |
| 4 | 1810-1820 Taft Avenue, Wheaton, DuPage County, IL | Feb-16 | \$38,000 | Residential | 14,519 SF | \$2.62 | | Located along Taft Avenue, east of Lorraine Road. There is a high pressure gas vault nearby, hindering the site's immediate development. |
| 5 | 833 North Avenue, Glendale Heights, DuPage County, IL | Jun-15 | \$135,000 | Commercial | 19,998 SF | \$6.75 | | Located along North Avenue, west of Swift Road, just west of Power Lines. |
| 6 | NEQ of Route 53 & Ogden Avenue, Lisle, DuPage County, IL | Asking | \$130,000 | Commercial | 13,068 SF | \$9.95 | | This property has been available for approximately 3 years. |
| Sub. | Belmont Road, south of Ogden Avenue, Downers Grove, DuPage County, Illinois | Current | - | None | 5,375 SF | - | | |

SALES COMPARISON APPROACH

LAND SALE/OFFERING DATA



SALES COMPARISON APPROACH

Land Sale Adjustment Grid

| Sale No. | Sub. | 1 | 2 | 3 | 4 | 5 | 6 |
|--------------------------------|---|--|---|---|---|---|--|
| | Belmont Road, south of Ogden Avenue, Downers Grove, DuPage County, Illinois | 4108 Grant Street, Westmont, DuPage County, Illinois | 22 W. Willow Street, Lombard, DuPage County, Illinois | 702 N. Highland Avenue, Aurora, Kane County, IL | 1810-1820 Taft Avenue, Wheaton, DuPage County, IL | 833 North Avenue, Glendale Heights, DuPage County, IL | NEQ of Route 53 & Ogden Avenue, Lisle, DuPage County, IL |
| Address | | | | | | | |
| Size (SF) | 5,375 SF | 12,632 SF | 13,939 SF | 13,939 SF | 14,519 SF | 19,998 SF | 13,068 SF |
| Zoning | None | Commercial | Residential | Industrial | Residential | Commercial | Commercial |
| Date | ---- | Oct-15 | Jun-16 | Jan-15 | Feb-16 | Jun-15 | Asking |
| Price/SF | | \$8.11 | \$7.17 | \$3.59 | \$2.62 | \$6.75 | \$9.95 |
| Property Rights | | | | | | | |
| % | | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% |
| Price After Adjustment | | \$8.11 | \$7.17 | \$3.59 | \$2.62 | \$6.75 | \$9.95 |
| Financing | | | | | | | |
| % | | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% |
| Price After Adjustment | | \$8.11 | \$7.17 | \$3.59 | \$2.62 | \$6.75 | \$9.95 |
| Condition of Sale | | | | | | | |
| % | | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | -20.0% |
| Price After Adjustment | | \$8.11 | \$7.17 | \$3.59 | \$2.62 | \$6.75 | \$7.96 |
| Market Conditions | | | | | | | |
| % | | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |
| Price After Adjustment | | \$8.11 | \$7.17 | \$3.59 | \$2.62 | \$6.75 | \$7.96 |
| Other: | | | | | | | |
| Location | | | | | | | |
| Physical Characteristics | | -10.0% | -15.0% | 0.0% | -20.0% | -15.0% | -25.0% |
| Size | | -50.0% | -50.0% | -50.0% | -25.0% | -50.0% | -50.0% |
| Zoning | | -10.0% | -10.0% | -10.0% | -10.0% | -15.0% | -10.0% |
| Flood Zone | | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% |
| | | -10.0% | -10.0% | -10.0% | -10.0% | -10.0% | -10.0% |
| Total Other | | -80.0% | -85.0% | -70.0% | -65.0% | -90.0% | -95.0% |
| Price After Adjustments | | \$1.62 | \$1.08 | \$1.08 | \$0.92 | \$0.68 | \$0.40 |
| Analysis: | | | | | | | |
| High | | \$1.62 | | | | | |
| Low | | \$0.40 | | | | | |
| Average | | \$0.96 | | | | | |
| Median | | \$1.00 | | | | | |
| Conclude | | \$1.00 | | | | | |

SALES COMPARISON APPROACH

LAND SALE DATA

No two properties are identical. An indication of value for the subject site is obtained by adjusting the price of the comparable sites for any differences that influence value. If the comparable site is superior in some respect, a downward, or negative, adjustment is made; if the comparable is inferior, a positive, or upward, adjustment is made. The first series of adjustments is made to compensate for the influence of unconventional financing, unusual buyer or seller motivation, and changing market conditions.

- * Property Rights Conveyed. All sales involved the transfer or offering of the fee simple interest so that no adjustments are required for property rights.
- * Financing. No unusual financing conditions appear to have influenced the selling prices of any of the sales.
- * Conditions of Sale. Sale 1 through 5 are arm's length transactions and not affected by any undue influences. Land Sale 6 was adjusted downward as it is a current offering.
- * Market Conditions (Date of Sale). The date of sale is important in analyzing comparable sales in changing markets, and is of particular importance in times of rapid inflation or deflation. No market conditions adjustments were warranted.

After adjustments for property rights, financing, conditions of sale, and market conditions have been considered, any further adjustments for remaining differences between the sale properties and the subject site are considered.

