

MAY 24 2021

Metropolitan Water Reclamation
District of Greater Chicago**Foukas, Anastasios**

From: Donald Dressel <ddressel@cbbel.com>
Sent: Friday, May 21, 2021 1:05 PM
To: morakalis@mwrld.org; Mihalopoulos, Jorge; Foukas, Anastasios; Durkin, Maureen
Cc: Todd Wenger; Cassandra Rice
Subject: Petition for Variance - Village of Schaumburg Case No. WMO-VP-21-02 90 North District West Park
Attachments: We sent you safe versions of your files; 20210513023152612.pdf; SIGNED9243.08SUR-02 05182021.pdf; MWRD Variation Parcel Exhibit.pdf; MWRD Variation Notices.pdf; MWRD Certified Letters.pdf; MWRD Certified Letter Receipts.pdf; Daily Herald.pdf; Notice of Petition for Variance Letter.pdf

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Attached is the May 10, 2021 Notice of Procedural Deficiency document.

In response to this document, the Village of Schaumburg offers the following responses:

1) The Petition contained a plat of dedication in lieu of plat of survey of the project site in violation of §1101.3.D.

Response: Attached is the plat of survey.

2) Petitioner failed to file a certification of publication within 12 days of filing of the Petition as required by §1102.4.

Response: The Village of Schaumburg is publishing the notice in the Daily Herald. Attached is an email from the Daily Herald documenting the Friday 5-21-21 publication.

3) Petitioner failed to file a sworn affidavit that notices were sent to the addresses of nearby property owners as required by §1102.5.

Response: The notice was sent by certified mail to the nearby property owners. Attached is the nearby property owner list & parcel exhibit, copy of the certified letters and the certified letter receipts.

The following is the previously submitted response to §1103.1 and the response to §501.1 A-C:

§ 1103 Standards

1. The District may grant a **variance** when it is consistent with the general purpose and intent of this **Ordinance** and when the **project** meets the requirements as specified in §501.1.A-C of this **Ordinance** and the petition demonstrates all of the following conditions:

- A. Granting the variance neither alters the essential character of the area involved nor alters existing stream uses;
Response: The variance will not alter the character of the area and does not impact any stream.
- B. Failure to grant the variance would create an unreasonable hardship on the applicant; economic hardship alone shall not constitute unreasonable hardship;
Response: The Village has gone forward with the development of the proposed urban park assuming that the required detention storage volume has been provided in the expanded North Pond.

- C. The variance to be granted is the minimum necessary and there are no other means by which the alleged hardship can be avoided or remedied to a degree sufficient to permit the reasonable continuation of the project;
Response: Because the proposed urban park plan was developed and approved prior the May 7, 2020 WMO, it does not have sufficient area to support a stormwater management basin.
- D. The applicant's circumstances are unique, not self-imposed, and do not represent a general condition or problem;
Response: This is the Village's only urban park.
- E. The project is unique when compared to other projects that have met the provisions of this Ordinance;
Response: This a unique situation, the prior WDO would allow an urban park to be constructed without providing detention storage.
- F. A development proposed within a flood protection area is unable to be constructed outside the flood protection area; and
Response: The proposed park is not located in a flood protection area.
- G. Granting the variance shall not result in any of the following:
- (1) Increase in the regulatory floodplain elevation, unless a CLOMR is issued by FEMA;
Response: The proposed urban park will not result in a n increase a regulatory floodplain.
 - (2) Additional threats to public safety;
Response: The urban park will not threaten public safety.
 - (3) Extraordinary public expense;
Response: The variance will reduce the amount of public expense.
 - (4) Nuisances, fraud, or victimization of the public; or
Response: The proposed variance will not result in the above.
 - (5) Conflict with existing laws or ordinances."
Response: The proposed variance is not in conflict with existing laws or ordinances.

