

VILLAGE OF DOWNERS GROVE
Report for the Village
5/1/2018

SUBJECT:	SUBMITTED BY:
2125 Ogden Avenue - Planned Unit Development, Rezoning, Special Use for a drive-through, Special Use for a fueling station, and an alley vacation	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. A Planned Unit Development;
2. A Rezoning from B-3, General Services and Highway Business to B-3/PUD, General Services and Highway Business/Planned Unit Development;
3. Two Special Uses for a restaurant drive-through facility and a fueling station; and
4. Vacation of the 20-foot-wide unimproved alley at the south side of the property.

STRATEGIC PLAN ALIGNMENT

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

FISCAL IMPACT

N/A

UPDATE & RECOMMENDATION

This item was discussed at the April 17, 2018 Village Council meeting. Staff recommends approval on the May 1, 2018 active agenda.

BACKGROUND

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 redevelop the property, demolishing the one-story vacant gas station building and car wash facility. The redevelopment would result in a new gas station with a 2,100-square-foot convenience store and a 2,645-square-foot restaurant with a drive-through on the east side of the building.

A similar request was recommended for approval by the Plan Commission on November 6, 2017. However, after receiving feedback from the Plan Commission and Village Council, the petitioner decided to revise the proposal, primarily seeking approval through a Planned Unit Development for a single lot. The revised proposal includes changes to the size of both buildings and the exterior building materials. A summary of the differences are shown below:

17-PLC-0014	November 6, 2017	March 5, 2018
Exterior Finish Materials	Aluminum panel façade, Brick/stone vertical columns and base	Fiber cement board in brick and natural stone finishes
Entitlements	Subdivision with exception, Variations, Special Uses, Alley Vacation	Planned Unit Development, Rezoning, Special Uses, Alley Vacation
Building Size	3,220 sq ft (Convenience Store) 1,760 sq ft (Restaurant)	2,100 sq ft (Convenience Store) 2,645 sq ft (Restaurant)
Parking Spaces (required/provided)	19/23	20/23
Building Height	25 ft (Convenience Store) 12.5 ft (Restaurant)	17.5 ft (Convenience Store) 14.5 ft (Restaurant)
ROW Access Improvements	Yes	Yes
Subdivision (5 lots)	2 lots	1 lot

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 as a PUD
- Consolidates five lots and the alley into one lot, 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 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 across lots, and improving the overall appearance reflective of the larger Downers Grove community. The proposed development meets these 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 complies 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 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, photometric, and landscaping requirements with the addition of three shade trees in parking lot islands.

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 abutting 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 \$10,000 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

Ordinances

Aerial Map

Staff Report with attachments dated March 5, 2018

Draft Minutes of the Plan Commission Hearing dated March 5, 2018

ORDINANCE NO. _____**AN ORDINANCE REZONING CERTAIN PROPERTY
LOCATED AT 2125 OGDEN AVENUE**

WHEREAS, the real estate located at 2125 Ogden Avenue, on the southeast corner of Ogden Avenue and Belone Road, hereinafter described has been classified as "B-3, General Services and Highway Business" under the Zoning Ordinance of the Village of Downers Grove; and

WHEREAS, the owner or owners of said real estate have requested that such property be rezoned as hereinafter provided; and

WHEREAS, such petition was referred to the Plan Commission of the Village of Downers Grove, and said Plan Commission has given the required public notice, has conducted a public hearing respecting said petition on March 5, 2018 and has made its findings and recommendations all in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; and

WHEREAS, making due allowance for existing conditions, the conservation of property values, the development of the property in conformance to the official Comprehensive Plan of the Village of Downers Grove, and the current uses of the property affected, the Council has determined that the proposed rezoning is for the public good.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Downers Grove, in DuPage County, Illinois, as follows:

SECTION 1. The Zoning Map of the Village, pursuant to Section 28.12.030 of the Downers Grove Municipal Code, is hereby further amended by rezoning to "B-3/PUD, General Services and Highway Business/Planned Unit Development" the zoning classification of the following described real estate, to wit:

· 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

SECTION 2. The official zoning map shall be amended to reflect the change in zoning classification effected by Section 1 of this ordinance, subject to the following conditions:

1. Any changes to the conditions represented by the Petitioner as the basis for this petition, whether those changes occur prior to or after Village approval, shall be promptly reported to the Village. The Village reserves the right to re-open its review process upon receipt of such information; and
2. It is the Petitioner's obligation to maintain compliance with all applicable Federal, State, County and Village laws, ordinances, regulations, and policies.

SECTION 3. That the rezoning meets the requirements of the Zoning Ordinance as follows:

1. The existing use and zoning of nearby property;
2. The extent to which the particular zoning restrictions affect property values;
3. The extent to which any diminution in property value is offset by an increase in the public health, safety and welfare;
4. The suitability of the subject property for the zoned purposes;
5. The length of time that the subject property has been vacant as zoned, considering the context of land development in the vicinity;
6. The value to the community of the proposed use; and
7. The comprehensive plan.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

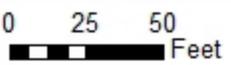
SECTION 5. This ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

Mayor

Passed:

Published:

Attest: _____
Village Clerk



2125 Ogden Avenue - Location Map





**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
MARCH 5, 2018 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
17-PLC-0014 2125 Ogden Avenue	Planned Unit Development, Special Use, and Alley Vacation	Rebecca Leitschuh, AICP Planning Manager

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. Planned Unit Development
2. Two Special Uses for a drive through facility (for a restaurant) and a fueling station
3. Vacation of the 20-foot-wide unimproved alley at the south side of the property

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: 43,765 sq. ft. (1 acre)
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 Vacation
9. 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 redevelop the property, and construct a gas station with a convenience store and a restaurant with a drive-through. The restaurant includes a drive-through facility on the east side of the building. A similar request was recommended for approval by Plan Commission on November 6, 2017. However, after receiving feedback from Plan Commission and Village Council, the petitioner decided to revise the proposal, primarily seeking approval through a Planned Unit Development and changing the exterior building materials. The petitioner is requesting approval of the following items:

1. A Planned Unit Development to allow two buildings with distinct uses on one lot with shared access and parking
2. 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
3. Vacation of 20-foot public right-of-way (unimproved alley)

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 construct a 2,645-square-foot restaurant with drive-through, and a 2,100-square-foot gas station with convenience store. The previous petition was for two similar buildings and uses. A reference table is provided below with a quick comparison of the petition recommended for approval and the revised submittal.

17-PLC-0014	November 6, 2017	March 5, 2018
Exterior Finish Materials	Aluminum panel façade, Brick/stone vertical columns and base	Fiber cement board in brick and natural stone finishes
Entitlement	Subdivision with exception, Variations	Planned Unit Development

Building Size	3,220 sq ft (Convenience Store) 1,760 sq ft (Restaurant)	2,100 sq ft (Convenience Store) 2,645 sq ft (Restaurant)
Parking Spaces (required/provided)	19/23	20/23
Building Height	25 ft (Convenience Store) 12.5 ft (Restaurant)	17.5 ft (Convenience Store) 14.5 ft (Restaurant)
ROW Access Improvements	Yes	Yes
Subdivision (5 lots)	2 lots	1 lot

The proposal for the western portion of the property 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 portion of the property consist of a 2,645-square-foot restaurant providing three services: a sit down restaurant, a drive-through facility, and a catering service. 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 is required, and is located 16.5 feet from the southern property line where 50 feet is required. 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 be constructed using a composite panel system, with a fiber cement board exterior finish, imitating brick and natural stone. The main entrance to the convenience store is through double doors accessing the northern facade. Windows, knee walls and columns of varying building finishes break up the wall plane. The new restaurant building shall use identical materials. The shape of the restaurant is an "L" shape, with the main entrance facing Ogden Avenue, an outdoor seating area, an indoor seating area, and accessory internal storage. Two kitchens support food preparation for restaurant customers, carry-out business, and catering services. 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.

The petitioner is proposing 23 parking spaces, including two handicapped spaces. This surpasses the required minimum of 20 total spaces: 12 required for the fueling stations including the convenience store, and 8 required for the restaurant. The parking spaces will be shared by both building buildings. Stacking for the drive-through and the gas pumps is provided per the requirements of the Zoning Ordinance.

The petitioner is proposing new landscaping on the property, and with the addition of three landscape island trees, will conform to 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 six-foot solid cedar fence is proposed on the south side of the property to provide screening for the residential properties. The fully screened trash enclosure is proposed at the southeast corner of the property per the

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requirements of the Zoning Ordinance. 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 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. The petitioner has been unable to secure the written consent of at least one additional owner who abuts the subject 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.

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*, 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 one lot 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 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		
North Setback (Street Yard – Ogden Avenue)	75 ft	116 ft
East Setback	0 ft	20.18 ft
South Setback (Rear Yard)	20 ft	45 ft
West Setback	n/a	n/a
Building Height	60 ft (max)	14.5 ft

Gas Station Convenience Store		
North Setback (Street Yard – Ogden Avenue)	75 ft	142 ft
East Setback	n/a	n/a
South Setback (Rear Yard)	20 ft	29.9 ft
West Setback (Street Yard)	25 ft	68.29 ft
Building Height	60 ft (max)	17.5 ft
Overall Site Development		
Street (Belmont) Setback - Parking	8 ft	44 ft
Drive-through Setback - East	25 ft	7 ft
Drive-through Setback - South	50 ft	16.5 ft
Canopy setback (Ogden Avenue)	50 ft	67.42 ft
Landscaped Open Space	4,377 sf (10%)	9,737 sf (22%)
Street Yard Landscaped Open Space	2,189 sf	2,959 sf
Floor Area Ratio	0.75 (max)	0.13
Stacking (Fueling & Restaurant)	28	28
Parking Spaces	20	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 applicant will install landscaping and a fence along the south property line to provide screening for the adjacent multi-family residential zoning district.

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, including the addition of three shade trees. 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 drive-through setback.

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 be required to meet all provisions of the Stormwater and Floodplain Ordinance.

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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.

The petitioner is providing a 20-foot-wide public utility and drainage easement across the vacated alley and will provide five-foot easements along the side lot line as a condition of approval.

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*. No inquiries were received by staff.

FINDINGS OF FACT

The petitioner is requesting a Planned Unit Development, Special Use, and an Alley Vacation to redevelop 2125 Ogden Avenue. Staff finds that the proposal meets the standards as outlined below:

Section 28.12.040.C.6 Review and Approval Criteria

The decision to amend the zoning map to approve a PUD development plan and to establish a PUD overlay district are matters of legislative discretion that are not controlled by any single standard. In making recommendations and decisions regarding approval of planned unit developments, review and decision-making bodies must consider at least the following factors:

a. The zoning map amendment review and approval criteria of Sec. 12.030.I.

See the analysis of rezoning review and approval criteria below. This standard has been met.

b. Whether the proposed PUD development plan and map amendment would be consistent with the comprehensive plan and any other adopted plans for the subject area.

The proposed project is consistent with the Comprehensive Plan. The Plan identifies this area as Catalyst Site D5, Finley/Belmont & Ogden Avenue. This property is currently underutilized, with a large surface parking lot and a small vacant gas station building and car wash. The proposed development is consistent with the policy recommendation that corridor commercial areas continue to function in a dual role of providing daily needs to local residents as well as providing commercial goods and services to the larger region. Ogden Avenue is a featured Key Focus Area, with recommendations to beautify through landscaping and redevelopment, to reduce curb cuts and use shared cross access, and to screen parking lots and dumpsters. The redevelopment of this site will enhance the Ogden Avenue corridor and the Village as a whole. This standard has been met.

c. Whether PUD development plan complies with the PUD overlay district provisions of Sec. 4.030.

The proposed project meets several of the PUD overlay district provisions and objectives as found in Section 4.030 of the Zoning Ordinance. The PUD is consistent with and helps advance the goals of the Comprehensive Plan by developing a catalyst site in a manner identified by the plan. Additionally, the development meets other objectives of the Corridor Commercial Designation. The development also meets the PUD overlay district provisions by providing a high quality building that is compatible with other developments along Ogden Avenue while providing substantial landscaping.

Improvements have been proposed to improve motorized and non-motorized travel on-site by reducing two full access points on Belmont Road to one right-in-right-out access point, and from two full access points on Ogden Avenue to one. Also, the plan creates two accessible pedestrian routes connecting the front entrance of the buildings to the sidewalk along Belmont Road and Ogden Avenue. This standard has been met.

d. *Whether the proposed development will result in public benefits that are greater than or at least equal to those that would have resulted from development under conventional zoning regulations.*

The proposed development will result in a redevelopment of a long term underutilized commercial site along Ogden Avenue. The Comprehensive Plan identifies this site as Catalyst Site D5 and notes that it is prime for redevelopment. The proposed development meets many objectives of the Comprehensive Plan and furthers the vision of the Village to improve Ogden Avenue. The building is of high architectural quality and along with landscaping, will enhance the aesthetics of Ogden Avenue. The public benefits include reducing four full access points to one full access on Ogden Avenue, and one right-in-right-out on Belmont Road. Pedestrian connections are also provided, further eliminating conflicts between vehicles and pedestrians. This standard has been met.

e. *Whether appropriate terms and conditions have been imposed on the approval to protect the interests of surrounding property owners and residents, existing and future residents of the PUD and the general public.*

There are several conditions noted below that will protect the interests of the surrounding neighborhood and the general public. The conditions below are being requested to ensure that the proposed development satisfies all applicable codes and requirements, including compliance with the Village's Stormwater Ordinance. The project will advance many goals and objective laid out in the current and updated Comprehensive Plan and the conditions listed below will ensure that these goals and objectives are met. This standard has been met.

Section 12.030.I. Zoning Map Amendment Review and Approval Criteria

The decision to amend the zoning map is a matter of legislative discretion that is not controlled by any single standard. In making recommendations and decisions about zoning map amendments, review and decision-making bodies must consider at least the following factors:

1. *The existing use and zoning of nearby property.*

The property is a former gas station with a one-story vacant commercial building, a vacant car wash, and a surface parking lot. The properties to the east and west along Ogden Avenue are zoned B-3, General Services and Highway Business, with occupied by commercial uses. The car dealership to the north is zoned M-1, Light Manufacturing, and the vacant parcels to the south are zoned R-6, Residential Apartment/Condo 6. The proposed rezoning to B-3/PUD is appropriate for this site. This standard has been met.