LOCATION

Land sales 1, 2, 4, 5 and 6 are located in superior locations; therefore, downward adjustments were warranted.

PHYSICAL CHARACTERISTICS

The subject is a narrow strip (approximately 20' wide), limiting its development. Downward adjustments are warranted to all sales for physical characteristics (shape). Sale 4 required less of an adjustment due to the property having a high pressure gas value nearby.

Land Sales 1 through 6 are larger (more development options); therefore, downward adjustments were warranted.

SALES COMPARISON APPROACH

The property is located in and/or adjacent to wetlands; therefore, downward adjustments were warranted.

LAND VALUE

The adjusted land sale data reflect an adjusted unit price range from \$0.40 PSF to \$1.62 PSF, with the average indicated at \$0.96 PSF and the median indicated at \$1.00 PSF. If the highest and lowest sales are given less weight the data ranges from \$0.68 PSF to \$1.08 PSF with an average of \$0.94 PSF.

We conclude the subject's as vacant value as follows:

ESTIMATED LAND VALUE

| PARCEL SIZE SF | x | VALUE PER SF | = | MARKET VALUE |
|----------------|---|---------------------|---|---------------------------|
| 5,375 SF | x | \$1.00 (Rounded) | = | \$5,375 \$5,000 |

RECONCILIATION

RECONCILIATION

Depending on the circumstances of an appraisal, the three approaches to value apply to various degrees. The Cost Approach estimates the cost to replace or reproduce a specific property with one of like kind and utility, less depreciation; it generally provides a good means of estimating the value of new and/or special-purpose properties. In such instances, the Cost Approach usually receives the most weight. The Income Capitalization Approach indicates the amount at which a prudent investor might be interested in acquiring the property. The Sales Comparison Approach reflects demand and reasonable selling price expectancy as evidenced by sales and listings of similar properties.

As vacant land, we utilized the Sales Comparison Approach.

MARKET VALUE CONCLUSION

We conclude as follows:

| MARKET VALUE | |
|------------------------------------|------------------------|
| Effective Value Date: | August 17, 2017 |
| | |
| Market Value In Fee Simple: | \$5,000 |

Our value estimate is premised upon 12-month exposure and marketing periods.

Our findings were predicated upon the following extraordinary assumptions and are subject to revision if these limitations are not fully satisfied.

- We assumed the property is currently a vacated alley; &
- The property (5,375 SF) will be subdivided and given an individual PIN number.

We reserve the right to revise our findings if the reader rejects these limitations.

ADDENDA

ADDENDA

ADDENDA**LEGAL DESCRIPTION**

The following legal description was provided to the appraiser by ownership and is believed to be accurate; however, it's verification by legal counsel is recommended prior to use in any legal document or conveyance:

| |
|--|
| <p>• LEGAL DESCRIPTION</p> <p>THAT PART OF THE EAST-WEST ALLEY LYING SOUTH OF AND CONTIGUOUS TO LOTS 4 THROUGH 8, INCLUSIVE, IN BLOCK 3 IN ARTHUR T. McINTOSH AND COMPANY'S BELMONT COUNTRY CLUB ADDITION, BEING A SUBDIVISION OF PART OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND SECTION 6, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 18, 1927 AS DOCUMENT 235837, IN DUPAGE COUNTY, ILLINOIS.</p> <p>LOCAL MAILING ADDRESS: BELMONT ROAD DOWNERS GROVE, ILLINOIS</p> |
| <p>EASEMENT PROVISION</p> <p>A PUBLIC UTILITY EASEMENT IS HEREBY RESERVED BY THE VILLAGE OF DOWNERS GROVE, ITS SUCCESSORS, ASSIGNS AND FRANCHISEES OVER THAT PORTION OF THE ALLEY TO BE VACATED, AS SHOWN HEREON.</p> |

Source: Plat of Vacation, prepared by Ruettiger, Tonelli & Associates, Inc., dated May 18, 2016

ADDENDA**LAND SALE DATA**

| Land Sale 1 | |
|------------------------|--|
| Location | 4108 Grant Street, Westmont, DuPage County, Illinois |
| Sale Data | |
| Grantor | Ghaben Auto Group, LLC |
| Grantee | Dennis Breen |
| Sale Date | October-15 |
| Price | \$102,500 |
| Recording | R15-118586 |
| Property Data | |
| Land Area SF | 12,632 |
| Land Area Acres | 0.29 |
| Topo. | Level |
| Shape | Irregular |
| Utilities | All Avail |
| Zoning | Commercial |
| PIN | 09-04-220-009 |
| Comparison Data | |
| Price PSF | \$8.11 |
| Comments | Property lacks street frontage from an arterial. |

| Land Sale 2 | |
|------------------------|--|
| Location | 22 W. Willow Street, Lombard, DuPage County, Illinois |
| Sale Data | |
| Grantor | Sam Geroulis |
| Grantee | Vito & Gialo Vito |
| Sale Date | June-16 |
| Price | \$100,000 |
| Recording | R16-066396 |
| Property Data | |
| Land Area SF | 13,939 |
| Land Area Acres | 0.32 |
| Topo. | Level |
| Shape | Rectangular |
| Utilities | All Avail |
| Zoning | Residential |
| PIN | 06-07-403-006 |
| Comparison Data | |
| Price PSF | \$7.17 |
| Comments | Located along Willow Street, just west of Main Street. |