§ 501. General Development and Stormwater Management Requirements

1. Development shall not:

- A. Increase **flood** elevations or decrease **flood** conveyance capacity upstream or downstream of the **property holding**;

Response: The proposed project will not result in an increase in flood elevations or decrease in conveyance capacity upstream and downstream of the property holdings. The downstream regional stormwater facility (North Pond) has been constructed to accommodate the required detention storage volume for the ultimate development of the Urban Park using Illinois State Water Survey (ISWS) Bulletin 70 rainfall. The Urban Park's Phase 1 condition has significantly less impervious area than under the proposed ultimate condition, therefore there is sufficient surplus stormwater storage volume in the North Pond to accommodate the ISWS Bulletin 75 generated stormwater from the Urban Park Phase 1 condition. The storm sewer between the Urban Park and the North Pond has been designed to handle the flow from the Urban Park's ultimate condition.

B. Pose any increase in **flood** velocity or impairment of the hydrologic and hydraulic functions of streams and **floodplains** unless a **water resource benefit** is realized;

Response: Since the stormwater from the Urban Park is being stored and slowly released from the North Pond, there will be no increase in velocity or impairment of hydrologic and hydraulic functions of the receiving watercourse and associated floodplain.

C. Unreasonably or unnecessarily degrade surface or **groundwater** quality;

Response: The Urban Park has no components that will degrade surface or groundwater quality.

D. Result in any new or additional expense to any **person** other than the **applicant** as a result of **stormwater** discharge; and

Response: The downstream stormwater system has been designed to accommodate the Urban Park's stormwater discharge.

E. Violate any provision of this **Ordinance** either during or after construction.

Response: The Village of Schaumburg will provide appropriate construction observation measures to prevent any Ordinance violation during construction and we regulate the Urban Park after construction in accordance with the Ordinance.

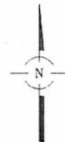
Donald R. Dressel, PE
Vice President

Christopher B. Burke Engineering, Ltd.
9575 W. Higgins Road, Suite 600 Rosemont, IL 60018
Phone: (847) 823-0500 Fax: (847) 318-9793
E-Mail: ddressel@cbbel.com



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PLAT OF SURVEY



SCALE: 1" = 50'
 BASIS OF BEARINGS:
 TRUE NORTH BASED ON GEODETIC
 OBSERVATION 11 EAST ZONE
 NOTE: ALL BEARINGS AND
 DISTANCES ARE MEASURED UNLESS
 OTHERWISE NOTED.

PROPERTY DESCRIPTION

OUTLOT A BE TOWNE CENTER AT VERBIAN PLAT OF SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 13, 2018 AS DOCUMENT NO. 182018-18, EXCEPT THAT PORTION OF VERBIAN DRIVE AS DEDICATED ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 16, 2009 AS DOCUMENT 2009-0612, ALL IN COOK COUNTY, ILLINOIS.

NOTES

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. IT IS POSSIBLE THAT ADDITIONAL CLAIMS, RESTRICTIONS OR OTHER ENCUMBRANCES EXIST OVER THE PROPERTY THAT HAVE NOT BEEN SHOWN HEREON.

AT CLIENT'S REQUEST NO WORKER EVIDENCES OR IMPROVEMENTS OR USES HAVE BEEN SHOWN HEREON.