2. *The extent to which the particular zoning restrictions affect property values.*

The PUD overlay and the proposed project will protect the character and integrity of adjacent properties by requiring subsequent approvals for major changes, which will assist in maintaining property values. Also, the subject property is currently vacant and provides no benefits to the neighboring property values. The proposed project will improve the property with a modern, high quality building which, in turn, should raise property values. This project will include PUD overlay restrictions which will not negatively affect property values but should protect property values. This standard has been met.

3. *The extent to which any diminution in property value is offset by an increase in the public health, safety and welfare.*

The proposed rezoning will not impact property values or the public health, safety and welfare of

the community or neighborhood. The property is currently vacant land and is not providing any benefit to the neighboring property values or the public health, safety and welfare. The proposed development has the potential to increase property values while at the same time increasing the welfare of the community. This standard has been met.

4. *The suitability of the subject property for the zoned purposes.*

As noted in the Comprehensive Plan, the *Ogden Avenue-Key Focus Areas* recommends aesthetic and functionality improvements to catalyst site “D5”. 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 plan recommends that the Corridor Commercial Area include a blend of neighborhood-oriented commercial retail, offices, smaller regional retail and service uses. The subject property is suited for this type of development with a Planned Unit Development zoning classification. This standard has been met.

5. *The length of time that the subject property has been vacant as zoned, considering the context of land development in the vicinity.*

The property has been vacant for nine years. The rezoning of the property for the PUD overlay will enhance the subject site, provide numerous benefits to the public and allow for zoning flexibility to be offered in order for several property enhancements to take place. This standard has been met.

6. *The value to the community of the proposed use.*

The redevelopment of this specific property has been established as a community goal in the Comprehensive Plan. Specifically this site is identified as catalyst site D5 which identifies this property as one of the prime development opportunities along Ogden Avenue. The rezoning to B-3/PUD will allow the applicant to create a development that will advance several other goals and objectives identified in the Comprehensive Plan. This standard has been met.

7. *The comprehensive plan.*

The proposed PUD overlay and the proposed project are consistent with the Comprehensive Plan. The proposal will develop catalyst site D5 as desired in the Comprehensive Plan. This standard has been met.

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.

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

17-PLC-0014; 2125 Ogden Avenue
March 5, 2018

Page 10

on the appraisal report, the value of the alley is \$5,000. The petitioner is offering an amount higher than the appraised value, at a final value of \$10,000.

RECOMMENDATIONS

The proposed Planned Unit Development and Special Uses 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:

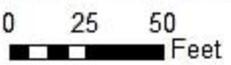
1. The Planned Unit Development, Special Uses, and Alley Vacation shall substantially conform to the staff report; engineering and landscape drawings prepared by C.M. Lavoie & Associates, Inc. dated January 16, 2018 and last revised on February 15, 2018, and architectural plans prepared by Kevin Drake Architecture, LLC dated December 4, 2017 and last revised January 23, 2018, except as such plans may be modified to conform to the Village codes and ordinances.
2. No liquor sales shall be allowed on the property pursuant to Chapter 3 of the Downers Grove Municipal Code.
3. The buildings shall be equipped with an automatic suppression system and an automatic and manual fire alarm system.
4. All proposed signage shall comply with the requirements of the Zoning Ordinance. Signage shall be reviewed at the time of the building permit application.
5. No building permits can be issued until the official Plat of Vacation and Plat of Subdivision are recorded.
6. Final approval shall be received from DuDOT and IDOT prior to issuance of a building permit.
7. The petitioner shall pay \$10,000 for the vacated alley.
8. The convenience store building and restaurant building shall be constructed at the same time. A certificate of occupancy for each building may only be issued in conjunction with the issuance of a certificate of occupancy for the other building.

Staff Report Approved By:



Stanley J. Popovich, AICP
Director of Community Development

SP; rl
-att



2125 Ogden Avenue - Location Map





The new design incorporates more traditional building materials and design which are more standard in the industry. The design fits the image of other structures located nearby. Both structures are built using pre-insulated metal stud wall panels which have a high R value making each building more energy efficient as well as retaining all the important qualities necessary for fire protection and load strength.

The exterior of each building has the required amount of storefront windows which maintain the village's requirements for commercial requirements as well as it gives a pleasing and inviting look to the building. The exterior façade of the each building is encased in several high quality veneer products made by Nichiha. The exterior is comprised of stone veneer, simulated stone sill, brick veneer and a smooth cement board which is not EIFS all blending in to make a warm and well-rounded appearance to each structure. Nichiha was selected for its well-respected quality and it is a product that maintains its quality and new appearance for a long period of time as well as it has been used in many applications in the building industry as well as it has been used in structures in Downers Grove. The owner and the project team have put a lot of effort to develop a project that would be well liked in such a high-profile area of the Village.

With respect the layout of the restaurant, the sizes of both the indoor and outdoor areas have taken into account available parking that is provided on the site. The restaurant is divided into two kitchens with each kitchen serving its own purpose. One kitchen is designed with the intention of being the area where the majority of the food preparation will occur. It will be primarily closed to public view since it is the area when food is stored, prepped and cook. It will be also used to catering orders which the business provides on a carryout basis or delivery basis for its customers.

The dry storage space will be for cups, napkins, plastic utensils, office supplies and other items needed for operation of restaurant. Finally, the coolers for the restaurant will remain outside of the structure as they have always been in order to save valuable interior space and allows for a more efficient way to operate and maintain the coolers.

We will have a weekly garbage disposal pick up scheduled on Thursday morning before 7:00AM. Our fuel will be delivered during non-peak hours from midnight to 4:30am.

Kindly see below the PowerMart Real Estate response to the village of Downers Grove.

1. No liquor license
2. We are committed to paying \$10,000.00 for the acquisition alley.
3. We request to remove the subdivision of the lot and the PUD will be revised as per staff recommendation. There will only be one lot PIN.

For any further information, please contact me at 630.816.3534.

Sam Odeh,
President
572 W. Lake Street Elmhurst, IL 60126

ENTERED

FEB 27 REC'D

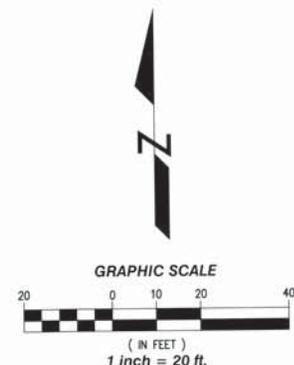
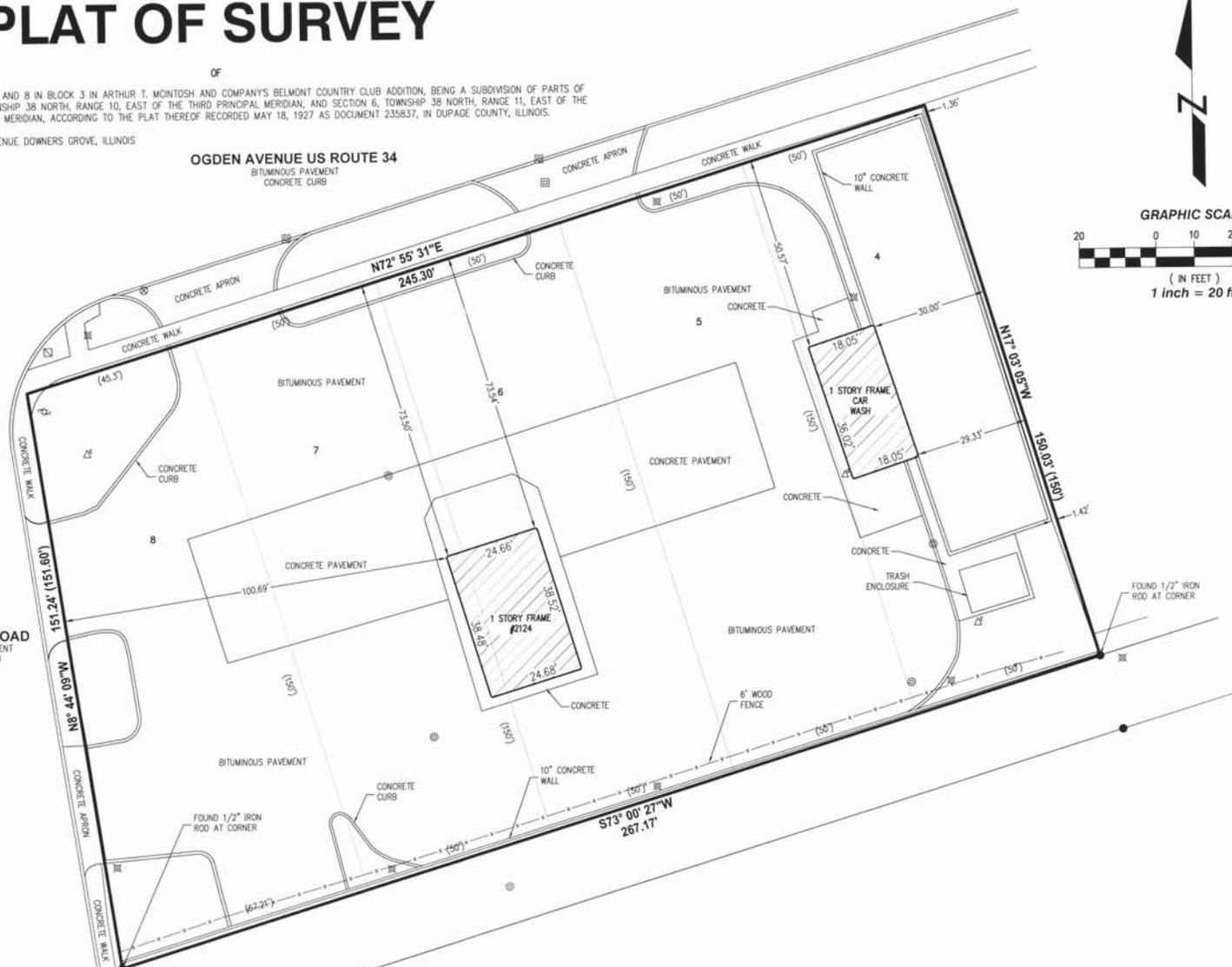
PLAT OF SURVEY

OF
 LOTS 4, 5, 6, 7 AND 8 IN BLOCK 3 IN ARTHUR T. MONTOSH 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 8, 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

OGDEN AVENUE US ROUTE 34
 BITUMINOUS PAVEMENT
 CONCRETE CURB

BELMONT ROAD
 BITUMINOUS PAVEMENT
 CONCRETE CURB



- 0.00' MEASURED DATA
- (0.00') RECORD DATA
- LIMIT OF SURVEY
- EXISTING MONUMENTATION
- SET MONUMENTATION
- ⊠ EXISTING AIR CONDITIONING UNIT
- ⊗ EXISTING B-BOX
- ⊙ EXISTING BOLLARD
- ⊕ EXISTING BORING
- ⊖ EXISTING BUSH
- ⊞ EXISTING CABLE PEDESTAL
- EXISTING CATCH BASIN
- ⊙ EXISTING CLEAN OUT
- ⊞ EXISTING CULVERT
- ⊙ EXISTING DRAIN
- ⊙ EXISTING ELECTRIC MANHOLE
- ⊞ EXISTING ELECTRIC METER
- ⊞ EXISTING ELECTRIC PEDESTAL
- ⊞ EXISTING FIRE HYDRANT
- ⊞ EXISTING FLAG POLE
- ⊞ EXISTING FLARED END SECTION
- ⊞ EXISTING GAS METER
- ⊞ EXISTING GAS VALVE
- ⊞ EXISTING GROUND LIGHT
- ⊞ EXISTING GUY WIRE
- ⊞ EXISTING HAND HOLE
- ⊞ EXISTING HANDICAPPED PARKING SPACE
- ⊞ EXISTING INLET
- ⊞ EXISTING LIGHT STANDARD
- ⊞ EXISTING MAILBOX
- ⊞ EXISTING MANHOLE
- ⊞ EXISTING POWER POLE
- ⊞ EXISTING POWER POLE W/ LIGHT
- ⊞ EXISTING POWER POLE W/ TRANSFORMER
- ⊞ EXISTING SIGN

SURVEYOR'S NOTES

1. DIMENSIONS SHOWN THUS: 50.25' ARE FEET AND DECIMAL PARTS THEREOF, ANGULAR DATA SHOWN THUS: 90°00'00" INDICATES DEGREES, MINUTES AND SECONDS.
2. NORTH ARROW AND BEARINGS BASED ON WEST LINE OF LOT 8 AS SHOWN.
3. IMPROVEMENT LOCATIONS ARE BASED ON A FIELD SURVEY BY C.M. LAVOIE AND ASSOCIATES, INC. ON 2/23/17..
4. COMPARE YOUR POINTS BEFORE USING SAME AND REPORT ANY DIFFERENCES IMMEDIATELY.
5. 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.

STATE OF ILLINOIS)
)SS
 COUNTY OF KENDALL)

WE, C.M. LAVOIE AND ASSOCIATES, INC., ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-003041, HEREBY CERTIFY THAT THE PLAT DRAWN HEREON AND THE SURVEY THAT IT REPRESENTS, WERE PREPARED AND PERFORMED BY US, AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR BOUNDARY SURVEYS.

DATED AT PLAINFIELD, ILLINOIS THIS 24TH DAY OF FEBRUARY, 2017.