ADDENDA

| Land Sale 3 | |
|--------------------------|---|
| Location | 702 N. Highland Avenue, Aurora, Kane County, IL |
| Sale Data | |
| Grantor | Schindlbeck Trust |
| Grantee | Gerardo Parra |
| Sale Date | January-15 |
| Price | \$50,000 |
| Recording | 15K003280 |
| Property Data | |
| Land Area Square Feet | 13,939 |
| Land Area Acres | 0.32 |
| Topography | Level |
| Shape | Irregular |
| Utilities | Available |
| Zoning | Industrial |
| Assessor's Parcel Number | 15-16-406-007 & 15-16-406-008 |
| Comparison Data | |
| Price per Sq. Ft. | \$3.59 |
| Comments | Located at the NWC of Highland & Illinois Avenues, adjacent to railroad tracks. |

| Land Sale 4 | |
|--------------------------|--|
| Location | 1810-1820 Taft Avenue, Wheaton, DuPage County, IL |
| Sale Data | |
| Grantor | Donald Mattison, Jr. |
| Grantee | David Rachus |
| Sale Date | February-16 |
| Price | \$38,000 |
| Cash Equivalent Price | \$38,000 |
| Recording | R16-011052 |
| Property Data | |
| Land Area Square Feet | 14,519 |
| Land Area Acres | 0.33 |
| Topography | Level |
| Shape | Rectangular |
| Utilities | All Available |
| Zoning | Residential |
| Assessor's Parcel Number | 05-22-204-002 & 05-22-204-003 |
| Comparison Data | |
| Price per Sq. Ft. | \$2.62 |
| Comments | Located along Taft Avenue, east of Lorraine Road. There is a high pressure gas vault nearby, hindering the site's immediate development. |

ADDENDA

| Land Sale 5 | |
|--------------------------|---|
| Location | 833 North Avenue, Glendale Heights, DuPage County, IL |
| Sale Data | |
| Grantor | SB Pad Holdings I, LLC |
| Grantee | Advocate Properties, Inc. |
| Sale Date | June-15 |
| Price | \$135,000 |
| Cash Equivalent Price | \$135,000 |
| Recording | R15-070456 |
| Property Data | |
| Land Area Square Feet | 19,998 |
| Land Area Acres | 0.46 |
| Topography | Level |
| Shape | Rectangular |
| Utilities | All Available |
| Zoning | Commercial |
| Assessor's Parcel Number | 05-01-103-003 |
| Comparison Data | |
| Price per Sq. Ft. | \$6.75 |
| Comments | Located along North Avenue, west of Swift Road, just west of Power Lines. |

| Land Offering 6 | |
|--------------------------|---|
| Location | NEQ of Route 53 & Ogden Avenue, Lisle, DuPage County, IL |
| Sale Data | |
| Grantor | N/A |
| Grantee | N/A |
| Sale Date | Asking |
| Price | \$130,000 |
| Recording | N/A |
| Property Data | |
| Land Area Square Feet | 13,068 |
| Land Area Acres | 0.30 |
| Topography | Level |
| Shape | Irregular |
| Utilities | Available |
| Zoning | Commercial |
| Assessor's Parcel Number | N/A |
| Comparison Data | |
| Price per Sq. Ft. | \$9.95 |
| Comments | This property has been available for approximately 3 years. |

ADDENDA

ASSUMPTIONS AND LIMITING CONDITIONS

We have no present or contemplated future interest in the property appraised nor any personal interest or bias on the subject matter or the parties involved in the appraisal.

No responsibility is assumed for matters legal in nature. No investigation has been made of the title to or any liabilities against the property appraised. The appraisal presumes, unless otherwise noted, that the owner's claim is valid, the property rights are good and marketable, and there are no encumbrances which cannot be cleared through normal processes.

To the best of our knowledge, all data set forth in this report are true and accurate. Although gathered from reliable sources, no guarantee is made nor liability assumed for the accuracy of any data, opinions, or estimates identified as being furnished by others which have been used in formulating this analysis.

The value estimate contained within this report specifically excludes the impact of structural damage or environmental contamination resulting from earthquakes or other causes. It is recommended that the reader of this report consult a qualified structural engineer and/or industrial hygienist for the evaluation of possible structural/environmental defects, the existence of which could have a material impact on market value.

Land areas and descriptions used in this appraisal were obtained from public records and have not been verified by legal counsel or a licensed surveyor. The land description is included for identification purposes only and should not be used in a conveyance or other legal document without proper verification by an attorney.

No soil analysis or geological studies were ordered or made in conjunction with this report, nor were any water, oil, gas, coal, or other subsurface mineral and use rights or conditions investigated. Substances such as asbestos, urea-formaldehyde foam insulation, other chemicals, toxic wastes, or other potentially hazardous materials could, if present, adversely affect the value of the property. Unless otherwise stated in this report, the existence of hazardous substance, which may or may not be present on or in the property, was not considered by the appraiser in the development of the conclusion of fair market value. The stated value estimate is predicated on the assumption that there is no material on or in the property, that would cause such a loss in value. No responsibility is assumed for any such conditions, and the client has been advised that the appraiser is not qualified to detect such substances, quantify the impact on values, or develop the remedial cost.