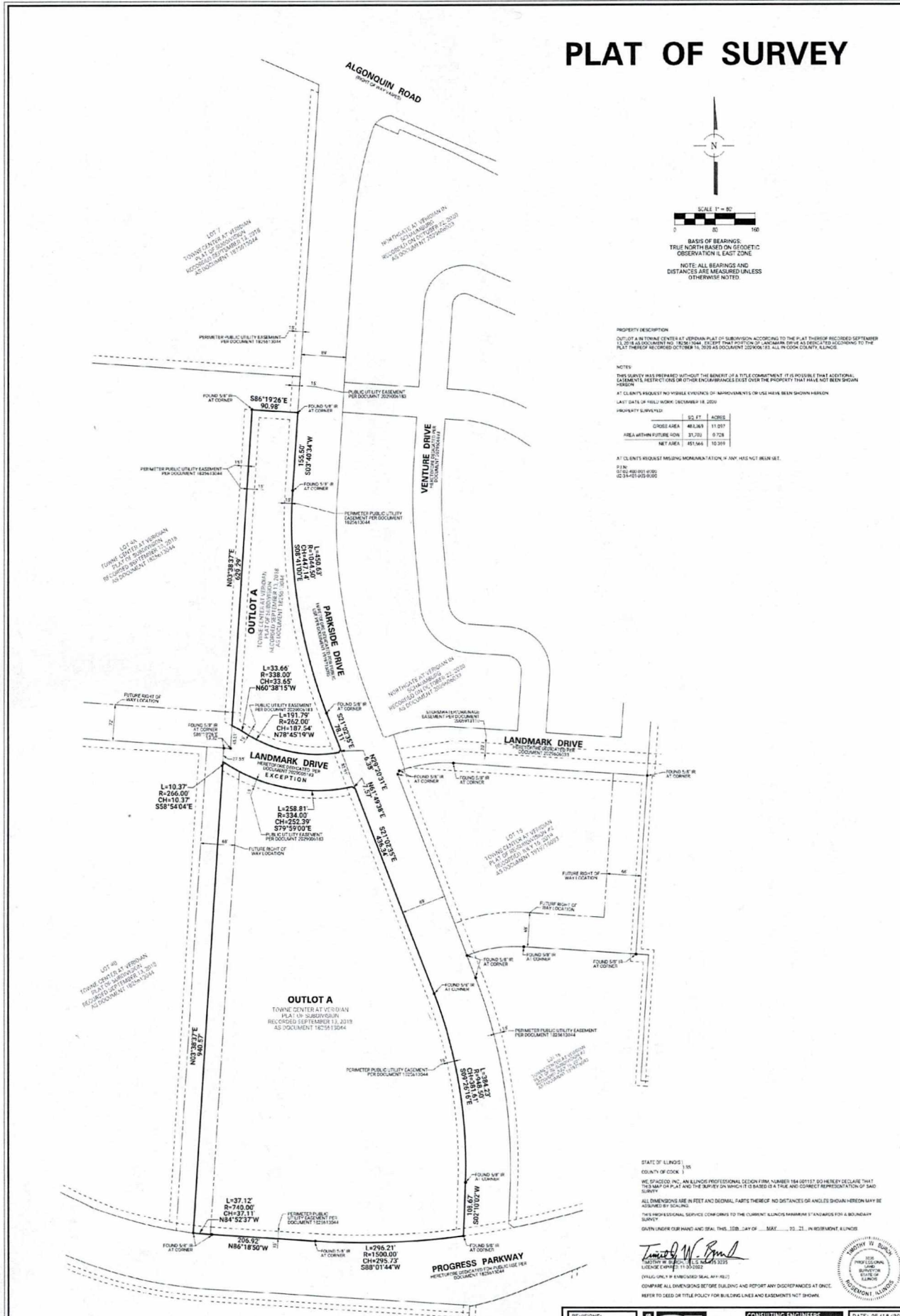
LAST DATE OF FIELD WORK: DECEMBER 18, 2020

PROPERTY QUANTITIES

CROSS AREA	SQ. FT.	ACRES
AREA WITHIN FUTURE HIGH	20,730	0.4728
NET AREA	351,644	10.393

AT CLIENT'S REQUEST MISSING MORAN NOTATION IF ANY HAS NOT BEEN SHOWN.

P.L.N.
 02-91-401-000-0000



STATE OF ILLINOIS)
 COUNTY OF COOK)

WE, STAFFORD INC., AN ILLINOIS PROFESSIONAL DESIGN FIRM, NUMBER 184 011177, DO HEREBY DECLARE THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF. NO DISTANCES OR ANGLES SHOWN HEREON MAY BE ASSUMED BY ROUNDING.
 THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DRAWN UNDER OUR HAND AND SEAL THIS 18th DAY OF DECEMBER, 2021, IN WHEATON, ILLINOIS

Justin W. Bond
 JUSTIN W. BOND
 LICENSE NUMBER 11-03-0202



COMPARE ALL DIMENSIONS BEFORE BUILDING AND REPORT ANY DISCREPANCIES AT ONCE.
 REFER TO DEED OR TITLE POLICY FOR BUILDING LINES AND EASEMENTS NOT SHOWN.

PREPARED FOR:
 VILLAGE OF SCHALMOURG
 101 SCHALMOURG COURT
 SCHALMOURG, IL 60153-1878

REVISIONS:	STAFFORD INC.