(Signature)
 C.M. LAVOIE AND ASSOCIATES, INC.
 KEITH E. BOLLINGER, IPLS NO. 35-3592
 LICENSE EXPIRES 11-30-2017



DOWNERS GROVE POWER MART

2125 OGDEN AVENUE
 DOWNERS GROVE, ILLINOIS

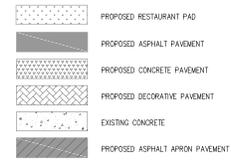
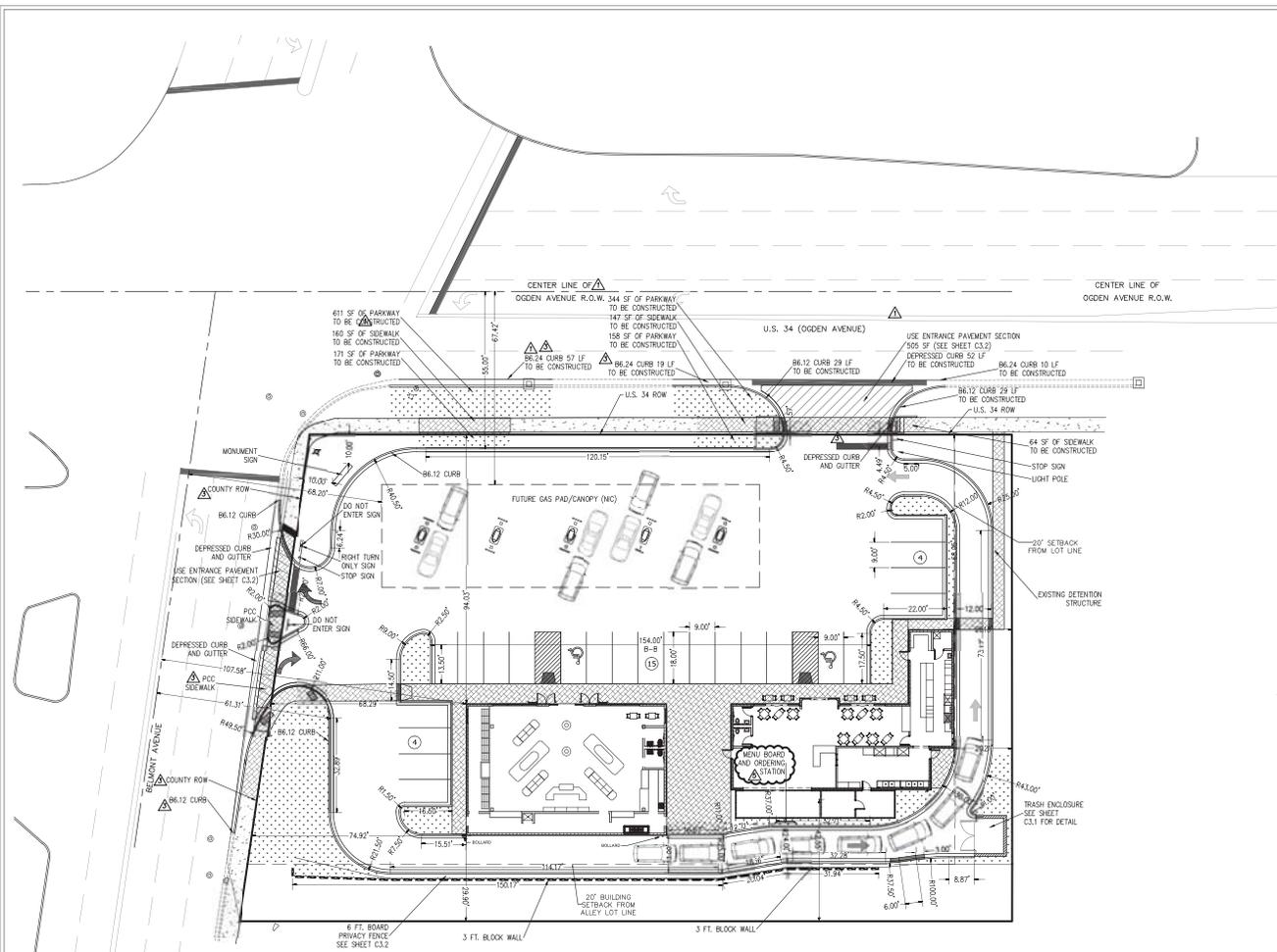
PLAT OF SURVEY
 DRAWN BY: KB
 SCALE: 1"=20'
 CHECKED BY: TP
 DATE: 2/24/17

JOB NUMBER: 16-255
 SHEET: 1 OF 1



Consulting Civil Engineering
 Land Planning & Surveying
 1050 W. Route 126
 Plainfield, Illinois 60544
 voice 815-254-0505
 fax 815-436-5158

#	DATE	DESCRIPTION



- 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 DETERMINED FROM THE BEST AVAILABLE INFORMATION AND IS GIVEN FOR THE CONVENIENCE OF THE CONTRACTOR. HOWEVER, THE OWNER AND OWNER DO NOT ASSUME RESPONSIBILITY FOR THE ACCURACY OF THE LOCATIONS SHOWN. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT ALL UTILITY COMPANIES AND THEIR FACILITIES SHALL BE LOCATED PRIOR TO ANY WORK.
 2. NORTH ARROW AND BEARINGS BASED ON ILLINOIS STATE PLANE COORDINATES, NAD83 (2011 ADJUSTMENT), EAST ZONE.
 3. EXISTING GRADES AND IMPROVEMENTS ARE SHOWN FROM THE BEST INFORMATION AVAILABLE AND MUST BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION. ANY DISCREPANCY WITH THE PLAN SHALL BE IMMEDIATELY REPORTED TO THE ENGINEER.
 4. ALL DIMENSIONS ARE TO BACK OF CURB OR LOT CORNER, UNLESS OTHERWISE NOTED.
 5. FOR ACCURATE BOUNDARY INFORMATION, SEE FINAL SUBDIVISION PLAN.
 6. ALL PROPOSED STRIPING SHALL BE 4 INCH WIDE WHITE PAINT UNLESS OTHERWISE NOTED.
 7. ALL PROPOSED INTERIOR CURB SHOWN HEREON IS 8"-6.12 CURB AND GUTTER UNLESS OTHERWISE NOTED.
 8. EXPRESS ALL CURB & GUTTER WHERE PROPOSED PCC SIDEWALK MEETS PROPOSED BACK OF CURB. ADA DETECTABLE WARNING TO BE MINOR-TILE, CAST-IN-PLACE SYSTEM OR ACCESS-TILE SYSTEM OR APPROVED EQUAL.
 9. ALL SIDEWALKS ADJACENT TO RETAINING WALLS, OVER THREE FEET IN HEIGHT, TO HAVE HANDRAILS AND GUARDS WHICH MEET THE FOLLOWING BUILDING CODES AND SECTIONS: 2006 INTERNATIONAL BUILDING CODE & D.I.C. AMENDMENTS; SECTION 1009 (STAIRWAYS); SECTION 1012 (HANDRAILS) AND SECTION 1013 (GUARDS).
 10. GARBAGE COMPACTOR TO BE INDEX OF PROPOSED TRASH STRUCTURE.

DEVELOPMENT SUMMARY

- TOTAL SITE AREA = .88 AC
- EXISTING ZONING: B-3
- SETBACK BUILDING - 118.14 FOOT FRONT FROM R.O.W. CENTERLINE
- 107.58 FOOT WEST FROM R.O.W. CENTERLINE
- 20.18 FOOT EAST
- 29.90 FOOT REAR
- CANOPY - 67.42 FOOT FRONT FROM R.O.W. CENTERLINE
- MAXIMUM F.A.R. = .75
- PROPOSED F.A.R. = 1.3
- MINIMUM LANDSCAPED OPEN SPACE: 10%
- MAXIMUM BUILDING HEIGHT: 60 FT



DIOT RIGHT OF WAY CONSTRUCTION TOTALS	
CURB	144 LF
DEPRESSED CURB	52 LF
SIDEWALK	371 SF
DRIVEWAY	505 SF
PARKWAY	1284 SF

- REVISD PLANS PER DOT REVIEW
- 1. R.O.W. CONSTRUCTION TOTALS
- 2. U.S. 34 AND R.O.W. LABELS ADDED
- REVISD PLANS PER VILLAGE REVIEW
- 1. TABLES REVISED
- REVISD PLANS PER GOVERNMENT AGENCIES REVIEW
- 1. TABLES REVISED
- 2. SIDEWALK THROUGH DRIVEWAY ADDED
- 3. SIGN DETAILS AND NOTE ADDED
- 4. STOP SIGN AND SIGN ADDED AND DRIVEWAY
- 5. CURB AND GUTTER TYPE CALLED OUT
- 6. DRIVEWAY ADDED BEHIND SIGN
- 7. COUNTY ROW LABELS ADDED
- REVISD PER VILLAGE COMMENTS
- 1. PROPOSED PROPOSED SUBDIVISION LOT LINES REMOVED
- 2. TABLES REVISED
- REVISD PER VILLAGE COMMENTS
- 1. OGDEN AVENUE AND BELMONT AVENUE
- 2. TABLES REVISED
- 3. MENU BOARD AND ORDERING STATION MOVED

CIVIL ENGINEER

CM Lavoie & Associates
 Consulting Civil Engineering
 Land Planning | Land Surveying

1050 West Route 136
 Plainfield, Illinois 60544
 (815) 254-0500

ARCHITECT

ELECTRONIC FILE WARNING

STRUCTURAL ENGINEER

MECHANICAL ENGINEER

No.	Issues & Revisions	Date
5	PER VILLAGE COMMENTS	01/16/2018
4	PER VILLAGE COMMENTS	01/02/2018
3	PER GOVERNMENT AGENCIES REVIEW	09/08/2017
2	PER VILLAGE REVIEW	08/18/2017
1	ISSUED FOR PLANNING & ZONING REVIEW	01/28/2017
1	ISSUED FOR 50% PROGRESS SET	01/24/2017

NEW CONSTRUCTION

CONVENIENCE STORE & RESTAURANT

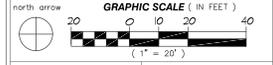
POWER MART
 2125 OGDEN AVE.
 DOWNERS GROVE, IL 60515

Drawing Title: 17065_BASE.DWG

GEOMETRY PLAN

© 2018 C.M. Lavoie & Associates, Inc.

These plans are protected under the copyright laws of the United States and foreign countries, and are to be used only for the construction and repair and remodeling of the structure or structures defined in the contract between the Architect and the Owner. Any use of these plans to construct, remodel or repair structures other than those authorized by the Architect's copyright of these plans and is prohibited.



Project No. 16-255
 Drawn By TEP
 Drawn By SKB
 Checked By CML

Drawing
C 5.0
 of NINE



5 PERSPECTIVE VIEW
SCALE:



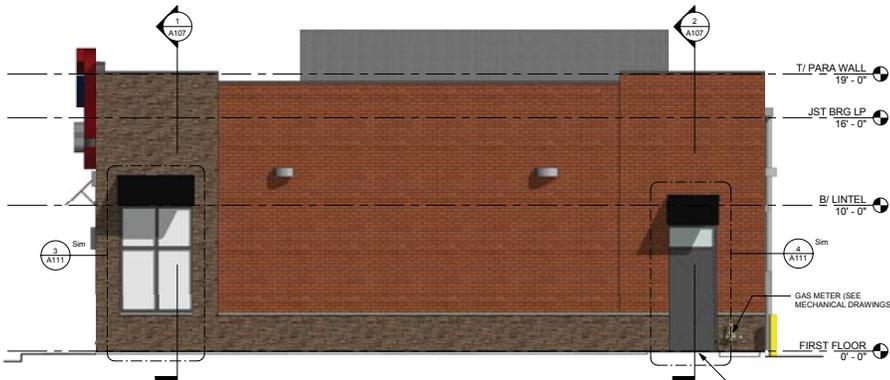
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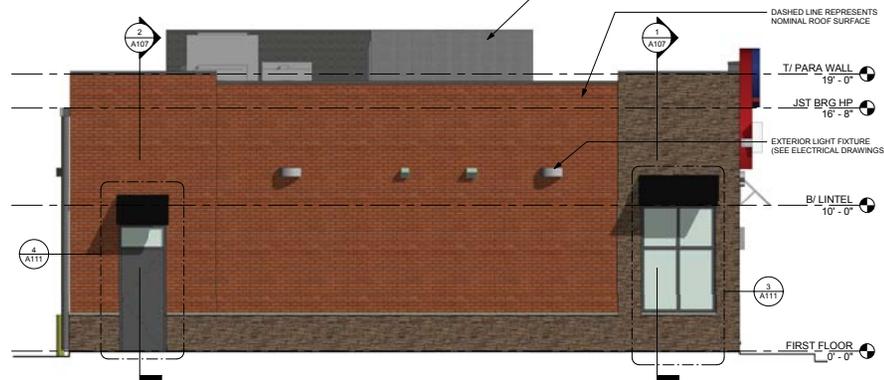
6 PERSPECTIVE VIEW
SCALE:



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



4 WEST ELEVATION
SCALE: 1/4" = 1'-0"



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



Kevin Drake Architecture LLC
1028 Princeton Avenue
Highland Park, IL 60035
312 998 9455

NOTES:

120 SLOPE CONC AWAY ON 3 SIDES AT ALL EXT DOORS

COMMENTS:

NO.	DATE	DESCRIPTION
1	01/23/2018	PERMIT REVISIONS
	12/04/2017	PERMIT
	11/27/2017	90% PROGRESS REVIEW

LICENSE NO. : 001 020430



EXPIRATION : 11/30/2018
DRAWN BY: Kd
CHECKED BY: Kd
DATE: 12/04/2017
SCALE: 1/4" = 1'-0"
PROJECT NUMBER: 1710
PROJECT NAME:

POWMARO'S CONVENIENCE STORE AND RESTAURANT

PROJECT ADDRESS:
2125 OGDEN AVE,
DOWNERS GROVE,
ILLINOIS

SHEET NAME:
BUILDING ELEVATIONS -
CSTORE

SHEET NUMBER



Kevin Drake Architecture LLC
1026 Princeton Avenue
Highland Park, IL 60035
312 998 9455

NOTES:

1 01/23/2016 PERMIT REVISIONS
2 12/04/2017 PERMIT
3 11/27/2017 90% PROGRESS REVIEW

COMMENTS:

1 01/23/2016 PERMIT REVISIONS
2 12/04/2017 PERMIT
3 11/27/2017 90% PROGRESS REVIEW

I certify that these drawings were prepared under my direct supervision and to the best of my professional knowledge they conform to the Village of Downers Grove Building Codes

LICENSE NO. : 001 020430

SEAL:



EXPIRATION : 11/30/2018

DRAWN BY: Kd

CHECKED BY: Kd

DATE: 12/04/2017

SCALE: As indicated

PROJECT NUMBER 1716

PROJECT NAME:

POWMARO'S CONVENIENCE STORE AND RESTAURANT

PROJECT ADDRESS:

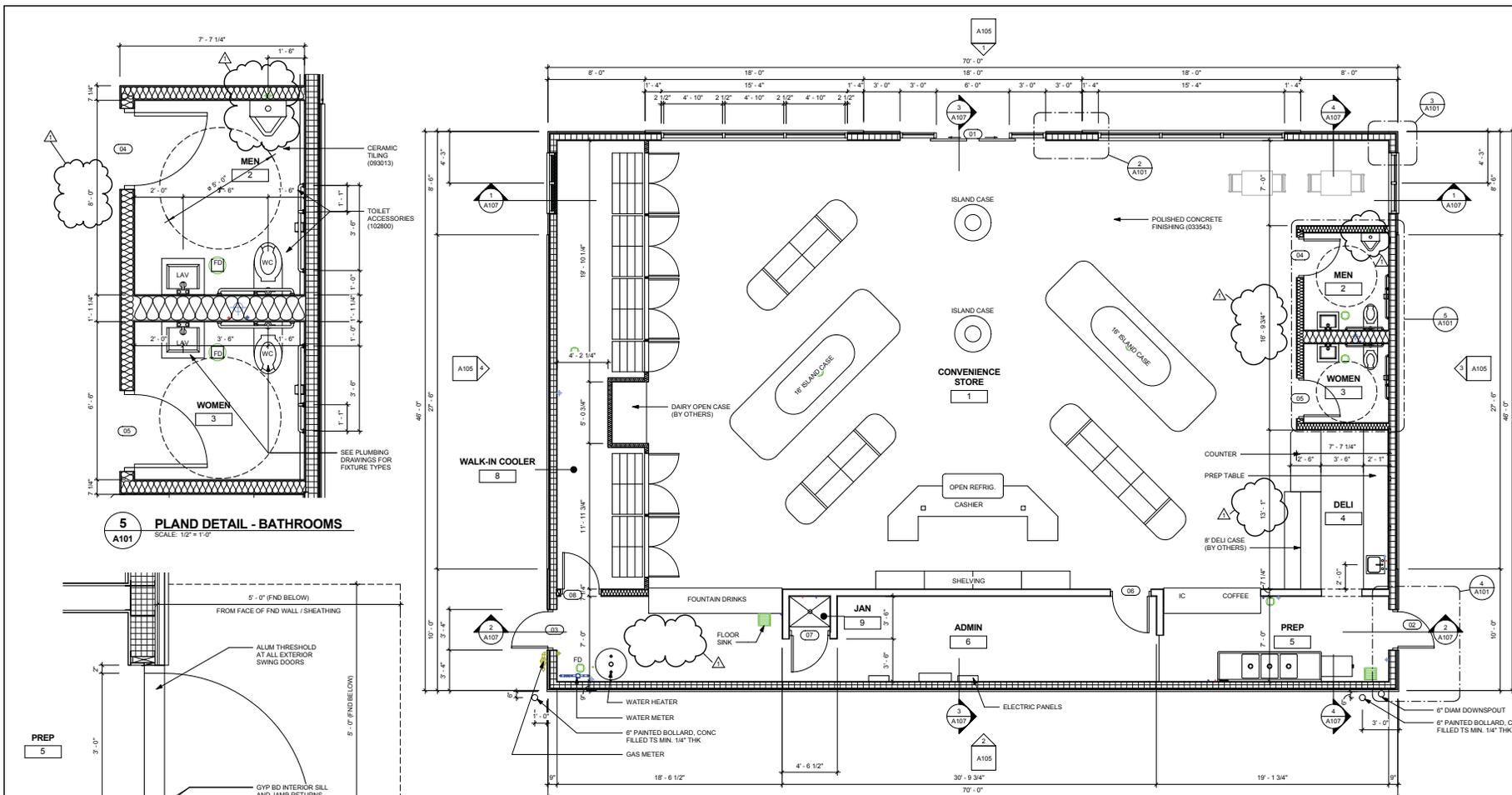
2125 OGDEN AVE, DOWNERS GROVE, ILLINOIS

SHEET NAME:

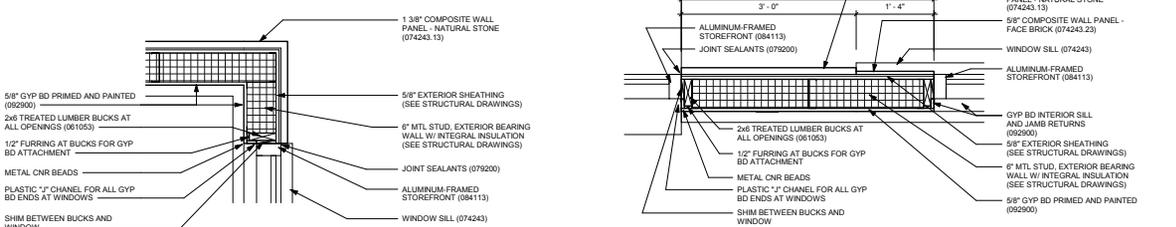
FLOOR PLAN - FIRST FLOOR - CSTORE

SHEET NUMBER

A101



FLOOR PLAN - FIRST FLOOR
SCALE: 1/4" = 1'-0"



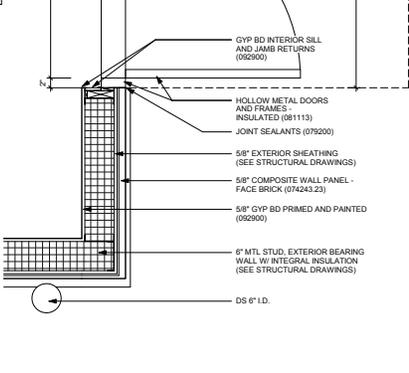
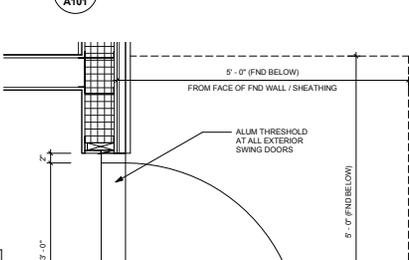
PLAN DETAIL - CORNER NE
SCALE: 1" = 1'-0"



PLAN DETAIL - ENTRY
SCALE: 1" = 1'-0"



5 PLAND DETAIL - BATHROOMS
SCALE: 1/2" = 1'-0"



4 PLAN DETAIL - CORNER SE
SCALE: 1" = 1'-0"



1/23/2018 9:42:25 PM



Kevin Drake Architecture LLC
 1026 Princeton Avenue
 Highland Park, IL 60035
 312 998 9455

NOTES:

- 1. COORDINATE PROPOSED LIGHTING AND CEILING GRID WITH COOLER EQUIPMENT DESIGNER/SUPPLIER
- 2. BACK PAINTED AND INSULATED ON INTERIOR OF WINDOW.
- 3. T/ PARA WALL 19'-0"
- 4. JST BRG HP 16'-8"
- 5. PAINTED METAL AWNING (055000 / 107313)
- 6. B/ LINTEL 10'-0"
- 7. 5/8" GYP BD PRIMED AND PAINTED (052001)
- 8. 1 3/8" COMPOSITE WALL PANEL - NATURAL STONE (074243)
- 9. FIRST FLOOR 0'-0"
- 10. CONC FOUNDATIONS (SEE STRUCTURAL)

COMMENTS:

NO.	DATE	DESCRIPTION
1	01/23/2016	PERMIT REVISIONS
	12/04/2017	PERMIT
	11/27/2017	90% PROGRESS REVIEW

NO. DATE DESCRIPTION
 I certify that these drawings were prepared under my direct supervision and to the best of my professional knowledge they conform to the Village of Downers Grove Building Codes
 LICENSE NO.: 001.020430



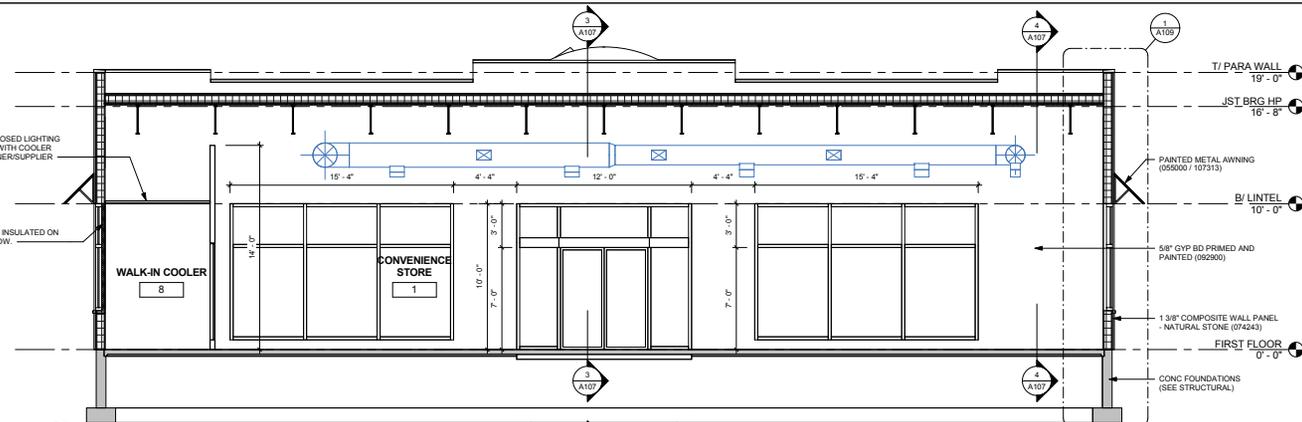
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 CHECKED BY: Kd
 DATE: 12/04/2017
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 PROJECT NAME:

POWMARO'S CONVENIENCE STORE AND RESTAURANT

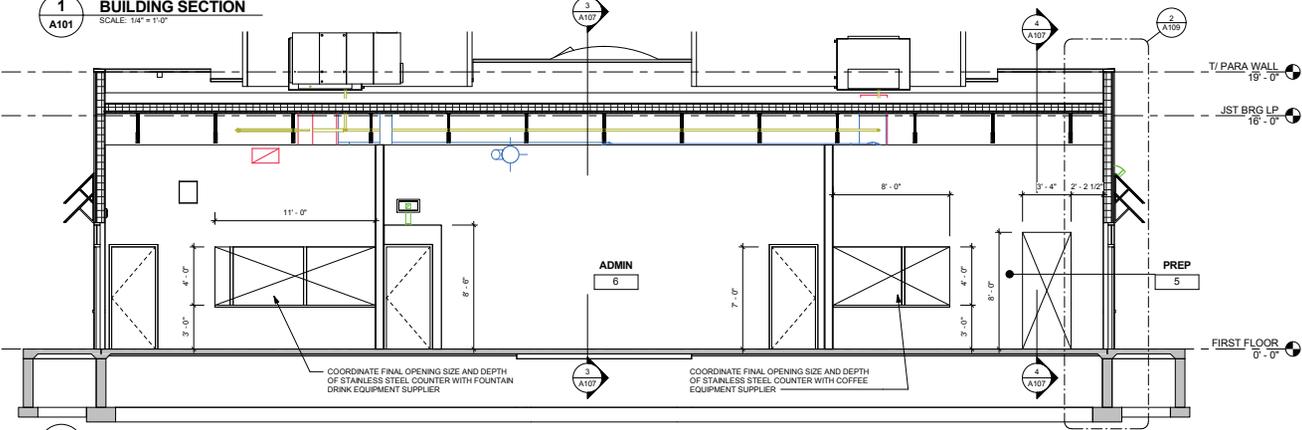
PROJECT ADDRESS:
 2125 OGDEN AVE,
 DOWNERS GROVE,
 ILLINOIS

SHEET NAME:
 BUILDING SECTIONS - CSTORE

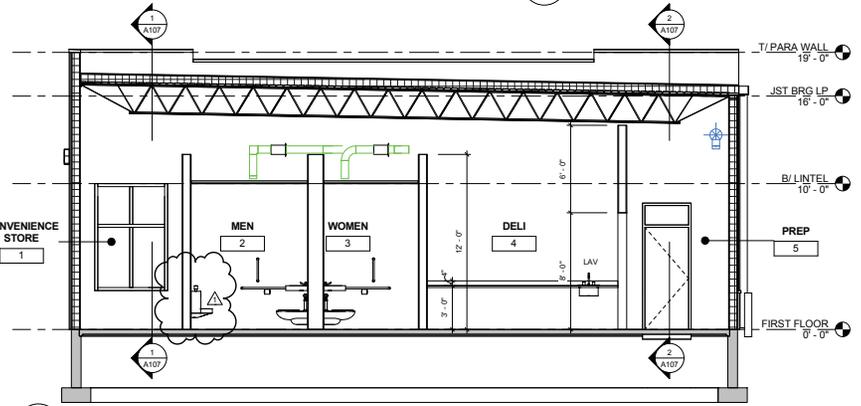
SHEET NUMBER
A107



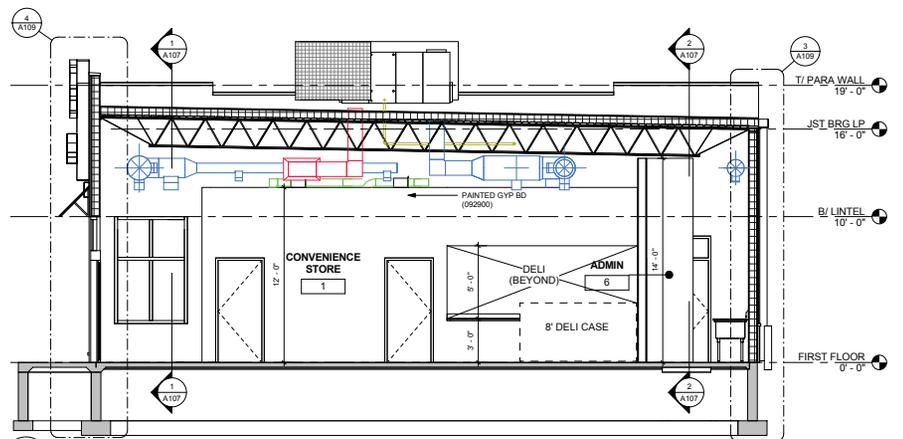
1 BUILDING SECTION
 SCALE: 1/4" = 1'-0"