ADDENDA

No environmental impact study has been ordered or made. Full compliance with applicable federal, state, and local environmental regulations and laws is assumed unless otherwise stated, defined, and considered in this report. It is also assumed that all required licenses, consents, or other legislative or administrative authority from any local, state, or national government or private entity organization either have been or can be obtained or renewed for any use which the report covers.

Plats are presented only as aids in visualizing the property and its environment. Although the material was prepared using the best available data, it should not be considered as a survey or scaled for size. It is assumed that all applicable zoning and use regulations and restrictions have been complied with unless a nonconformity has been stated, defined, and considered in the appraisal report. Further, it is assumed that the utilization of the land and improvements is within the boundaries of the property described and that no encroachment or trespass exists unless noted in the report.

We have made a physical inspection to the property and noted visible physical defects, if any, in our report. This inspection was made by individuals generally familiar with real estate and building construction; however, these individuals are not architectural or structural engineers who would have detailed knowledge of building design and structural integrity. Accordingly, we do not opine on, nor are we responsible for, the structural integrity of the property including its conformity to specific governmental code requirements, such as fire, building and safety, earthquake, and occupancy, or any physical defects which were not readily apparent to the appraisers during their inspection.

The value or values presented in this report are based upon the premises outlined herein and are valid only for the purpose or purposes stated.

The date of value to which the conclusions and opinions expressed apply is set forth in this report. Unless otherwise noted, this date represents the last date of our field inspection to the property. The value opinion herein rendered is based on the status of the national business economy and the purchasing power of the U.S. dollar as of that date.

Financial operating statements, if provided for our review, were assumed accurate and complete.

Testimony or attendance in court or at any other hearing is not required by reason of this appraisal unless arrangements are previously made within a reasonable time in advance.

ADDENDA

One or more of the signatories of this appraisal report is a member or candidate of the Appraisal Institute. The Bylaws and Regulations of the Institute require each member and candidate to control the use and distribution of each appraisal report signed by them.

Possession of this report or any copy thereof does not carry with it the right of publication. No portion of this report (especially any conclusion to use, the identity of the appraiser or the firm with which he/she is connected, or any reference to the Appraisal Institute, or the designations awarded by this organization) shall be disseminated to the public through prospectus, advertising, public relations, news, or any other means of communication without the written consent and approval of Argianas & Associates, Inc.

All opinions as to values stated are presented as the appraiser's considered opinion based on the information set forth in the report. We assume no responsibility for changes in market conditions or for the inability of the owner to obtain financing or to locate a purchaser at the appraised value. We do not warrant that the subject property will sell at our final conclusion of value.

The Americans with Disabilities Act (ADA) became effective January 26, 1992. We have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property together with a detailed analysis of the requirements of the ADA could reveal that the property is not in compliance with one or more of the requirements of the act. If so, this fact could have a negative effect upon the value of the property. Since we have no direct evidence relating to this issue, we did not consider possible noncompliance with the requirements of ADA in estimating the value of the property.

Unless the time frame is shorter under applicable law, any legal action or claim relating to the appraisal or Appraiser's services shall be filed in court (or in the applicable arbitration tribunal, if the parties to the dispute have executed an arbitration agreement) within two (2) years from the date of delivery to Client of the appraisal report to which the claims or causes of action relate or, in the case of acts or conduct after delivery of the report, two (2) years from the date of the alleged acts or conduct. The timeframe stated in this section shall not be extended by any delay in the discovery or accrual of the underlying claims, causes of action or damages. The timeframe stated in this section shall apply to all noncriminal claims or causes of action of any type.

Legal claims or causes of action relating to the appraisal are not transferable or assignable to a third party, except (i) as the result of a merger, consolidation, sale or purchase of a legal

ADDENDA

entity, (ii) with regard to the collection of a bona fide existing debt for services but then only to the extent of the total compensation for the appraisal plus reasonable interest, or (iii) in the case of an appraisal performed in connection with the origination of a mortgage loan, as part of the transfer or sale of the mortgage before an event of default on the mortgage or note or its legal equivalent.

Any use of or reliance on the appraisal by any party, regardless of whether the use or reliance is authorized or known by Appraiser, constitutes acceptance of, and is subject to, all appraisal statements, limiting conditions and assumptions stated in the appraisal report

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GENERAL SERVICE CONDITIONS

The services provided by Argianas & Associates, Inc., have been performed in accordance with professional appraisal standards. Our compensation was not contingent in any way upon our conclusions of value. We assumed, without independent verification, the accuracy of all data provided to us. We have acted as at an independent contractor. All files, workpapers, or documents developed by us during the course of the engagement are our property. We will retain this data for at least five years.

Our report is to be used only for the purpose stated herein; any use or reliance for any other purpose, by you or third parties, is invalid. You may show our report in its entirety to those third parties who need to review the information contained herein. No reference to our name or our report, in whole or in part, in any document you prepare and/or distribute to third parties may be made without our written consent. Argianas has retain all copyrights © to the work product developed as part of this engagement, including licenses associated with use of the work product to the client for the intended use stated in the engagement letter and/or appraisal report.

We reserve the right to include your company/firm name in our client list, but we will maintain the confidentiality of all conversations, documents provided to us, and the contents of our reports, subject to legal or administrative process or proceedings. These conditions can only be modified by written documents executed by both parties.