CONSULTING ENGINEERS	DATE: 05/18/2021
SITE DEVELOPMENT ENGINEERS	JOB NO: 2243-01
LAND SURVEYORS	FILE NAME: 2243-02SUR-02
	SHEET: 1 OF 1

9575 W. Higgins Road, Suite 700, Rosemont, Illinois 60018
 Phone: (847) 674-4340 Fax: (847) 674-1045

Mary

From: legals <legals@dailyherald.com>

Sent: Wednesday, May 19, 2021 8:36 AM

To: Mary Kirschbaum <mkirschbaum@schaumburg.com>

Subject: RE: Legal Notice for Friday, 5/21 publication

CAUTION: This email is from outside the organization.
Use caution before opening any links or attachments.

Morning Mary,

We'll publish on Friday, May 21st and send the certificates.

Have a good day!

Paula



Paula Raetzman

Legal Notice Coordinator

o: 847-427-4671

legals@dailyherald.com or

praetzman@dailyherald.com

P.O. Box 280 | Arlington Heights, IL 60006

DailyHeraldMediaGroup.com



VILLAGE OF SCHAUMBURG

COMMUNITY DEVELOPMENT / LANDSCAPE DIVISION / 101 SCHAUMBURG CT. / SCHAUMBURG, IL 60193
847.923.3866 / FAX 847.923.2331 / TWENGER@VILLAGEOFSCHAUMBURG.COM

NOTICE OF PETITION FOR VARIANCE:

Street Address: 1301 – 1303 East Algonquin Road, Schaumburg, Illinois, 60173

Description of Variance Requested: The Village of Schaumburg has requested a variance from the Metropolitan Water Reclamation District's (MWRD's) 2020 Watershed Management Ordinance (WMO), as related to the Village's the 90 NDW Central Park development. Detention for the site is provided in the North Pond, which is a regional detention basin that provides detention for a large percentage of the 90 North District West development site. Under the 2020 WMO, new restrictive rainfall and release rate data will require additional stormwater detention for the park site.

The site once housed a large surface parking lot (impervious surface) for Motorola. The site can now be classified as a pervious surface. The Village's position is that sufficient detention storage volume has been provided in the North Pond for the park development under the previous 2018 WMO. Thus, the Village believes that the only additional detention required should be for the park's new impervious surfaces. The amount of detention storage volume associated with the proposed impervious surfaces would be determined based on the current WMO criteria.

Additional Information: Any person may submit written comments regarding the petition for Variance to the Clerk of the District within twenty-one (21) calendars days after the publication and mailing of the notice. Please mail comments to:

Metropolitan Water Reclamation District of Greater Chicago,
Clerk of the District, 100 East Erie Street, Chicago, Illinois 60611

Copies of the Petition for Variance are available upon request from the Village of Schaumburg. All documents that concern the petition for variance, which are subject to public disclosure, will be made available for inspection by the Village of Schaumburg at a readily accessible location. Inspection documents are available at:

Village of Schaumburg Village Hall
Attn: Todd Wenger
101 Schaumburg Court, Schaumburg, Illinois 60193

Rules governing the variance hearing process are available on the Metropolitan Water Reclamation District's website.

Letters	PIN	Common Name	Address	Owner	Tax Bill To
1	07-11-203-004-0000	Motorola Solutions, Inc.	2000 Progress Parkway	MSI	Jackie Pavlidis Motorola Solutions, Inc. 2000 Progress Parkway Schaumburg, IL 60196
2	07-01-300-002-0000	Boler Inc.	2021 Parkside Drive	Boler	Galvin HQ, LLC 500 Park Boulevard, Suite 1010 Itasca, IL 60143
3	07-12-100-017-0000	Zurich North America	1299 Zurich Parkway	Stonemont	Terrance Evans 600 Red Brook #600 Owings Mills, MD 21170
4	07-02-400-003-0000	Vacant	N/A	TUF	TUF Partners, LLC 2250 Progress Parkway Schaumburg, IL 60173
	07-01-300-002-0000	Vacant	N/A	TUF	TUF Partners, LLC 2250 Progress Parkway Schaumburg, IL 60173
	02-34-401-002-0000	Atrium Building	2201 Progress Parkway	TUF	TUF Partners, LLC 2250 Progress Parkway Schaumburg, IL 60173
	02-34-401-001-0000	North Pond	2255 Progress Parkway	TUF	TUF Partners, LLC 2250 Progress Parkway Schaumburg, IL 60173
5	02-34-401-004-0000	Northgate	Various	DR Horton	DR Horton, Inc. - Midwest 750 East Bunker Court, Suite 500 Vernon Hills, IL 60061
	N/A	Northgate	2326 Venture Drive	DR Horton	DR Horton, Inc. - Midwest 750 East Bunker Court, Suite 500 Vernon Hills, IL 60061
	N/A	Northgate	2325 Parkside Drive	DR Horton	DR Horton, Inc. - Midwest 750 East Bunker Court, Suite 500 Vernon Hills, IL 60061
	N/A	Northgate	2327 Parkside Drive	DR Horton	DR Horton, Inc. - Midwest 750 East Bunker Court, Suite 500 Vernon Hills, IL 60061
	N/A	Northgate	2329 Parkside Drive	DR Horton	DR Horton, Inc. - Midwest 750 East Bunker Court, Suite 500 Vernon Hills, IL 60061
6	N/A	Northgate	2331 Parkside Drive	Resident	Andrew Oh 2331 Parkside Drive Schaumburg, IL 60173