2 BUILDING SECTION
 SCALE: 1/4" = 1'-0"



4 BUILDING SECTION
 SCALE: 1/4" = 1'-0"



3 BUILDING SECTION
 SCALE: 1/4" = 1'-0"

1/23/2016 9:46:37 PM



Kevin Drake Architecture LLC
 1028 Princeton Avenue
 Highland Park, IL 60035
 312 988 9455

NOTES:

TOP OF EQUIPMENT SCREENS WILL BE COORDINATED WITH FINAL EQUIPMENT HEIGHTS TO ENSURE COMPLIANCE. SCREENS TO BE AT LEAST AS HIGH AS EQUIPMENT. PERFORATED SCREEN TO BE MIN. 80% CLOSED

COMMENTS:

NO.	DATE	DESCRIPTION
1	01/23/2018	PERMIT REVISIONS
	12/04/2017	PERMIT
	11/27/2017	90% PROGRESS REVIEW

I certify that these drawings were prepared under my direct supervision and to the best of my professional knowledge they conform to the Village of Downers Grove Building Codes

LICENSE NO. : 001.020430



EXPIRATION : 11/30/2018

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 CHECKED BY: Kd
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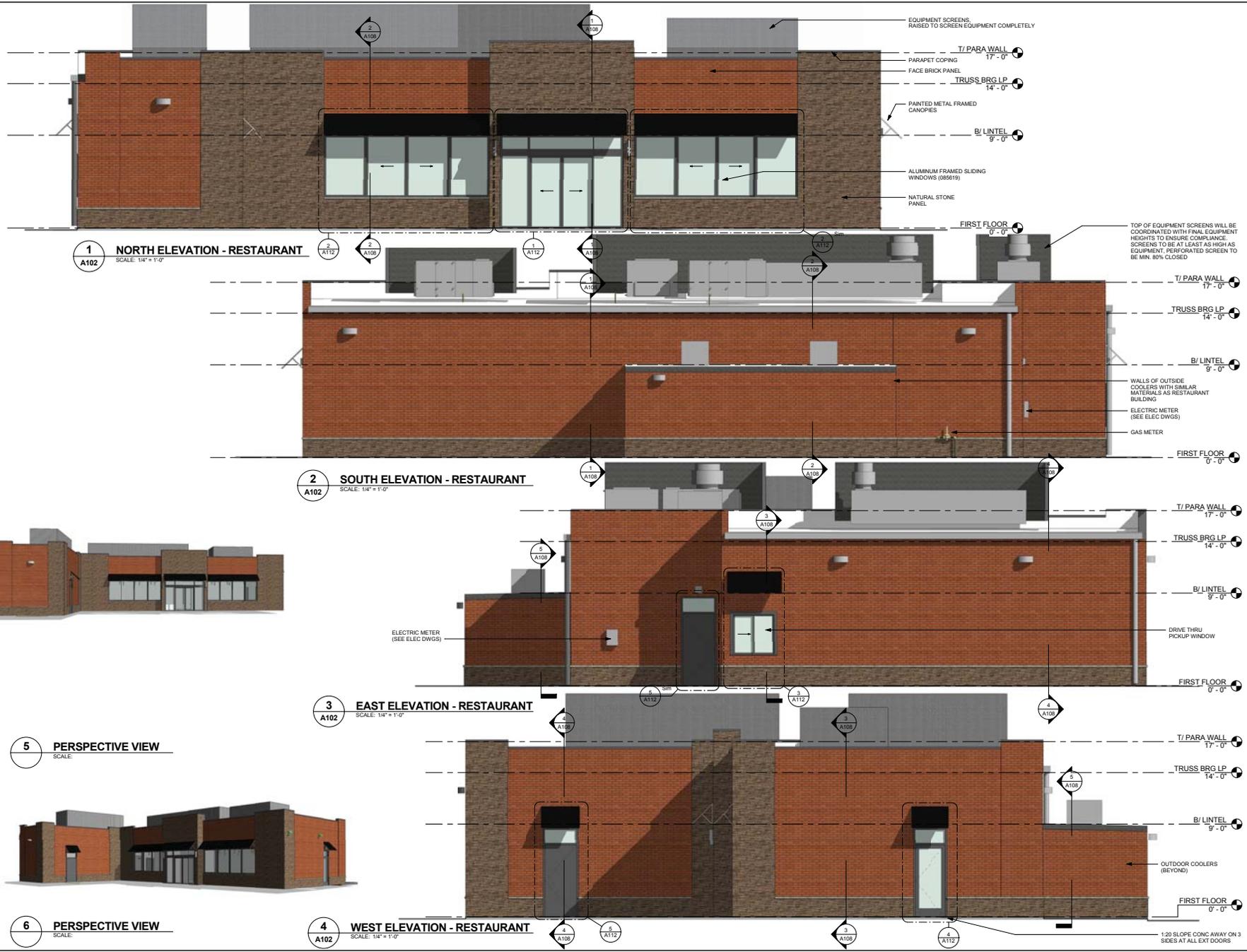
POWMARO'S CONVENIENCE STORE AND RESTAURANT

PROJECT ADDRESS:
 2125 OGDEN AVE,
 DOWNERS GROVE,
 ILLINOIS

SHEET NAME:
BUILDING ELEVATIONS - RESTAURANT

SHEET NUMBER

A106



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

2 SOUTH ELEVATION - RESTAURANT
 SCALE: 1/4" = 1'-0"

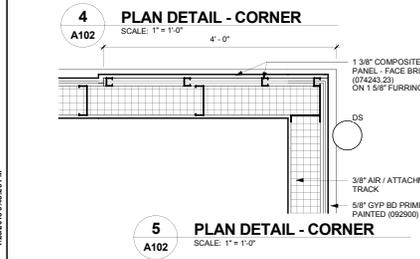
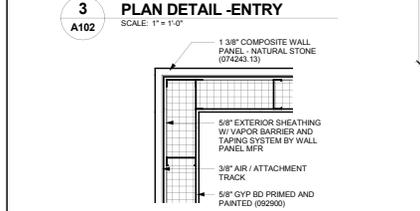
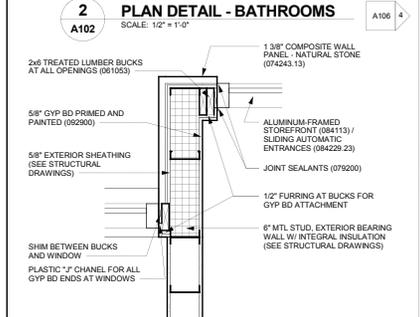
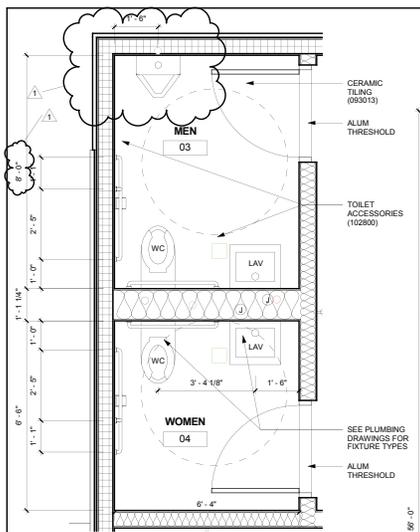
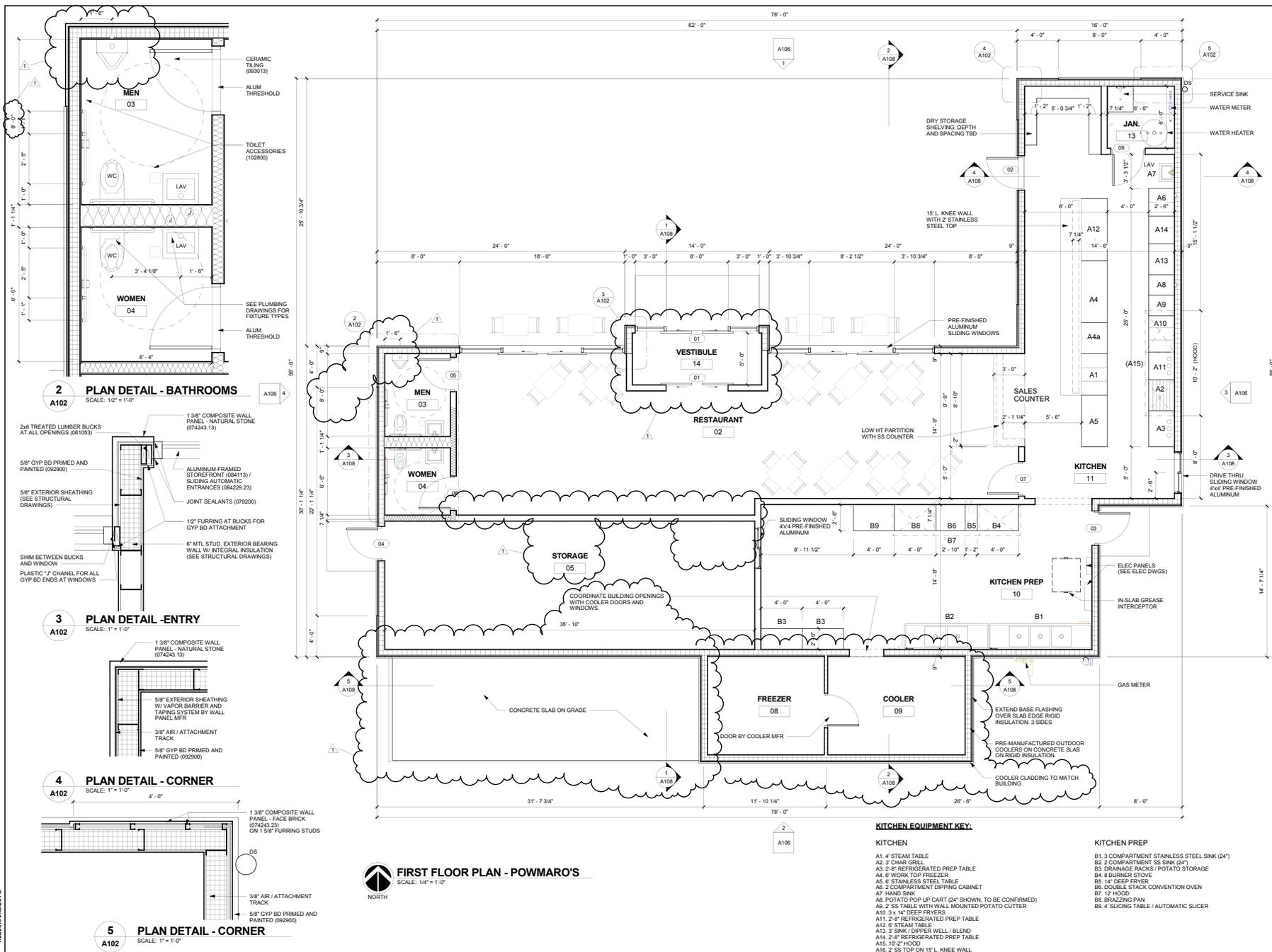
3 EAST ELEVATION - RESTAURANT
 SCALE: 1/4" = 1'-0"

4 WEST ELEVATION - RESTAURANT
 SCALE: 1/4" = 1'-0"

5 PERSPECTIVE VIEW
 SCALE:

6 PERSPECTIVE VIEW
 SCALE:

2/26/2018 10:33:42 AM



FIRST FLOOR PLAN - POWMARO'S
SCALE: 1/4" = 1'-0"

- KITCHEN EQUIPMENT KEY:**
- KITCHEN**
- A1. 4" STEAM TABLE
 - A2. 3" CHAR GRILL
 - A3. 2-8" REFRIGERATED PREP TABLE
 - A4. 8" WORK TOP FREEZER
 - A5. 8" STAINLESS STEEL TABLE
 - A6. 2-COMPARTMENT DIPPING CABINET
 - A7. HAND SINK
 - A8. POTATO POP UP CART (NOT SHOWN, TO BE CONFIRMED)
 - A9. 2-SS TABLE WITH WALL MOUNTED POTATO CUTTER
 - A10. 3 x 14" DEEP FRYERS
 - A11. 2-8" REFRIGERATED PREP TABLE
 - A12. 6" STEAM TABLE
 - A13. 3" SINK / DIPSER WELL / BLEND
 - A14. 2-8" REFRIGERATED PREP TABLE
 - A15. 10" 2" HOOD
 - A16. 2" SS TOP ON 15" L. KNEE WALL

- KITCHEN PREP**
- B1. 3-COMPARTMENT STAINLESS STEEL SINK (24")
 - B2. 2-COMPARTMENT SS SINK (24")
 - B3. DRAINAGE RACKS / POTATO STORAGE
 - B4. 8" BURNER STOVE
 - B5. 14" DEEP FRYER
 - B6. DOUBLE STACK CONVENTION OVEN
 - B7. 12" HOOD
 - B8. BRUZZING PAN
 - B9. 4" SLIDING TABLE / AUTOMATIC SLICER



NOTES:

1. ALL EXTERIOR DOOR AND WINDOW SIZES - SEE A114
2. ALL INTERIOR DOORS - SEE DOOR SCHEDULE ON A114
3. ROOM FINISH SCHEDULE - SEE A114

COMMENTS:

NO.	DATE	DESCRIPTION
1	01/23/2018	PERMIT REVISIONS
	12/04/2017	PERMIT
	11/27/2017	90% PROGRESS REVIEW

I certify that these drawings were prepared under my direct supervision and to the best of my professional knowledge they conform to the Village of Downers Grove Building Codes

LICENSE NO. : 001 020430

SEAL:

EXPIRATION : 11/30/2018

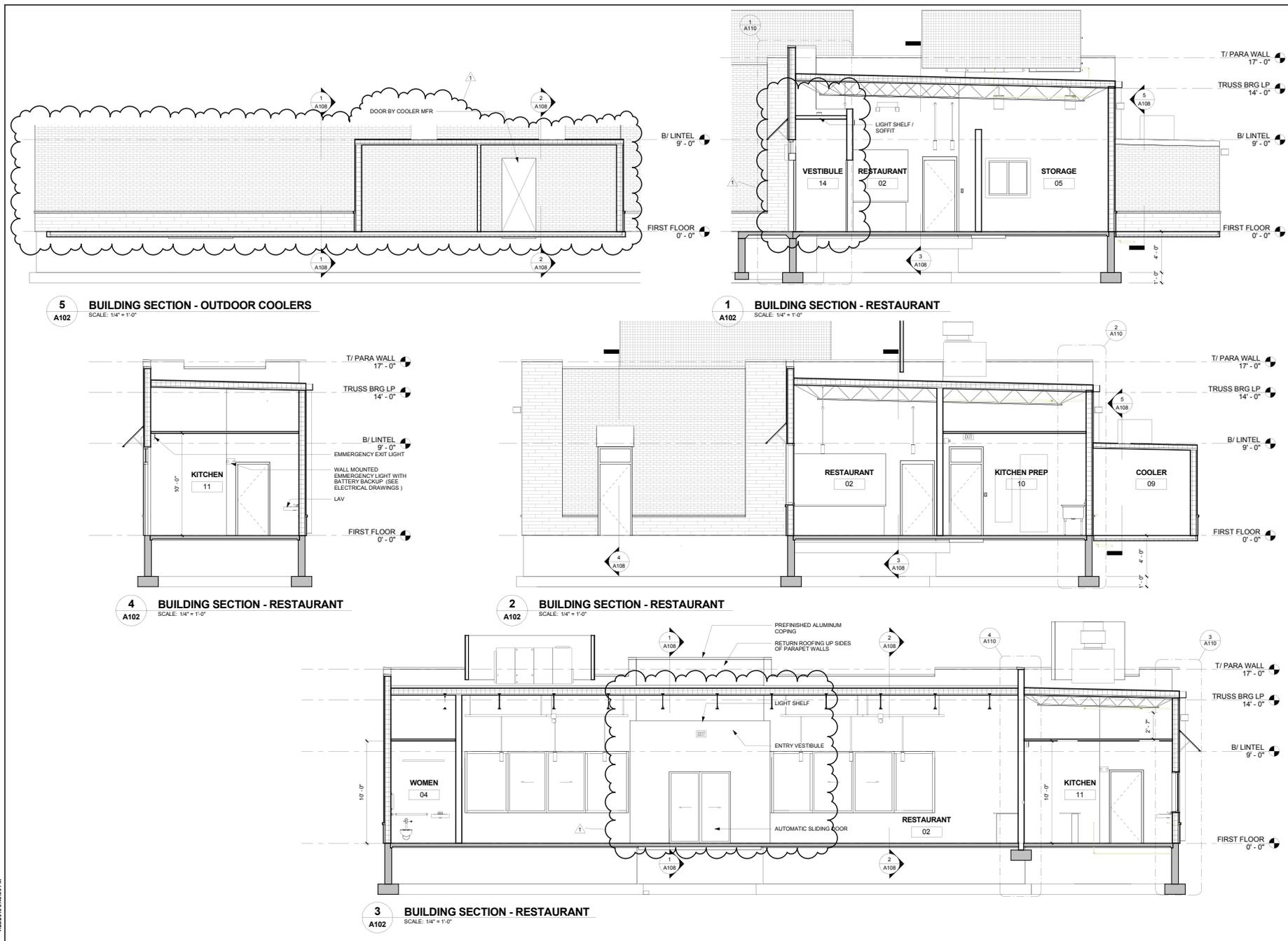
DRAWN BY: Kd
CHECKED BY: Kd
DATE: 12/04/2017
SCALE: As Indicated
PROJECT NUMBER: 1716
PROJECT NAME:

POWMARO'S CONVENIENCE STORE AND RESTAURANT

PROJECT ADDRESS:
**2125 OGDEN AVE,
DOWNERS GROVE,
ILLINOIS**

SHEET NAME:
FLOOR PLAN - FIRST FLOOR - RESTAURANT

SHEET NUMBER



NOTES:

COMMENTS:

NO.	DATE	DESCRIPTION
1	01/23/2018	PERMIT REVISIONS
	12/04/2017	PERMIT
	11/27/2017	90% PROGRESS REVIEW

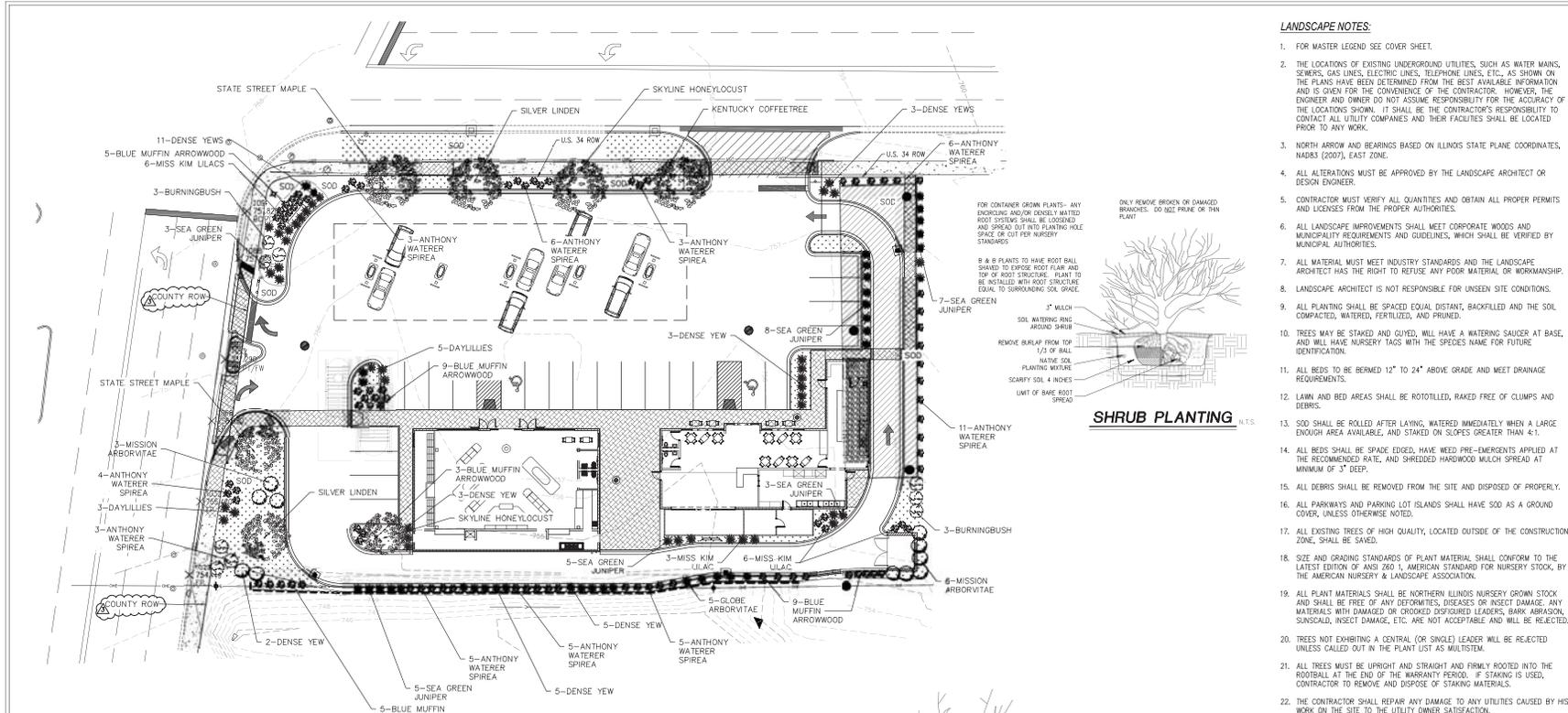
NO. DATE DESCRIPTION
 I certify that these drawings were prepared under my direct supervision and to the best of my professional knowledge they conform to the Village of Downers Grove Building Codes
 LICENSE NO. : 001 020430
 SEAL:



EXPIRATION : 11/30/2018
 DRAWN BY: Kd
 CHECKED BY: Kd
 DATE: 12/04/2017
 SCALE: 1/4" = 1'-0"
 PROJECT NUMBER: 1710
 PROJECT NAME:
POWMARO'S CONVENIENCE STORE AND RESTAURANT
 PROJECT ADDRESS:
 2125 OGDEN AVE,
 DOWNERS GROVE,
 ILLINOIS

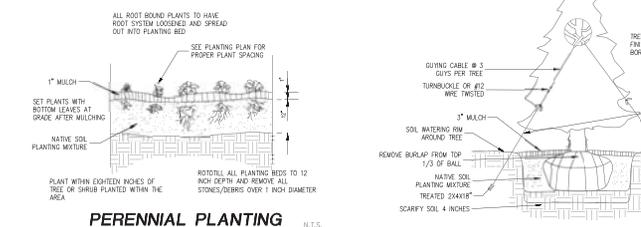
SHEET NAME:
BUILDING SECTIONS - RESTAURANT
 SHEET NUMBER

1/23/2018 9:42:39 PM



PLANT SCHEDULE

QTY	SIZE	TREES	SCIENTIFIC NAME	COMMON NAME
2	2.5" CAL	ACER NYMPHE	STATE STREET MAPLE	STATE STREET MAPLE
2	2.5" CAL	GLEDITSIA TRIACANTHOS INERMIS	SKYLINE HONEYLOCUST	SKYLINE HONEYLOCUST
1	2.5" CAL	GYNOCLADUS DIOICUS	KENTUCKY COFFEETREE	KENTUCKY COFFEETREE
2	2.5" CAL	TILIA TOMENTOSA	SILVER LINDEN	SILVER LINDEN
SHRUBS				
6	24"	EDONIVUS ALATUS 'COMPACTUS'	COMPACT BURNINGBUSH	COMPACT BURNINGBUSH
8	1 GAL	HENEOCALLIS 'HAPPY RETURNS'	HAPPY RETURNS DAYLILLIES	HAPPY RETURNS DAYLILLIES
29	24"	JUNIPERUS CHINENSIS 'SEA GREEN'	SEA GREEN JUNIPER	SEA GREEN JUNIPER
51	5 GAL	SPIREA X BUMALDA 'ANTHONY WATERER'	ANTHONY WATERER SPIREA	ANTHONY WATERER SPIREA
15	24"	STRINDA PATULA	MISS KIM LILAC	MISS KIM LILAC
35	24"	TAXUS X MEDIA 'DENS11'	DENSE YEW	DENSE YEW
9	6 FT.	THUJA OCCIDENTALIS 'TEGHY'	MISSION ARBORVITAE	MISSION ARBORVITAE
5	24"	THUJA OCCIDENTALIS 'WOODWARD11'	GLOBE ARBORVITAE	GLOBE ARBORVITAE
31	24"	VIBURNUM DENTATUM 'BLUE MUFFIN'	BLUE MUFFIN ARROWWOOD	BLUE MUFFIN ARROWWOOD



CIVIL ENGINEER

1030 West Route 136
Pleasant Hill, Illinois 62454
(815) 234-6505

ARCHITECT

ELECTRONIC FILE WARNING

STRUCTURAL ENGINEER

MECHANICAL ENGINEER

No.	Issues & Revisions	Date
5	PER VILLAGE COMMENTS	01/16/2018
4	PER VILLAGE COMMENTS	01/02/2018
3	PER GOVERNMENT AGENCIES REVIEW	09/08/2017
2	PER VILLAGE REVIEW	08/08/2017
1	ISSUED FOR PLANNING & ZONING REVIEW	01/28/2017
1	ISSUED FOR 50% PROGRESS SET	01/24/2017

5	PER VILLAGE COMMENTS	01/16/2018
4	PER VILLAGE COMMENTS	01/02/2018
3	PER GOVERNMENT AGENCIES REVIEW	09/08/2017
2	PER VILLAGE REVIEW	08/08/2017
1	ISSUED FOR PLANNING & ZONING REVIEW	01/28/2017
1	ISSUED FOR 50% PROGRESS SET	01/24/2017

No. Issues & Revisions Date

Project: **17065_BASE.DWG**

REVISIONS

PERMITS

1. REVISED LANDSCAPING

2. COUNTY PERMITS ACC'D

3. REVISED PLANS PER CLIENT REVIEW

4. REVISED PLANS PER DOT REVIEW

1. U.S. 34 AND ROAD LABELS ACC'D

Drawing Title: 17065_BASE.DWG

LANDSCAPE PLAN AND DETAILS

© 2018 C.M. Lavoie & Associates, Inc.

These plans are protected under the copyright laws of the United States and foreign countries, and are to be used only for the construction and repair and remodeling of the structure or structures defined in the contract between the Architect and the Owner. Any use of these plans to construct, remodel or repair additional structures constitutes a violation of the Architect's copyright of these plans and is prohibited.

Graphic Scale (IN FEET): 0 10 20 40 (1" = 20')

Project No. 16-255 Drawing C 8.0

Drawn By TEP

Drawn By SKB

Checked By CML of



www.lukeoil.com

To: Sam Odeh

Re: Downers Grove

Date: February 26, 2018

To Whom It May Concern:

In regards to fuel deliveries, Luke Transport is available to deliver to this site during non-peak hours from midnight to 4:30am. Our operation runs 365 days per year and 24 hours per day. We have the ability to designate this site as an "Early morning AM" delivery only. We pride ourselves on meeting the needs of our customers at Luke Transport and look forward to the opportunity to further our partnership.

Should you have any questions or concerns, feel free to contact me directly.

John Larkin

A handwritten signature in black ink, appearing to read 'John Larkin', written over a faint, larger version of the signature.

Luke Transport

(219) 963-6106

jlarkin@lukebrands.com



www.lukeoil.com

To: Sam Odeh

Re: Luke Transport Contact Information

Date: February 26, 2018

Sam,

Here's the latest contact information for the staff at Luke Transport:

Fuel Ordering Hotline: (219) 963-3835

John Larkin – Transport Manager

jlarkin@lukebrands.com

Office: (219) 963-6106

Cell: (303) 883-5116

John Seniw – Lead Dispatch

jseniw@lukebrands.com

Office: (219) 654-4850

Cell: (260) 229-4828

Monica Villanueva – Logistics Analyst/Dispatch

mvillavueva@lukebrands.com

Cell: (219) 771-8516

Jay Bobby – PM Dispatch

jbobby@lukebrands.com

Cell: (219) 406-4220

Should you have any questions or concerns, feel free to contact me directly.