ADDENDA

QUALIFICATIONS OF APPRAISER

CHARLES G. ARGIANAS, MAI, JD
ARGIANAS & ASSOCIATES, INC.
PRESIDENT/CHIEF APPRAISER

Experience

Mr. Argianas specializes in the appraisal of all types of large institutional quality properties on a national basis. He has been involved in the valuation of several billion dollars worth of real property. He has also appraised proposed, stabilized, and distressed property situated in most U.S. major tier as well as numerous second and third-tier markets. Mr. Argianas has also appraised or provided investment analysis for properties in Canada and Mexico.

Major properties appraised by Mr. Argianas have included Chicago's mixed-use retail and office Water Tower Place, the 1,250,000-square-foot Chicago Mercantile Exchange Building, Chicago's 845,000-square-foot Quaker Tower, the 2,000,000- square-foot Chicago area Oak Brook Mall, two 500,000-square-foot twin office towers in downtown Philadelphia, Los Angeles's 4,600,000-square-foot Arco Towers Plaza, and Los Angeles's 700,000-square-foot Chase Plaza. Other engagements have included numerous proposed and existing hotels and motels that have included Holiday Inns, LaQuinta Inns, Days Inns, Embassy Suites, Ramada Inns, and Radisson Hotels.

A representative list of nationwide portfolios that Mr. Argianas has appraised or provided specialized investment analysis input (including senior MAI direction and final and full executive/professional review responsibility for services provided) have included a nationwide portfolio of 17 regional shopping centers for a large pension fund; a portfolio of 11 large downtown Chicago office buildings for a large real estate developer; a portfolio of 35 investment grade properties for a large Minneapolis insurance company; a 9 property office building portfolio with most of the properties located in downtown Pittsburgh; a portfolio of 27 hotels located throughout the U.S.; a portfolio of 13 hotels for a large Connecticut based pension fund; a portfolio of 15 nursing homes located throughout the Midwest; a portfolio of several large, major industrial parks located in California; a 13 building suburban Chicago-located office/warehouse park; and a portfolio of 80 mini-storage warehouses located throughout the south and southwestern U.S. Mr. Argianas has also either appraised or provided investment analysis cash flow projections for numerous special-purpose properties that have included a proposed luxury congregate-care facility, a proposed 500,000-square-foot "hypermarket" shopping center, subsidized housing facilities, a world

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famous racetrack facility, and several large well-known golf courses. In addition, Mr. Argianas has extensive experience in valuing large tracts of vacant land on the wholesale/developmental approach premise.

Property interests he has appraised include fee simple, leased fee, leasehold, and partial interests. The purposes of these appraisals have been for internal asset management and decision making purposes, domestic financing, international financing, condemnation, ad valorem, and syndication due diligence support. In addition to fair market value opinions, he has also provided feasibility, marketability, and highest and best use studies for a 1,600,000-square-foot proposed downtown Chicago office building, a 1,280,000-square-foot proposed super-regional shopping center located in California, hotels, motels, golf courses, a proposed eight screen movie theater/cineplex, and various other special purpose type properties.

Education

John Marshall Law School - Chicago, Illinois

Juris Doctor of Law (1986)

Elmhurst College - Elmhurst, Illinois

Bachelor of Science, Business Administration (1977)

Professional Affiliations/Designations

Member, Appraisal Institute MAI #8167

Member, 1981-1995 American Society of Appraisers ASA, Real Property - Urban, ASA #00502700

Member, 1992, 1993, 1994, and 1995 Appraisal Institute National Research and Information Committee

Past Member, American Bar Association (ABA) #09971021

Past Member, ABA Forum on the Construction Industry

Past Member, Chicago Bar Association Real Estate Law Committee

Past Member, ABA, Section of Urban, State and Local Government Law

Member, Illinois Chapter of The Appraisal Institute 1991 Legislative and State Activities Committee

Past Member, Chicago Board of Realtors

Past Member, Chicago Bar Association

Past Member, International Association of Assessing Officers #ARG1A606010011

Past Member, International Council of Shopping Centers, Member #0125539

Past Member, Institute of Property Taxation

Past Member, National Council Of Real Estate Investment Fiduciaries (NACREIF)

Past Member, Pension & Real Estate Association (PREA)

Past Member, Urban Land Institute

Past Member, National Association for Senior Living Industries

Past Member, Illinois Association of Certified Real Estate Appraisers

Regional Panel Member, 1992, 1993, 1994, and 1995 Appraisal Institute Ethics and Counseling Panel

ADDENDA

Past Member, Chicago Bar Association Real Estate Taxation Committee

Real Estate Appraisal State Licenses

| | |
|--------------|--|
| California | Certified General Real Estate Appraiser, License #AG011909 |
| Georgia | Certified General Real Property Appraiser, License #239169 |
| Illinois | Certified General Real Estate Appraiser, License #553.000164 |
| Indiana | Certified General Appraiser, License #CG69201384 |
| Kentucky | Certified General Real Property Appraiser, License # 002415 |
| Michigan | Certified General Appraiser, License #1201002546 |
| Minnesota | Certified General Real Property Appraiser, License #20149592 |
| New York | Real Estate General Appraiser, License #46000032068 |
| Ohio | General Certified Real Estate Appraiser, License #000385948 |
| Pennsylvania | General Appraiser, License #GA-000914-R |
| Texas | Certified General Real Estate Appraiser, License #TX-1322694-G |
| Wisconsin | Certified General Appraiser, License #402- 010 |