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847.923.3866 / FAX 847.923.2331 / TWENGER@VILLAGEOFSCHAUMBURG.COM

NOTICE OF PETITION FOR VARIANCE:

RE: PIN #07-11-203-004-000

Street Address: 1301 – 1303 East Algonquin Road, Schaumburg, Illinois, 60173

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NOTICE OF PETITION FOR VARIANCE:

RE: PIN #07-01-300-002-0000

Street Address: 1301 – 1303 East Algonquin Road, Schaumburg, Illinois, 60173

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NOTICE OF PETITION FOR VARIANCE:

RE: PIN #07-12-100-017-0000

Street Address: 1301 – 1303 East Algonquin Road, Schaumburg, Illinois, 60173

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NOTICE OF PETITION FOR VARIANCE:

RE: 07-02-400-003-0000, 07-01-300-002-0000, 02-34-401-002-0000, 02-34-401-001-0000

Street Address: 1301 – 1303 East Algonquin Road, Schaumburg, Illinois, 60173

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847.923.3866 / FAX 847.923.2331 / TWENGER@VILLAGEOFSCHAUMBURG.COM

NOTICE OF PETITION FOR VARIANCE:

RE: PIN #02-34-401-004-0000, 2326 Venture Drive, 2325 Parkside Drive, 2327 Parkside Drive, 2329 Parkside Drive

Street Address: 1301 – 1303 East Algonquin Road, Schaumburg, Illinois, 60173

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847.923.3866 / FAX 847.923.2331 / TWENGER@VILLAGEOFSCHAUMBURG.COM

NOTICE OF PETITION FOR VARIANCE:

RE: 2331 Parkside Drive

Street Address: 1301 – 1303 East Algonquin Road, Schaumburg, Illinois, 60173

Description of Variance Requested: The Village of Schaumburg has requested a variance from the Metropolitan Water Reclamation District's (MWRD's) 2020 Watershed Management Ordinance (WMO), as related to the Village's the 90 NDW Central Park development. Detention for the site is provided in the North Pond, which is a regional detention basin that provides detention for a large percentage of the 90 North District West development site. Under the 2020 WMO, new restrictive rainfall and release rate data will require additional stormwater detention for the park site.

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 Street, Apt. No., or PO Box No. **750 E Bunker Ct #500**
 City, State, ZIP+4 **Vermont Hills IL 60061**

PS Form 3800, August 2006 See Reverse for Instructions

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Total Postage & Fees	\$	

Sent To **Jackie Pavlidis Motorola Solutions**
 Street, Apt. No., or PO Box No. **2000 Progress Pkwy**
 City, State, ZIP+4 **Schaumburg IL 60196**

PS Form 3800, August 2006 See Reverse for Instructions

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Total Postage & Fees	\$	

Sent To **Terrance Evans**
 Street, Apt. No., or PO Box No. **600 Red Brook #600**
 City, State, ZIP+4 **Owings Mills MD 21170**

PS Form 3800, August 2006 See Reverse for Instructions

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Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To **Andrew Oh**
 Street, Apt. No., or PO Box No. **2331 Parkside Dr**
 City, State, ZIP+4 **Schaumburg IL 60173**

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