John Larkin

A handwritten signature in black ink, appearing to read 'John Larkin', written over a white background.

Luke Transport

(219) 963-6106

jlarkin@lukebrands.com

MIDWEST WASTE CONSULTANTS, LLC

February 26, 2018

Power Mart Corp
2125 Ogden Ave
Downers Grove, IL 60515

RE: Trash Removal Pick-up Time and Date for Power Mart, Downers Grove, IL

To Whom It May Concern,

Midwest Waste Consulting, LLC is a brokerage service that helps clients with unique trash and recycling issues to find beneficial solutions. We have secured a commitment from a licensed Downers Grove trash provider that has committed to providing weekly service for Power Mart at 2125 Ogden Ave in Downers Grove before 7:00 am each Thursday. If you have any other questions, please contact me directly at 630-800-8549. Thank you for your time!

Sincerely,

Tyler Weber
VP of Operations
MWC, LLC.

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.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
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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

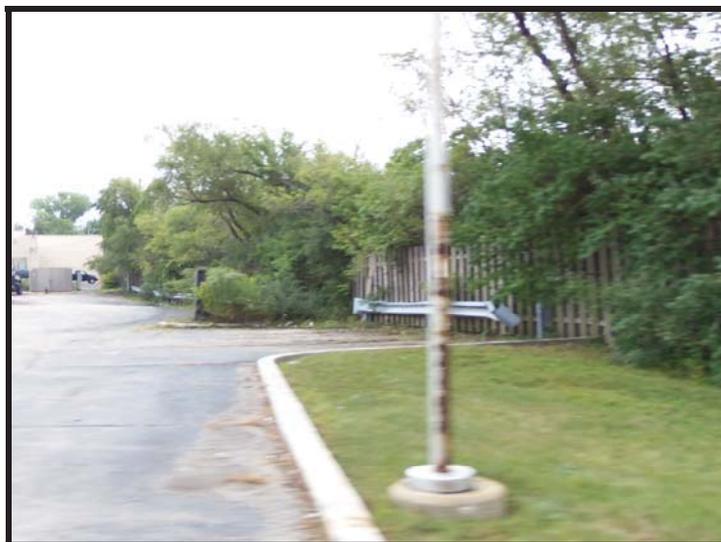
AERIAL EXHIBIT



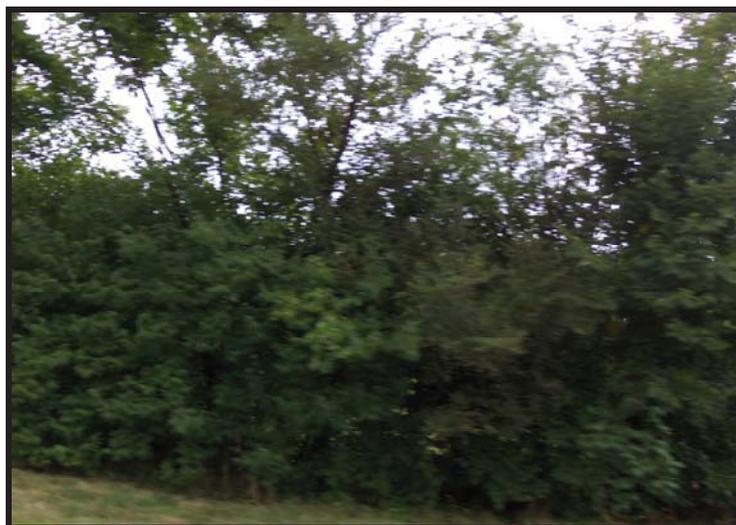
AERIAL VIEW

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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Legal Description

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Assumptions and Limiting Conditions

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Qualifications and Licenses of the Appraisers

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.

REGIONAL ANALYSIS

REGIONAL AREA

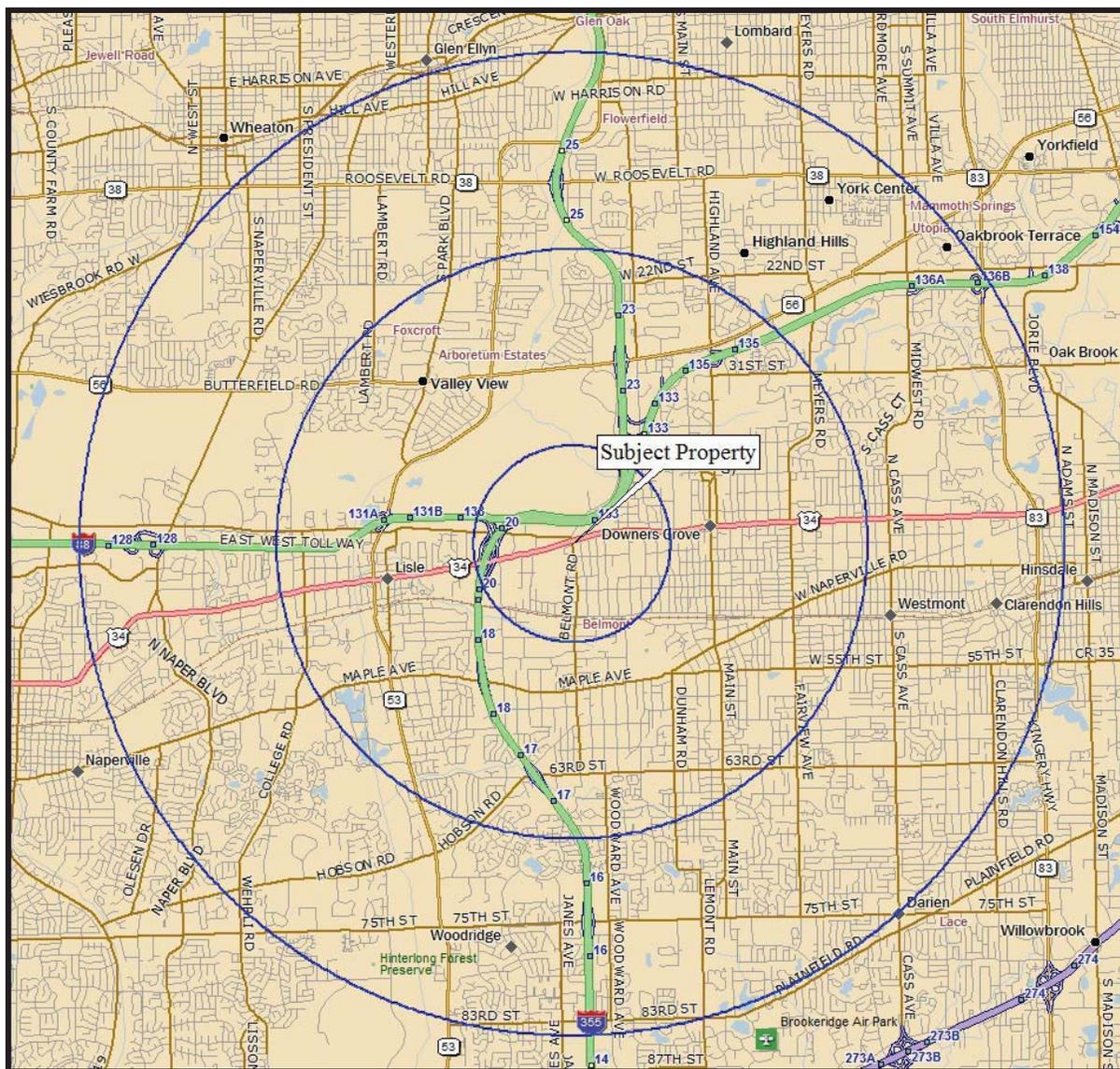


LOCAL AREA

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

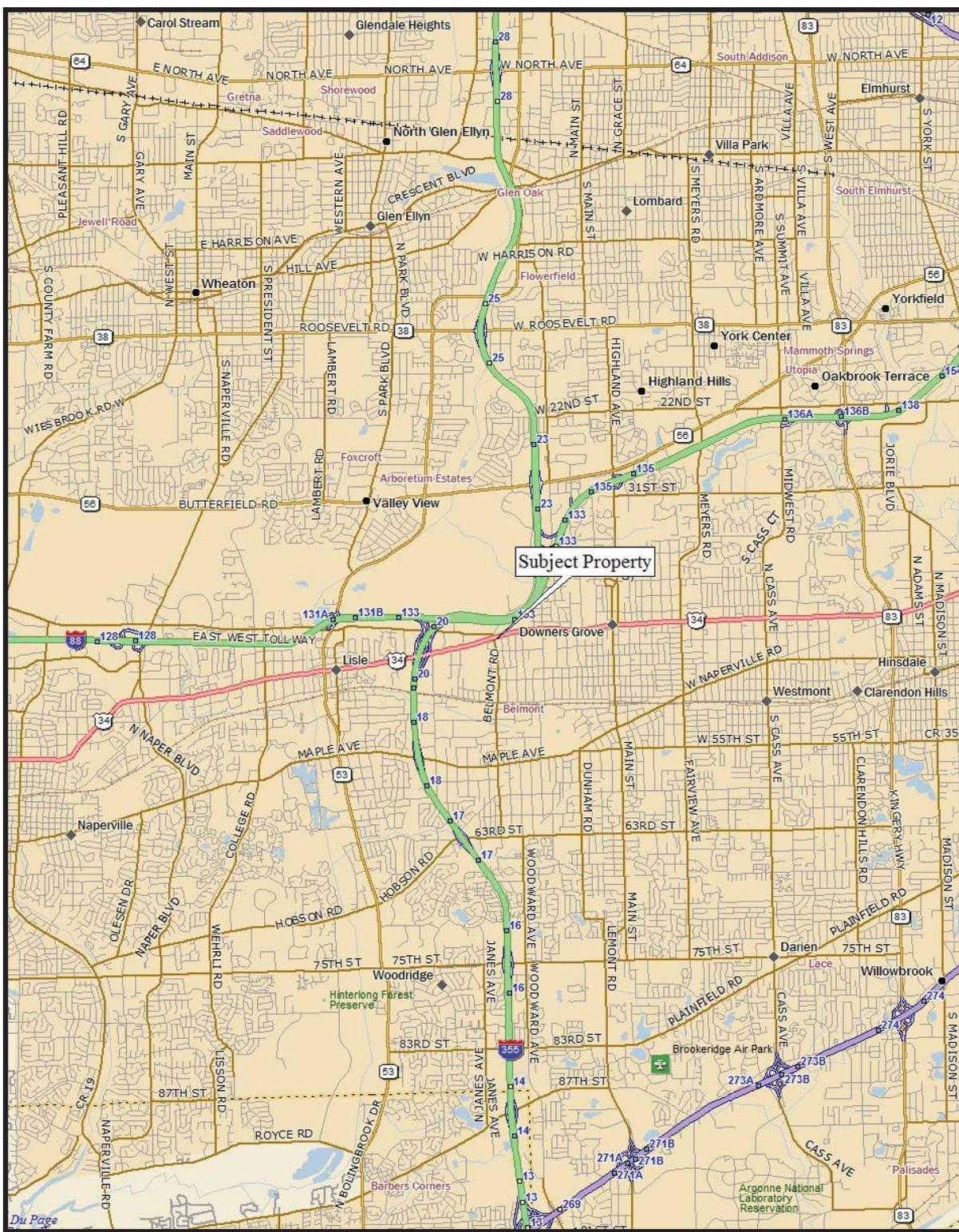
The appraisal property is located along the east side of Belmont Road, just south of Ogden Avenue. There is a former gas station to the north, vacant land and residential development to the south; residential to the east; and retail and multi-family residential to the west.

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

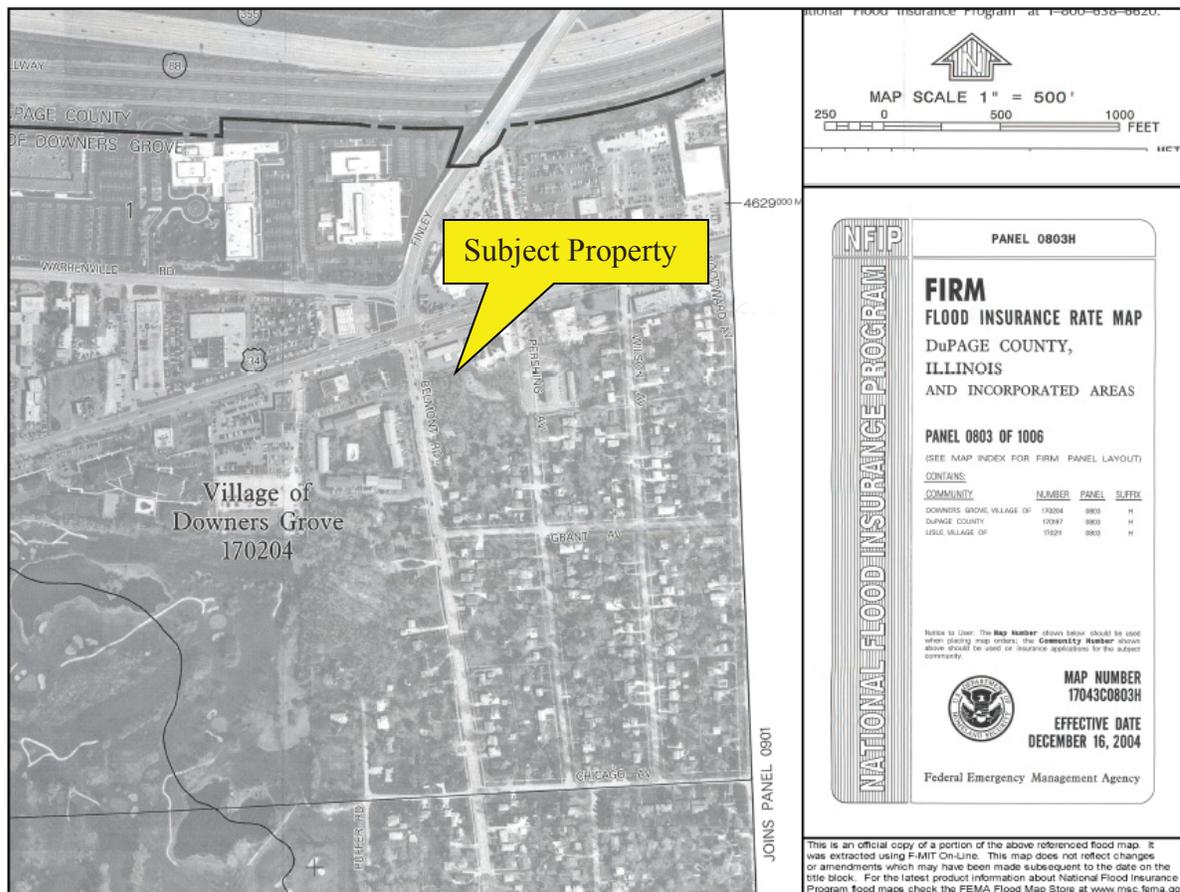


Source: DuPage County GIS

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 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		-10.0%	-15.0%	0.0%	-20.0%	-15.0%	-25.0%
Physical Characteristics		-50.0%	-50.0%	-50.0%	-25.0%	-50.0%	-50.0%
Size		-10.0%	-10.0%	-10.0%	-10.0%	-15.0%	-10.0%
Zoning		0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Flood Zone		-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	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 Ruettger, 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

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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.