Other Professional Licenses

Licensed Attorney, State of Illinois, 1986

Licensed Real Estate Broker, State of Illinois License #075-074046

Court Testimony/Expert Witness Experience

Qualified Expert, Experienced Before Courts In the Following States:

Arizona; California; Illinois; Michigan; Nevada; Ohio; and Pennsylvania

Other

Keynote Panelist, 1992 Haztech International Environmental Conference,
Pittsburgh, Pennsylvania

Roundtable Discussion Leader, 1992 International Council of Shopping Centers
Financial Management Conference, New Orleans, Louisiana

In addition, Mr. Argianas has written or contributed to various publications that include The Appraisal Journal, The National Law Journal, The National Real Estate Investor, Building Profit, The Chicago Tribune, The Chicago Sun Times, and Chicago Crains Business Weekly.

ADDENDA

LICENSE



ADDENDA

QUALIFICATIONS OF APPRAISER

MICHAEL P. ROTH, MAI
ARGIANAS & ASSOCIATES, INC.
SENIOR APPRAISER

EXPERIENCE

Argianas & Associates, Downers Grove, Illinois, January 2006 to Present.

Mr. Roth has performed or assisted in the appraisal assignments throughout the United States including Illinois, Indiana, Iowa, Michigan, Pennsylvania, Ohio, Utah, Texas and Wisconsin.

Appraisal and consulting experience includes apartments, automotive dealerships, carwashes, residential condominium developments, commercial facilities, offices, medical offices, vacant land, industrial manufacturing facilities, truck terminals, cold storage facilities, USDA food processing facilities, golf courses, gas stations, marinas, religious facilities, funeral homes, residential and commercial subdivisions and restaurants.

Representative clients Mr. Roth has served include lenders, accounting firms, law firms and public agencies/municipalities.

Mr. Roth has appraised various legal interests including fee simple, leased fee and leasehold interest for a variety of purposes associated with internal asset management, estate planning, litigation support and financing.

EDUCATION

Mr. Roth attended Northern Illinois University and Triton Community College where he studied Mechanical Engineering. Mr. Roth is currently attending Waubensee Community College.

Successfully completed the following courses offered by the Appraisal Institute:

- Appraisal Principles; Appraisal Procedures; USPAP
- Real Estate Finance, Statistics and Valuation Modeling; Business Practices and Ethics
- General Appraiser Site Valuation and Cost Approach
- General Appraiser Sales Comparison Approach
- General Appraiser Income Approach Part I and Part II
- General Appraiser Market Analysis & Highest & Best Use
- General Appraiser Report Writing & Case Studies
- Advanced Concepts & Case Studies; Advanced Income Capitalization

REAL ESTATE LICENSE(S)

Illinois Certified General Real Estate Appraiser, License # 553.002181

ADDENDA

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DRAFT MINUTES

FILE 17-PLC 0014 – (Continued from October 2, 2017): A petition seeking approval of a Special Use and Setback Variation to allow a drive-through restaurant facility, a Special Use for a gas station, a Final Plat of Subdivision, and an alley vacation. The property is zoned B-3, General Services and Highway Business. The property is located at the southeast corner at the intersection of Ogden Avenue and Belmont Road, commonly known as 2125 Ogden Avenue, Downers Grove, IL (PIN 08-01-405-042). C.M. Lavoie & Associates, Petitioner and Powermart Real Estate Downers Grove #3, LLC, Owner.

Ms. Swati Pandey, Planner for the Village said the applicant proposes resubdividing the property into two new lots to construct a gas station/convenience store on one lot, and a restaurant/drive-thru on the other lot. The drive-thru facility is on the east side of the building. The property, located at the southeast corner of Ogden and Belmont, was formerly a gas station/car wash facility. The buildings on the property are currently vacant. The curb cuts on Ogden Avenue and Belmont Road have been reconfigured. Ms. Pandey showed a plat of survey for the property. A gas station and drive-through are both special uses, while the convenience store and restaurant are both permitted uses for the site. The zoning variation requested is associated with the setback for the drive-through lane for the restaurant, as well as a final plat of subdivision to subdivide the property into two lots, with the intention of keeping both of the uses on separate lots. There is an exception requested to allow a reduced width for Lot 1. The final request is for an alley vacation for a 20' alley unimproved to the rear of the property.

Ms. Pandey showed slides depicting current conditions of the property. The applicant is requesting that the 270' long unimproved alleyway which is 20' in width be vacated. The majority of the alley will remain unimproved with the exception of a 5' strip which will encroach the north side of the alley in order to accommodate the full width of the drive-through lane.

The applicant has proposed the configuration of the two lots as shown on the Plat of Subdivision Site Plan as submitted by the applicant. The intent is to keep the gas station canopy and the convenience store on their own lot to the west as it involves a number of underground and aboveground facilities for the use. This configuration does not allow Lot 1 to meet the required 100' width at the property line, and the applicant is seeking an exception for that width. A blanket egress/ingress access easement will be provided for the entire site primarily for the purposes of parking and traffic circulation.

Ms. Pandey showed the proposed site plan with curb cuts along Belmont and Ogden which have been reconfigured to one curb-cut for each side. The drive-through is behind the building following west to east going north along the side of the building. She showed the 5' encroachment into the alleyway. Parking has been evaluated for the entire site for each use to allow cross access for the entire parking area. The trash enclosure has been provided at the southeast corner of the property and meets the minimum zoning and locational requirements. The Site Plan provides for pedestrian access both along Ogden Avenue and Belmont Road. There is a condition of approval added to the Staff Report to improve the configuration for the pedestrian access to Ogden Avenue.

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The Landscape Plan for the property has been evaluated for the minimum overall site open space requirements as well as perimeter landscaping which includes street yard landscaping along Ogden and Belmont Road. The photometric plan meets the minimum foot-candle levels, in particular the southern property line, which abuts a residential area that will be at zero. She then showed the elevation drawings for all of the buildings proposed, describing the materials to be used in the construction of the buildings. She noted that with the restaurant facility, the tenant will have to come back to the Village to request outdoor seating for their facility.

The property has been identified as a catalyst site along Ogden Avenue in the Comprehensive Plan and meets a number of goals set by the Comprehensive Plan including: 1) removing two curb cuts and access onto both Ogden Avenue and Belmont Road; 2) improving site connectivity by installing pedestrian access from Ogden Avenue and Belmont Road to the two buildings and maintaining vehicular cross-access through an easement; 3) consolidating multiple lots into two lots and increasing depth for a functional site plan; and 4) providing enhanced landscaping and screening in order to provide a buffer to the residential areas to the south and a more attractive image at a community gateway intersection.

Both Lots 1 and 2 meet the Zoning Ordinance requirements including the overall site development, with the exception of the drive-thru setback on the east and the south sides. The east side is a commercial property with a requirement of 25', while the south side abuts a residential property where the requirement is greater at 50'. Staff supports the requested setback variation since there are limited choices for the location of the drive-thru. It also helps separate the pedestrian and vehicular activities.

The Plat of Subdivision is in compliance for the most part with the Subdivision Ordinance requirements with exception of the width for Lot 1, which is at 66.73 feet as opposed to the 100' required. Staff supports the requested exception for the reduced lot width considering the improvements that will be made by this configuration, in addition to the requirement that the gas station appurtenances and paraphernalia be required on a separate lot. The Plat of Subdivision approval criteria for the exception from Sec. 20.301 has been met and will not negatively impact the value or reasonable use of the surrounding property. This property has been vacant for a long time and the improvements will enhance the value of the surrounding property. The trend of development in the area for surrounding uses show differing lot widths in the immediate area. Staff feels that the approval criteria for the Plat of Subdivision exceptions have been met.

The Special Use Criteria for Sec. 12.050.H has also been met since both uses are authorized in the Zoning Ordinance.

Zoning variation requirements for the drive-thru setback are met since the site has been vacant and is currently not yielding any return on the property. Allowing the development to move forward would yield a reasonable return. The variation will not alter the character of the community or neighborhood considering that the Board has previously reviewed a number of similarly situated drive-thru facilities with reduced setbacks along this corridor.

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The hardship is the land-locked situation of this particular site. Staff believes the criteria for Sec. 12.090.G for granting a zoning variation have been met. The alley vacation Res. #2003-58, Item 1 has not been met. While recognizing that Staff is in support of the plan, Staff has also been informed of the multiple contacts that applicant has made with the abutting property owners and has been unsuccessful in retrieving a response. Staff has also been informed that a provision in the Resolution allows the State law to take precedence under such conditions. As for other items under the Resolution, the public interest is served by providing the blanket easement. Staff has made contact with the outside agencies and the standard response has been to request a blanket easement, which has been agreed to by the applicant. The easement will be maintained. An appraisal has been provided by the applicant as to the type of compensation to be provided for the property vacation, and that will be reviewed at the discretion of the Village Council.

Ms. Pandey said that the proposed Special Uses, Variation, and Plat of Subdivision with an exception for the development at 2125 Ogden Avenue are consistent with the Comprehensive Plan, the Zoning Ordinance and surrounding zoning and land use classifications. Staff recommends approval of the requested Special Uses, Variation, Plat of Subdivision with an exception, and Alley Vacation as requested in case 17-PLC-0014, recognizing that the proposal does not meet the vacation policy, subject to the seven conditions stated on page 11 of Staff's report dated November 6, 2017.

Ch. Richard asked, since these are going to remain two individual lots rather than a PUD or one lot, if they fall under separate ownership at any time, the trash is still being collected on one lot. Because it is a tight configuration, it would be difficult to provide a separate trash enclosure on the western lot. He is unclear if access to the trash is going to be part of the blanket easement, or whether there should be a statement to the effect that the property on the west would use the trash enclosure on the east lot.

Ms. Pandey said she was unsure whether that was spelled out in the language for the easement.

Sr. Planner Rebecca Leitschuh replied that there is equal access to everyone on the property; however a condition could be included so that the trash enclosure will forever apply to both properties.

Ch. Rickard then inquired about the sign-off requirements for the alley vacation. He said he thought the sign-off requirement is the Village's responsibility. As long as reasonable attempts have been made by the applicant with no reply from surrounding properties, he said he thinks it is a Village requirement.