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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

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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.

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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

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17-PLC-0014 (Continued from February 5, 2018): A petition seeking approval of a Planned Unit Development, Special Use for a fueling station and drive-through for a restaurant, and an alley vacation. The property is zoned B-3, General Services and Highway Business. The property is located at the southeast corner of 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.

Rebecca Leitschuh, Planning Manager for the Village, introduced Ms. Majauskas as the newest member of the Plan Commission and thanked her for volunteering her service to the Village. Ms. Majauskas responded that she has served on the Zoning Board of Appeals for about twelve years, and is pleased to be serving on the Plan Commission.

Ms. Leitschuh then introduced Flora Ramirez, newest Staff member in the Community Development Department.

Ms. Leitschuh explained that the petition before the Commission relates to property located at 2125 Ogden Avenue seeking approval for a Planned Unit Development, two Special Uses for a drive-through facility for a restaurant and for a filling station, and the vacation of a 20-foot-wide unimproved alley at the south side of the property. The property consists of five lots, which will be consolidated at the time the building permit. Surrounding zoning is M-1 to the north, R-6 to the south, and B-3 to the east and west. Ms. Leitschuh noted that the property is a former gas station with a one-story vacant (around 8 years) commercial building, a vacant car wash facility and a surface parking lot. There are four curb cuts, two on Ogden Avenue and two on Belmont Road, with an unimproved alley that runs along the south side of the property. They are requesting vacation of the unimproved alley to allow for greater flexibility of site design, and adding depth to accommodate setbacks. Ms. Leitschuh noted that a similar petition came before the Commission in November of 2017 and was unanimously recommended for approval to the Village Council; however, after discussions with Council and Plan Commission, the petitioner decided to return to the Plan Commission to revisit a few items. The present petition is predominately the same as was previously submitted with changes to the architectural façade and the entitlements sought. After discussion before Village Council, it was determined that the request should be for a Planned Unit Development resulting in one lot for a comprehensive development, rather than two lots through a subdivision with variations. The special uses sought for a drive-through and fueling station, as well as the alley vacation remain the same. As stated in Staff's recommendation, a condition of approval will require that both buildings be developed concurrently, and that a certificate of occupancy could only be obtained for both buildings at the same time. A similar condition was sanctioned for Walgreens.

Ms. Leitschuh described the materials that will be used in construction including a composite panel system with a fiber cement board exterior finish imitating brick and natural stone. She explained the two-story convenience store building will now be a one-story building, with a slightly smaller footprint. The restaurant will have a slightly

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larger footprint, enclosing what was previously an outdoor patio. The petitioner is proposing 23 parking spaces including two handicapped spaces, which surpasses the required minimum of 20 total spaces. Both buildings will share the parking spaces, and stacking for the drive-through and gas pumps is provided as required by the Zoning Ordinance. She displayed slides of the proposed site design, which is close to what was submitted in November. As for access, the petitioner is proposing one full access from Ogden Avenue, and the removal of one curb cut on Belmont Road while maintaining the second as a right-in/right-out turn. Pedestrian connection is provided across the entire site, from Belmont to Ogden. She reviewed site circulation as it meets the requirement of Fire Department and other emergency apparatus and fuel loading apparatus. Garbage pickup and fuel delivery will be restricted to off-hours as described in narrative by petitioner and supplemental letters from contractors. A fully screened trash enclosure will be placed at the southeast corner of the property as required by the Zoning Ordinance.

The petitioner proposes 22 percent open space including the alley, above the 10 percent minimum requirement, and the street yard open space also surpasses minimum requirement, furthering the Comprehensive Plan goals along Ogden Avenue. Staff recommended a condition to provide three shade trees in parking lot islands to conform to Village requirements. Ms. Leitschuh noted that the proposal meets the photometric requirements, and that a six-foot privacy fence is proposed to provide screening for the residential properties. She noted that signage is not part of this petition but will comply with the Village's Sign Code. She showed additional elevation drawings depicting the façade from various viewpoints and the fuel canopy. The restaurant is an L-shaped design, with the north façade facing Ogden Avenue, and explained a more standard building is proposed versus the previous shipping container proposal. She identified an outdoor cooler area to be constructed using the same primary building materials. The drive-through window is located at the east façade of the restaurant. Outdoor seating is under consideration although it requires additional review identical to all outdoor cafes. A second kitchen is proposed to serve as a preparatory kitchen and for larger catering events.

The Comprehensive Plan identifies the site as part of a catalyst site "D5" in the Ogden Avenue Key Focus Areas and recommends aesthetic and functionality improvements. She said that the intention is to serve both neighborhood and regional services. The Comprehensive Plan notes that the area should be redeveloped with attention to pedestrian circulation, reduced number of curb cuts, increase cross access between lots, and enhancement of the overall appearance of the building and through landscaping at what is considered to be an important intersection along the Ogden Avenue Corridor.

With regard to Zoning Ordinance compliance, Ms. Leitschuh referenced the table shown on pages 4-5 of Staff's report dated March 5, 2018, and noted that the proposed development complies with the majority of bulk regulations in the B-3 zoning district, although the drive-through setbacks are reduced along the south and east property lines. Staff finds the setback reductions to be a reasonable accommodation because the

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location is preferable behind the building, enhancing the site's appearance and limits drive-through traffic points of conflict.

Regarding approval criteria, Ms. Leitschuh said that Staff finds that the proposal meets the standards for a PUD, Special Use and Alley Vacation as outlined in its report of March 5, 2018, pages 6-9. The Village policy regarding alley vacation is to secure written consent for at least two property owners who abut the alley. This criterion has not been met, however, State law allows for the Village Council to determine the efficacy of the requested vacation. She noted that the petitioner provided an appraisal report for the alleyway prepared by Argianas & Associates, Inc., in August of 2017 stating the value of the alley as \$5,000. The petitioner is offering an amount higher than the appraised value at a final value of \$10,000. If the vacation is approved, there will be an easement placed upon that portion of the alleyway stating that no structure can be placed upon it.

Ms. Leitschuh said that Staff recommends approval of the requested PUD, Special Uses, and Alley Vacation, subject to 8 conditions listed on page 10 of Staff's report dated March 5, 2018.

Ms. Gassen understands it is not necessary to secure abutting property owners consent per state code, but asked what was the impression or understanding of the abutting property owners, and whether they understand that their consent is not required. Ms. Gassen questioned whether these property owners think their consent is required for the vacation to be approved, and if so perhaps that is why we are not seeing them at the meeting. She was curious what the notification process is and do the neighboring properties know we don't need their consent for Council to approve the vacation request. Ms. Leitschuh said she has not independently reached out to the property owners that this has the ability to be vacated without their consent. She said staff sent out mailers for the public hearing and received no inquiries, having received two inquiries for the previous petition. At the end of the day she does not know what decision Council will make regarding the policy.

Mr. Boyle raised a question regarding one of the site plans showing new sidewalk where the old curb cuts currently are, and whether the existing sidewalk wrapping around the corner of Ogden and Belmont will remain, and whether it will still open onto Ogden and Belmont for pedestrian access across the streets. Ms. Leitschuh said any current sidewalk connection for someone to cross the street will have to be replaced or remain if in acceptable condition. Mr. Boyle reiterated he wants people to continue to have the opportunity to cross Belmont and Ogden since the one site plan neglected to show the street cut for the sidewalk.

Ch. Rickard said he understands that the alley vacation meets the state ordinance and that the Village Council will make the final decision regarding the vacation policy, however, he clarified that the southern property owner was notified about the meeting with a description of what was under consideration and was invited to attend. That owner was given all proper notices, but that Staff did not specifically have a

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conversation with them that it could be vacated without his approval. Ms. Leitschuh said that was correct, and elaborated on the public notification process: highly visible public hearing signs were placed on the subject property, each individual surrounding property owner within 250' of the subject property received a direct mailing talking about the agenda item, a location map, and description of proposal in more layman's terms. She referred follow-up to the petitioner, but said the petitioner sent site plans to some of the properties in attempt to make contact. Staff keeps track of any mailers that did not make it to the taxable billing address, so if someone says they were not noticed, we can follow up. Mr. Kulovany asked if the neighbors were notified of the meeting last year, and were notified again about this meeting. Ms. Leitschuh responded yes. Ms. Gassen said she understood the notice process, but that she is concerned the abutting property owners do not understand their consent is not required. Mr. Kulovany further asked for clarification that the vacation process is a policy, not an ordinance. Ms. Leitschuh responded yes.

There being no further comments at this time, Ch. Rickard called upon the petitioner to make its presentation.

Mr. William McLaughlin, Chief Operating Officer for Powermart at 572 W. Lake Street, Elmhurst, stated he represented the Petitioner, and had no formal presentation as Staff covered most of the items. He did have clarification regarding neighbors' consent, stating that they received consent from the neighbor to the east, as well as a signature from one of the Board members of Creekside Condo Association. Chris Lavoie has had numerous conversations with the neighbor to the south, and the site plan and drawings were given to that neighbor. He was unaware whether the neighbor was informed that his consent was necessary for the vacation, but have had numerous conversations.

Ch. Rickard clarified with Mr. McLaughlin that they have consent from one property owner to the east, and one Board member from the condominium association but that does not qualify per the vacation policy. Ms. Leitschuh verified that the property to the east does not abut the alley so it does not qualify, and the consent from the Board member does not serve as the second homeowner's approval. Mr. McLaughlin added that the condo building has only 5 condo owners with 2-3 board members. Ch. Rickard added that he wanted to identify the consent provided did not qualify under the alley vacation policy.

Mr. Kulovany asked whether northbound traffic on Belmont would have to take a 175-degree turn to get into the drive-through. Will there be a traffic arrow indicating the turn? Mr. McLaughlin said that is correct. Mr. Kulovany asked if the turn was a concern. Mr. McLaughlin said they reviewed this with their Civil Engineer and there are no concerns. Mr. Kulovany said he trusts they will provide the pavement markings.

Mr. Boyle asked what caused the change in the materials being used, and Mr. McLaughlin said part of that decision was cost. He noted that the general contractor was present to address that question.

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Jim Sideris of Interstate Construction in Lombard said the original intent for this project was to build it out of shipping containers, with issues of longevity, the environment and climate for the area. They chose to go with a design that was a more traditional product. He passed out material samples while describing the materials of choice as a more advanced technology with metal studs, preinsulated with a rating of R-31, receiving an energy star qualification. The material is made in Kenosha, WI and shipped to Chicago, and is commonly used around the country in structures up to 6 stories, mixed use housing, and currently a hotel by Midway Airport is using same pre-fabricated system, assembled by carpenters. The exterior is a Nichiha fiber cement board system that appears to be real stone and brick, however it will appear the same in fifteen years from now. He provided further details about its durability and long-term wear. Ch. Rickard clarified that the exterior of the building is not masonry, but appears as such, using different textures and patterns but 100 percent fiber cement board.

Mr. Boyle asked about the change of entitlement process to PUD. Ms. Leitschuh responded that it was previously a subdivision request for two lots instead of one with variations because of the site configuration. Mr. Boyle said as a PUD the two separate businesses will run as one development, and the certificates of occupancy and construction will run in conjunction with each other, also helping to alleviate previous concerns including a shared dumpster issue previously identified.

There being no further comments, Ch. Rickard called upon the public for any comments or questions. There were no comments.

Mr. McLaughlin said they are looking forward to developing this property and bringing some beauty to that corner, and thanked the board for their consideration.

Ch. Rickard closed the opportunity for further public comment.

Ms. Majauskas commented that whether the neighbors were or were not in favor, they had the ability to attend the meeting and they did not. Whether they personally were involved in asking questions or not, everybody had the notice to come here and nobody is here.

Ms. Rollins said she was not at the meeting in November but she read the minutes and she thinks this is an improvement and appreciates the thought about the building from the first time around.

Ms. Gassen said her concern is that the owners might believe their consent is required in order for the alley to be vacated. She supports the proposal, but she hopes Village Council will take the neighbors into consideration because it sounds like the Village has never done this before without neighbor consent, to which Ms. Leitschuh stated it had happened. Ms. Gassen said she is happy with the improvements made, and from her recollection of the last proposal, many challenges resulted from the two lots, and that it makes a lot more sense as a PUD and one lot.

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Mr. Kulovany said he supports the petition and it meets the requirements of the PUD, Special Use and Zoning Map Amendment regulations. He likes that it is being improved after so many years, using better looking buildings and is pleased that they are using a more durable material, improving the appearance of that corner. He said it currently is an eyesore, and is a tough site, narrow, and the drive-through is what it is because of the limited space, and he wants to see the business succeed.

Ms. Gassen moved with respect to Petition 17-PLC-0014 that the Plan Commission recommend that the Village Council approve the request for a Planned Unit Development, Special Use for a fueling station and a drive-through for a restaurant, and an alley vacation subject to the conditions listed on Page 10 of Staff's report dated March 5, 2018. Mr. Kulovany seconded the Motion.

**AYES: Ms. Gassen, Mr. Kulovany, Mr. Boyle, Ms. Johnson,
Ms. Majauskas, Ms. Rollins, Ch. Rickard**

NAYS: None

Motion carried unanimously.