Ms. Leitschuh read the policy statement:

“The validity of any vacation otherwise carried out in accordance with applicable law shall not be invalidated, impaired or otherwise affected by noncompliance with any part of the procedure set forth herein.”

The vacation policy is a “procedure” and not an Ordinance. To guarantee the applicant due process they have to carry forth an application, and Council will have to look at this to determine which procedures to follow.

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Mr. Boyle asked if any attempt was made to speak with the abutting neighbors regarding the setback variance. Ms. Pandey replied that the special use application and the associated requests do not require a neighborhood meeting. To her knowledge the applicant sent some plans and letters associated with the variance out to neighbors within a certain radius. The responses would have gone back to the applicant. She said she received one letter from a neighbor who had questions about the plans, which the neighbor said were not legible. Neither that neighbor, nor any others, have contacted Staff directly. Mr. Boyle then suggested that there be some type of operating agreement for ingress/egress. Ms. Pandey replied that for the most part the parking spaces are separated and in the Zoning Ordinance compliance sections, there is a section calling for overall site development compliance. Those elements have been reviewed for overall compliance. That did start with the drive-thru access and the entire parking lot. Mr. Boyle then asked about the reduction of curb cuts and whether that minimizes the traffic flow and whether a traffic study was performed. Ms. Pandey said when the application was received it went through the Traffic Manager's review, and he did not see a potential problem.

Mr. Kulovany asked how long the site has been vacant, and Ms. Pandey said she thought it might be 3-5 years. Ms. Pandey said there were no inquiries for this property to her knowledge.

Mr. Kulovany then inquired about the vacation and whether it will be brought up to grade. Ms. Pandey said it will remain unimproved with only the 5' being improved. She added further that the easement does not allow the property owner to the south to use it in the future.

Mr. Chris Lavoie of C.M. Lavoie & Associates, said that this site had many different criteria. He said he is representing Powermart Corporation. The site belonged to Exxon/Mobile many years before. Mr. Lavoie said they wanted to take the site to a different level and turn it into a corporate image type of site, while meeting all of the requirements. He noted that they came into the project when the design work had already been done; however, they identified several issues that were of concern so they went after an all-new design to address traffic issues, eliminate access points, etc. He was excited to take another catalyst site in Downers Grove and make it look good and meet all the requirements. He said he had many agencies to deal with, as well as the Comprehensive Plan, and thanked Staff for all of their input in bringing this project to fruition. The vacation of the easement required contact with individual property owners and certified mail was sent to every one of the owners with a follow-up letter to the property owner to the south. He researched the owner who refused to sign-off on the vacation. Mr. Lavoie delayed coming to the Plan Commission hoping to obtain that last signature to no avail.

Mr. Lavoie said he believes he is presenting a great project to the Village, with a unique design. He explained the materials used, landscaping, and overall aesthetics of the construction. The only cross-over is the trash enclosure on the one lot with two trash enclosures to accommodate each lot.

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Ms. Gassen asked if there is a tenant for the restaurant, and Mr. Lavoie said that the tenant they are looking at has been in business for a long time. Ms. Gassen then asked whether he attempted to get in touch with the condo owners, and Mr. Lavoie said that they have a signature from the Condo Association, as well as a signature of one of the condo owners. He noted they have a signature from the neighboring property. Ms. Leitschuh said that there is a signature from a member of the Condo Association, however, that signature represents a single owner. Mr. Lavoie said that there are four units that are vacant.

Ms. Gassen said there appear to be challenges associated with the fact that this is two lots. She asked why this was not made into one lot. Mr. Lavoie said one lot offers challenges as well, such as if there was a restaurant tenant who wanted to purchase the site, it would offer another option for the future.

Mr. Boyle asked if there is underground storage, and Mr. Lavoie said they have a concrete walled vault for stormwater detention. They are also utilizing the old storage tanks from the previous gas station. There was a grant issued by the State of Illinois for the underground tanks that are there. There will be a small retaining wall in the back of the south lot.

Ch. Rickard called upon the public for comments. There were none, and Ch. Rickard closed the public portion of the meeting.

Mr. Kulovany said he was most concerned about neighboring consent, but it appears that all efforts were made to contact the neighboring owners. It is a catalyst site for a reason and is a gateway to the Village. He would vote in favor of the recommendation.

Mr. Boyle asked about the \$5,000 appraisal fee for the alley, and whether it is something that other owners can also apply for later. Ms. Leitschuh replied that the appraised value was for the entire portion they have requested. The way it is being petitioned, it gives full right to the applicant.

Mr. Kulovany asked if the Plan Commission has the right to force an easement to an adjacent property owner and it was determined that the Commission could not do so.

Ms. Gassen clarified that if they cannot get the signatures required for the procedure, State law allows for them to proceed anyway.

Mr. Kulovany moved that in Case 17-PLC-0014 Special Use, Variation and Final Plat of Subdivision and Alley vacation that the Plan Commission make a positive recommendation to the Village Council including conditions 1-7 as shown in Staff's Recommendation in its report dated November 6, 2017 on page 11. Ms. Gassen seconded the Motion.

AYES: Mr. Kulovany, Ms. Gassen, Mr. Boyle, Mr. Maurer, Ch. Rickard

NAYS: None

The Motion passed unanimously 5:0.

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DRAFT MINUTES

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